The original documents are located in Box 68, folder “Women's Groups” of the Philip Buchen Files at the Gerald R. Ford Presidential Library.

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MEMORANDUM FOR: PAT LINDH
FROM: DR. TED MARRS

Pat:

This interested me. What is the legal situation? Would you like to pick this up?

Attachment
MEMORANDUM FOR: PAT LINDH
FROM: PHILIP W. BUCHEN

By your memorandum of December 30, you raised the issue of the Federal Government's tax exemption for the V.F.W. which is an organization that limits its membership to males.

The Constitution does not prohibit acts of private discrimination. It does prohibit significant state (or Federal) action which supports private discrimination.

I have concluded that the Federal tax exemption is not a constitutionally prohibited (nor otherwise unlawful) act by the Federal Government in support of private discrimination.

The V.F.W. was chartered by the Congress in 1936. Its membership then adopted By-laws which limited membership to males. In a recent case the U.S. District Court for the District of Columbia found the language of the By-laws discriminatory. However, the Court noted this was private discrimination not prohibited by the Constitution. Stearns v. Veterans of Foreign Wars, 353 F. Supp. 473 (1973).

Stearns (the plaintiff) also argued that the Federal charter was significant state action in support of private discrimination and was constitutionally prohibited. Again the Court disagreed citing Monongade Lodge No. 187 v. Irvis, 407 U.S. 163, 92 S. Ct. 1965, 32 L. Ed. 2d 627 (1972). In that case the United States Supreme Court held that a state liquor license was not significant state action supporting the racial discrimination policy of a private club.

In light of the above discussion, I recommend no further action.

Thank you for your inquiry.

JF:pk for PWB
MEMORANDUM FOR: PHILIP W. BUCHEN
FROM: JAY T. FRENCH
SUBJECT: ATTACHED CORRESPONDENCE ALLEGING SEX DISCRIMINATION BY THE V.F.W.

Mrs. Strain has written Theodore Marrs asking him to explain why an organisation which discriminates against female members (the V.F.W.) is supported by the Federal Government with a tax exemption. This matter was referred to you for comment by Pat Lindh who received this matter as a referral from Theodore Marrs. At your request I have researched the issues raised by Mrs. Strain.

The Constitution does not prohibit acts of private discrimination. It does prohibit significant state (or Federal) action which supports private discrimination.

I have concluded that the practice of sex discrimination by the V.F.W. is a form of private discrimination and is not prohibited by the Constitution. Also, I have concluded that the Federal tax exemption is not a constitutionally prohibited act by the Federal Government in support of private discrimination.

The V.F.W. was chartered by the Congress in 1936. Its membership then adopted By-laws which limited membership to males. In a recent case the U.S. District Court for the District of Columbia found the language of the By-laws discriminatory. However, the Court noted this was private discrimination not prohibited by the Constitution. Stearns v. Veterans of Foreign Wars, 533 F. Supp. 473 (1973).

Stearns also argued that the Federal charter was significant state action in support of private discrimination and was constitutionally prohibited. Again, the Court disagreed citing Moose Lodge No. 187 v. Irvis, 407 U.S. 163, 92 S. Ct. 1665, 32 L. Ed. 2d 557 (1972). In that case the United States Supreme Court held that a state liquor license was not significant state action supporting the racial discrimination policy of a private club.

In light of the above discussion, I have prepared the attached memorandum for your signature.
MEMORANDUM FOR: PHILIP BUCHEN
FROM: PAT LINDH
SUBJECT: VFW MEMBERSHIP

Ted Marrs sent this to me and we checked out the fact that VFW is tax exempt. Is there a legal position on whether they can prevent veterans from attending their meetings?

We would appreciate your looking into this, if you think it is feasible and let us know how it should be followed through.
Dear Gilly:

It was a pleasure to receive your note and to review in detail your many activities and achievements. It is truly gratifying for me to have known you since the early days when you and Tory were such good friends, and I have always been one of your fond admirers.

I have passed on your resume to Mrs. Lindh in hopes that there will still be time for her fully to consider your qualifications to be appointed to the National Commission on the Observance of International Women’s Year.

If it turns out that this honor cannot come to you on this occasion, I am confident you will have many others coming to you in the future.

My very warmest regards to you and Ted.

Sincerely,

Philip W. Buchen
Counsel to the President

Mrs. Theodore C. Sorenson
25 Central Park West
New York, New York 10023
MEMORANDUM FOR: PAT LINDH
FROM: PHILIP BUCHEN
SUBJECT: National Commission on the Observance of Internal Women's Year

Attached is a letter from Gillian Martin Sorensen to me along with a copy of her resume. I know Mrs. Sorensen very well and have the highest respect for her. It is quite possible that she has not yet reached the point of achievement where she should be appointed to a Commission of this sort. I am therefore leaving her request to be dealt with entirely at your discretion.

Attachment
January 23, 1975

Honorable Philip Buchen
Counsel to the President
The White House
Washington D.C.

Dear Mr. Buchen:

If the matter has not already been closed, and if you think it appropriate, I wondered if you would be kind enough to pass on the attached resume to Mrs. Patricia Lindh for consideration on appointment to the National Commission to Promote and Coordinate United States Participation in International Women's Year. I believe my varied background could be of interest, and that I could make a valuable contribution to the effort. I'm most enthusiastic about such a possibility.

Ted and I enjoyed seeing you and Mrs. Buchen (and Tory, too) at my parents' party in October, and he joins me in sending warm regards.

Many thanks.

Sincerely,

Gillian Martin Sorensen
February 17, 1975

Dear Gilly:

The appointments to the National Commission on Observance of International Women's Year have been made, I am now told.

However, if there is any attrition, your name is before the Executive Director for future consideration.

Warmest regards.

Sincerely yours,

Philip W. Buchen
Counsel to the President

Mrs. Theodore C. Sorensen
25 Central Park West
New York, New York 10023

PWBuchensed
MEMORANDUM

THE WHITE HOUSE
WASHINGTON

February 11, 1975

MEMORANDUM FOR: PHILIP BUCHEN
FROM: PAT LINDH
SUBJECT: National Commission on the Observance of International Women's Year

We have sent the resume of Mrs. Sorensen on to the Executive Director of International Women's Year. The Commission has already been formulated, but in the event of attrition, Mrs. Sorensen could well be considered.
FOR IMMEDIATE RELEASE  FEBRUARY 27, 1975

Office of the White House Press Secretary

THE WHITE HOUSE

The President today announced his intention to nominate seventeen persons to be members of the Advisory Council on Women's Educational Programs for terms indicated. They are:

For terms of one year

Benjamin DeMott, of Amherst, Massachusetts, Professor
Department of English, Amherst College, Amherst, Massachusetts

Marsha Jean Darling, of Durham, North Carolina, Researcher
and Interviewer for the Institute of Policy Sciences and Public
Affairs, Duke University, Durham, North Carolina.

Jon W. Fuller, of Ann Arbor, Michigan, President, Great
Lakes Colleges Association, Ann Arbor, Michigan.

Margaret B. Harty, of Denton, Texas, Vice President of
the Institute of Health Sciences, Texas Woman's University,
Denton, Texas.

Holly Knox, of the District of Columbia, Director, Project
on Equal Education Rights of the National Organization
for Women's Legal Defense for Education Fund, Washington,
D.C.

Irene E. Portillo, of Los Angeles, California, Consultant and
Coordinator, Vocational and Cooperative Education, Rio
Mondovi Community College, Whittier, California.

For terms of two years

M. Anne Campbell, of Lincoln, Nebraska, Commissioner
of Education, Lincoln, Nebraska.

Joanne M. Carlson, of Eugene, Oregon, Director, Office
of Federal Relations, University of Oregon; and Assistant
Dean for Program Development, Graduate School, University
of Oregon, Eugene, Oregon.

Dr. Bernice Sandler, of Silver Spring, Maryland, Executive
Associate with Association of American Colleges where she
is Director of the Project on the Status for Education of
Women, Washington, D.C.

Gerald E. Weaver, of Columbus, Mississippi, Director of
Public Information, Mississippi University for Women,
Columbus, Mississippi.

Sister M. Joyce Rowland, of Winona, Minnesota, President
College of Saint Teresa, Winona, Minnesota.

(MORE)
For terms of three years

Mary L. Allen, of Valley Center, Kansas, Senior, Kansas State University, Manhattan, Kansas.


Katherine K. Burgum, of Arthur, North Dakota, Dean, College of Home Economics, North Dakota State University, Fargo, North Dakota.

Theresa Aragon de Shepro, of Seattle, Washington, Vice Provost for Special Programs and Director, Division of Urban and Regional Affairs, and Assistant Professor, Political Science Department, University of Washington, Seattle, Washington.

Mary Beth Peters, of Pittsburgh, Pennsylvania, Visiting Associate Professor of Management, and Director of the Program in Administration and Management, Chatham College, Pittsburgh, Pennsylvania.

Agnes M. Dill, of Isleta, New Mexico, National President, North American Indian Women's Association, Isleta, New Mexico.

The Council was established in the Office of Education, Department of Health, Education and Welfare by the Education Amendments of 1974 (Public Law 93-380 of August 21, 1974) and consists of the seventeen members appointed by the President, named above, together with the Chairman of the Civil Rights Commission, the Director of the Women's Bureau of the Department of Labor and the Director of the Women's Action Program of the Department of Health, Education and Welfare.

The Council shall elect its own Chairman.

The Council shall advise the Commissioner of Education with respect to general policy matters relating to the administration of women's educational equity; advise and make recommendations to the Assistant Secretary for Education concerning the improvement of educational equity for women; make recommendations to the Commissioner with respect to the allocation of any funds, including criteria developed to insure an appropriate geographical distribution of approved programs and projects throughout the Nation; and develop criteria for the establishment of program priorities.
3:25 Will you plan to attend the meeting on March 25th -- with the top women Presidential appointees?
March 12, 1975

TO: PHIL BUCHEN
FROM: BILL BAROODY, JR.
SUBJECT: MARCH 25TH MEETING OF WOMEN PRESIDENTIAL APPOINTEES

On March 25th our Office of Women's Programs has scheduled a meeting of our top women Presidential appointees. This meeting will serve as a pilot for future meetings of all Presidential appointees.

From several discussions of our staff members with Presidential appointees, we find it desirable to acquaint these people with the organization and operation of the White House and key individuals on the President's staff. This will enhance the direct line of communication between the White House and these Presidential spokesmen. It will also encourage the spirit of cooperation the President is seeking to achieve between the White House and his Cabinet departments.

If your schedule permits we would like you to participate in this briefing at 3:20 p.m. for approximately twenty minutes. This will allow for a brief presentation of your White House responsibilities and a question and answer period. Please respond to Pat Lindh on extension 2715.
12:55 I have checked with Bill Casselman and he will attend the meeting of top women Presidential appointees tomorrow (Tuesday 3/25) at 3:20 p.m.

Will plan to give his usual "pitch" unless you want something else said.
Friday 3/14/75

Meeting
3/25/75
3:20 p.m.

2:45 I have advised Pat Lindh in Mr. Baroody's office that you plan to attend the meeting on Tuesday 3/25 at 3:20 p.m. with the top women Presidential appointees. It will be held in the Family Theater.

Advised them that if you get tied up and can't get to the meeting, you plan to ask Bill Casselman if he would attend in your place.

cc: Bill Casselman (with copy of the memo of invitation).
MEMORANDUM

THE WHITE HOUSE
WASHINGTON

March 12, 1975

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FROM: BILL BAROODY, JR.
SUBJECT: MARCH 25TH MEETING OF WOMEN PRESIDENTIAL APPOINTEES

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March 25, 1975

To: Bill Casselman

From: Eva

Attached is the "latest" on the Women Appointees meeting for 3:20 this afternoon, which you kindly agreed to do for Mr. B.
MEMORANDUM

THE WHITE HOUSE
WASHINGTON

March 24, 1975

MEMORANDUM FOR:

WILLIAM J. BAROODY, JR.
PHILIP BUCHEN
JAMES CANNON
ROBERT HARTMANN
JOHN MARSH, JR.
DONALD RUMSFELD
WARREN RUSTAND

FROM:

PAT LINDH

SUBJECT:

March 25th Women Appointees Meeting

Thank you for agreeing to participate in our meeting tomorrow for
the women Presidential appointees. The meeting will be held in
the Family Theater in the East Wing.

Attached is the agenda as a reminder of the time schedule.
WOMEN APPOINTEES MEETING
March 25, 1975

AGENDA

2:30 p.m. - Welcoming Remarks
- William J. Baroody, Jr.
  Assistant to the President
  for Public Liaison
- Patricia S. Lindh
  Special Assistant to the President
  for Women

2:45 p.m. - The White House
  Organization and Operation
- John Marsh, Jr.
  Counselor to the President

3:00 p.m. -
- Donald Rumsfeld
  Assistant to the President
- Philip Buchen
  Counsel to the President
- Robert Hartmann
  Counselor to the President
- Warren Rustand
  Director, Scheduling Office
- James Cannon
  Executive Director, Domestic Council

3:20 p.m. -

3:40 p.m. -

4:00 p.m. -

4:20 p.m. -

4:40 p.m. - Wrap-Up

4:45 p.m. - Coffee

Wrap-Up
Coffee
FOR IMMEDIATE RELEASE

April 2, 1975

Office of the White House Press Secretary
(Palm Springs, California)

THE WHITE HOUSE

The President today announced his intention to appoint thirty-three persons
as members of the National Commission on the Observance of International
Women's Year, 1975. The President is also designating Jill Ruckelshaus
to chair the Commission. The members are:

Jill Ruckelshaus, of Rockville, Maryland, Director, Organizational Rela-
tions, National Center for Voluntary Action, Washington, D.C.

Ethel Allen, of Philadelphia, Pennsylvania, Physician, Surgeon and
Philadelphia City Councilwoman.

Anne L. Armstrong, of Armstrong, Texas, former Counsellor to the
President.

Margaret Long Arnold, of Saugerties on Hudson, New York, Executive
Assistant to the Executive Director, National Retired Teachers Association,
Washington, D.C.

Elizabeth Athanasakos, of Fort Lauderdale, Florida, Attorney.

Barbara R. Bergmann, of Bethesda, Maryland, Professor of Economics,
University of Maryland, College Park, Maryland.

Patricia T. Carbine, of New York City, New York, Publisher and Editor-
in-Chief, Ms. Magazine.

Weston Christopherson, of Lake Forest, Illinois, President, Jewel
Companies, Chicago, Illinois.

Mary Stallings Coleman of Battle Creek, Michigan, Justice, Michigan
Supreme Court, Lansing, Michigan.

Helen K. Copley, of La Jolla, California, Chairman and Chief Executive
Officer of the Copley Newspapers.

Audrey Rowe Colom, of Washington, D.C., Coordinator of the D.C. Child
Advocacy Office, Children's Defense Fund.

Richard Cernuelle, of New York City, New York, Author.

Winfield Dunn, of Nashville, Tennessee, Consultant, Business and Govern-
ment, former Governor of Tennessee.

Catherine Claire Elke, of Lawrence, Kansas, Assistant to the Dean of
Women, the University of Kansas.

Paula Gibson, of Four Lakes, Washington, Student, Gonzaga University,
Spokane, Washington.

Gilda Bojorquez Gjurich, of Montebello, California, President and Senior
Partner, Los Amigos Construction Company, Santa Fe Springs, California.

Ella T. Grasso, of Windsor Locks, Connecticut, Governor of Connecticut,
Hartford, Connecticut.

Hanna Holborn Gray, of New Haven, Connecticut, Provost, Yale University.

(MORE)
Martha Griffiths, of Farmington Hills, Michigan, Attorney, former Congresswoman.

Lenore Hershey, of New York City, New York, Editor-in-Chief of the Ladies Home Journal.

Velma Murphy Hill, of New York City, New York, Assistant to the President, United Federation of Teachers.


Rita Z. Johnston, of Bethesda, Maryland, U. S. Delegate and Vice Chairman of the Inter-American Commission of Women, Organization of American States.

Ellen L. Kirby, of Petersburg, West Virginia, Public Health Nurse for Grant County, West Virginia.

Dorothy Vale Kissinger, of Mesa, Arizona, Co-owner and Manager, Sahuaro Lake Guest Ranch.

Clare Boothe Luce, of Honolulu, Hawaii.

William Crawford Mercer of Wellesley Hills, Massachusetts, President, New England Telephone and Telegraph, Boston, Massachusetts.

Ersa H. Poston, of Loudonville, New York, President, New York State Civil Service Commission, Albany, New York.

Joel Read, of Milwaukee, Wisconsin, President, Alverne College, Milwaukee, Wisconsin.

Betty Smith, of Eugene, Oregon, Member, National Board of Directors, YMCA.

Barbara Walters, of New York City, New York, Co-host of the Today Show.

Annie Dodge Wauneka, of Ganado, Arizona, Member of the Navajo Tribal Council, Window Rock, Arizona.

Gerridee Wheeler, of Bismarck, North Dakota, President, National Association of Mental Health.

The Commission shall consist of not more than 35 members to be appointed by the President from among citizens in private life. The President shall designate the presiding officer, who may designate from among the members of the Commission as many vice presiding officers as necessary.

The President of the Senate and the Speaker of the House of Representatives may designate two Members of each House to serve on the Commission.

The Commission shall promote the national observance in the United States of International Women's Year. To this end, it will focus attention on the need to encourage appropriate and relevant cooperative activity in the field of women's rights and responsibilities.

The Commission shall conclude its work by the end of the year 1975 and make a report to the President within thirty days thereafter. The Commission shall then be terminated.

# # #
Members of the Congress, the House and Senate, Members of the Commission, distinguished guests, ladies and gentlemen:

I apologize for being a little late, but I have spent a good share of the afternoon with a substantial number of Members of two important committees of the Senate, so I am just late and I hope you will understand and accept my apology.

I obviously am delighted to welcome such a talented group of women and men to the White House. The group that I have met in there that I had the privilege of inviting specially here today, as well as all of you, represent a rich diversity of political, cultural and experienced background, but it is most important that your common concern for upgrading the status of women transcends any differences that you might have.

Your work to promote the observance of the International Women's Year begins tomorrow. And with a very broad challenge to promote equality between men and women, I think you have got your work cut out for you -- to insure the full participation of women in the social-economic developments of this society as well as to recognize their contributions to the development of world peace.

Although the growing concern about the special legal and social problems of women has paved the way for many, many new laws and important court decisions, real change, as I see it, will depend upon the caliber and degree of enforcement. Laws alone, as we know in many, many instances, are not enough.

Statistics on the employment of women in Federal Government demonstrates, I think, the problems that remain in assuring true equal opportunity. While nearly one-third of all Federal employees are women, only 4.5 percent of the top level employees are women.
This Administration, as the records will show, recently reminded the heads of all Federal departments and agencies that a strong affirmative action is needed to see that everyone has the opportunity to compete with -- or on a fair and equal basis.

The Federal Government, in my judgment, has a very special responsibility and a special opportunity to set an example and this we intend to do. I hear about that from Betty virtually every night. (Laughter) And I can assure you with that kind of prodding that this Administration will continue to vigorously pursue talented applicants on the basis of qualifications alone.

One of the most refreshing by-products of the search to secure rights for women is the emphasis on freeing both sexes from restrictive stereotypes. Liberation of the spirit opens new possibilities for the future of individual Americans and the Nation.

I think there are several very critical areas that can benefit from your personal attention. When I look around this room, I know that the attention of this group can have a tremendous impact. One of these is the Equal Rights Amendment, which I wholeheartedly endorse, having already voted for it.

I have had a special opportunity to follow the debate of ERA because Betty keeps talking about it at night. (Laughter) But it would be my observation that it has too often degenerated into some frivolous non-issues. An amendment to the Constitution calls for a very serious evaluation of the impact and the meaning of a proposed change.

As state legislatures convene this year, the ensuing debate over ERA should be a vehicle to inform legislators, and the public as well, on the many complex legal problems women still encounter.

Myths about the protected economic status of women can be dispelled through serious discussion. The way can be, as I see it, open for the review of areas that will not be affected by ERA. You have a challenging and very critical task ahead. You can do much, in my judgment, to move the Nation along toward making justice and equality a reality for the American women.

The restrictions on the rights, the restrictions on the responsibilities to one American affects all of us. A Nation is only as strong, a Nation is only as creative as its citizens. The better we use the talents of all our people, women as well as men, the brighter and more secure the future of this great Republic will be.
I thank you for joining Betty and me, and we would like to jointly issue you an invitation to have refreshments in the State Dining Room.

Thank you very, very much.

I can tell who that applause is for but she said I did very well. (Laughter)

I want that on the record because I don't get that very often. (Laughter)

END (AT 6:47 P.M. EDT)
The President today announced his intention to appoint two persons as members of the National Commission on the Observance of International Women's Year, 1975. These individuals along with the thirty-three others announced April 2, 1975, complete the thirty-five member commission. They are:

Katharine Hepburn, of Old Saybrook, Connecticut, Actress.

Alan Alda, of Leonia, New Jersey, Actor and Writer.

The Commission consists of not more than thirty-five members appointed by the President from among citizens in private life. The President designates the presiding officer, who may designate from among the members of the Commission as many vice presiding officers as necessary.

The Commission is to conclude its work by the end of the year 1975 and make a report to the President within thirty days thereafter. The Commission is to then be terminated.

#    #    #
Speculation Focuses on Women

By Lou Cannon
Washington Post Staff Writer

While there is no indication that President Ford has a specific successor in mind for William O. Douglas, there is a widespread belief in the White House and Washington legal circles that he will take advantage of the vacancy to name the first woman justice to the Supreme Court.

“You’d have to place a big bet on Carla Hills,” said one well placed Washington attorney, in a reference to the Secretary of Housing and Urban Development, the only woman in Mr. Ford’s Cabinet.

But there also was frequent mention for two other women—Rita Hauser and Betty Southard Murphy, chairman of the National Labor Relations Board. Hauser, a New York attorney with the firm of Stroock, Stroock and Lavan, is the former U.S. representative to the U.N. Commission on Human Rights.

All three women are Republicans. Two other women who were mentioned are considered less likely choices because they are Democrats: former Rep. Martha Griffiths of Michigan and Shirley M. Hufstedler of the Ninth U.S. Court of Appeals in San Francisco.

If Mr. Ford does not select a woman, his Attorney General, Edward H. Levi, is considered the top candidate for the post. Levi is believed to want the job, but he is 64, which might hurt his chances.

Two other men that have been mentioned as possibilities are Robert H. Bork, the solicitor general, and Philip K. Buchen, the President’s counsel and old personal friend. One aide said that newly named Secretary of Commerce Elliot L. Richardson, the former Attorney General, also was a possibility.

One of the reasons the President is expected to name a woman to the high court is the strong advocacy for such a move by his wife. “I’m very hopeful,” said Rep. Margaret M. Heckler (R-Mass.), “we have a uniquely placed lobbyist in Betty Ford.”

Mrs. Ford on May 4, 1975, claimed credit for getting her husband to appoint Hills to the Cabinet, and said she would ask him to name a woman to the high court. “I got a woman into the Cabinet,” she said. “I never give up. I’m working on getting a woman on the Supreme Court as soon as possible. I always have it in the back of my mind.”

In a brief exchange with reporters yesterday the President acknowledged that he would “probably hear about that” from Mrs. Ford. He said that she probably would ask him to name a woman to the court vacancy.

As far as is known, there has never been any indication from Mr. Ford of the legal qualities he would seek in a Supreme Court justice. The White House, in fact, has gone to great lengths not to say anything about the high court or the prospective vacancy on it in the belief that any discussion of a new justice would seem like a slap at Douglas.

Mr. Ford was considered sensitive on this point because he was the author, as minority leader in the House, of an unsuccessful attempt to impeach Douglas.

Among possible successors to Douglas three other persons were mentioned yesterday. Two were women: Susie M. Sharp of the North Carolina Supreme Court and federal judge Cornelia Kennedy of Detroit.

If Mr. Ford turns to the Senate he is considered likely to favor Minority Whip Robert P. Griffin (R-Mich.), an old friend from the House and frequent political consultant of the President.
Darlene Schmalzried is a 37-year-old newspaperwoman who went to work for the White House about 15 months ago. Her job was helping to put out the daily news summary that is sent to President Ford and circulated among top administration officials.

By all accounts, she did her job well. So well, in fact, that she was promoted last April to the post of managing editor of the news digest. And this made her, in effect, the editor of the news summary, she said.

But there was one thing missing—the salary commensurate with her position. Schmalzried said the job called for a salary of $26,000 a year, while she was paid less than $12,000.

WHY WAS SHE forced to accept so little? In a lawsuit to be filed today in federal court, she charged that she was denied her rightful pay "solely on the basis of her sex." Claiming a violation of the Civil Rights Act of 1964, several other federal statutes and executive orders, she is asking for $100,000 in damages and reinstatement as editor of the news summary at $26,000 annually, or appointment to a comparable White House position.

Schmalzried, who is currently working part-time in the Washington bureau of the Fort Worth Star-Telegram, said in the suit that she "stands ready, willing and able" to edit the digest or take on other White House duties "at the salary level and title to which she is entitled by virtue of her skill and ability and the functions which she was, in fact, performing."

She was not fired from her job as managing editor of the news summary, instead, Schmalzried said she

See BIAS, A-16
Sex discrimination

[Signature: Darlen Schmalzried]
Dear Rex:

Enclosed is a copy of a summons and complaint in the matter of Schmalzried v. Ford, et al., D.C., C.A. No. 75-2065, which has been served upon defendants Cheney, Nessen and Shuman at their office on December 18. This summons provides for a return period of 60 days. A summons and complaint also was mailed by the plaintiff to these three defendants at their personal residences. In each case, this summons provides for a return period of 20 days. To date, there has been no attempt to serve President Ford with the summons and complaint.

The particular matter in controversy relates to actions taken by the defendants in the course of their government responsibilities. Accordingly, this is to request that the Department of Justice handle this matter on their behalf. Mr. Barry Roth of my staff is presently assembling all available information with respect to this matter. In the meantime, I would appreciate it if the appropriate member of your staff would contact Mr. Roth at 456-2397 to discuss the handling of this case. I have also provided Mr. Carl Goodman, General Counsel of the Civil Service Commission, with a copy of this complaint.

Your assistance is appreciated.

Sincerely,

Philip W. Buchen
Counsel to the President

The Honorable Rex Lee
Assistant Attorney General
Washington, D.C. 20530
Dear Mr. Fax:

This is in response to your letter to the President of November 6, 1975, and related correspondence concerning your client, Ms. Darlene Schmalzried, and her allegations of discrimination on the basis of sex during her employment at the White House Office. We have discussed the statutory provisions you cite in support of her allegations with the staff of the Civil Service Commission, and are advised that these provisions are not applicable to the White House Office.

Regardless of the non-applicability of these provisions to employees of the White House Office, the White House employment policy has been and continues to be one of non-discrimination. Accordingly, my office has reviewed the information available to us concerning Ms. Schmalzried's employment. On the basis of this review, we are unable to agree with your conclusion that Ms. Schmalzried was subject to discrimination on the basis of her sex during her employment at the White House.

For your information, the News Summary Office is presently staffed on a daily basis by four female professional employees, who are responsible for the selection and reduction of the summary's contents, and one clerical employee responsible for typing and xeroxing the summary. All of these individuals are paid at a salary rate less than that at which Ms. Schmalzried was paid when she separated from the White House staff. These individuals are supervised by Mr. James B. Shuman, Editor of the News Summary, who has overall responsibility for the News Summary Office, and also serves as Associate Director of the Office of Communications.

A copy of the contents of Ms. Schmalzried's official personnel file requested in your letter of November 13, 1975, is enclosed. Please note that on an annual basis as a GS 9/2, Ms. Schmalzried would
receive $2,090 in authorized overtime pay, resulting in an effective annual salary of $16,021.

On November 25, 1975, Ms. Schmalzried wrote to Mr. Shuman and indicated her willingness to assume "the job of editor of the news summary" if that position were "available at a wage commensurate with the responsibilities the job entails..." As mentioned above, Mr. Shuman is presently serving in the position of Editor, and I am advised that no change in this role is contemplated at the present time. As you may be aware, the White House Office is currently in the process of reducing from 540 to not more than 485 full-time employees. There are no plans at the present time to increase the number of persons presently employed in the News Summary Office and we are not now in a position to state whether any such vacancies will occur in the near future. However, in the event that a vacancy does arise, and should Ms. Schmalzried wish to apply for that vacancy, I can assure you that her application will be carefully considered along with other persons applying for that position.

Sincerely,

Philip W. Buchen
Counsel to the President

Mr. Charles S. Fax
Chapman, Duff and Lenzini
1709 New York Avenue, N.W.
Washington, D.C. 20006

Enclosure
MEMORANDUM FOR: JACK MARSH
FROM: BOBBIE GREENE KILBERG
SUBJECT: ERA statement in President's speech at Williamsburg

As a follow-up to my memorandum of earlier this week, I want to make two additional points in support of the President making a pro-equal rights statement in his speech at Williamsburg:

1. It is my understanding that the President spoke in support of the ERA in Illinois and North Carolina, two states which, like Virginia, have not ratified the amendment;

2. In response to any allegations that the President is an outsider interfering with a state ratification process, the President can point out in a graceful manner that he and Mrs. Ford feel a special affection and allegiance for two states -- Michigan, their home state, and Virginia, the state where they lived for many years when he served in Congress. Thus, the President is a concerned "constituent" of Virginia and not an outsider.

cc: Philip W. Ruchen
cc: Russ Rourke
THE WHITE HOUSE  
WASHINGTON  
March 2, 1976

TO:  JACK MARSH
     MAX FRIEDERSDORF
     BRENT SCOWCROFT

FROM:  PHIL BUCHEN

Why not a signing ceremony after the Florida primary? I would think it desirable to call attention to these Conventions and the U. S. Ratification at this time.
Rigor note to be attached for March. Friedonday, a few words:

"Why not resigning ceremony? I would think it desirable to call attention to these Conventions and the U.S. Ratification at this time."
One of the reasons the signing ceremony for the United Nations Documents on Women was rejected was because of the Florida primary.

When you bring the subject up at Sr. Staff Meeting tomorrow morning, you might suggest the President having a signing ceremony after Florida. There is no required signing date.

Bobbie
TO:        MR. BUCHEN
           MR. MARSH
           MR. FRIEDERSDORF

FROM:      Jeanne W. Davis
           (x-3440) Room 374

Attached for your clearance and/or comment is a package on the Instrument of Accession to the Convention on the Political Rights of Women, and the Instrument of Ratification of the Inter-American Convention on the Granting of Political Rights to Women prepared by Hal Horan on the NSC Staff. If you concur, please initial the President's memo at Tab I and send package on to next person and return to me.

Thank you.

Attachment
MEMORANDUM
NATIONAL SECURITY COUNCIL

ACTION
February 26, 1976

MEMORANDUM FOR: BRENT SCOWCROFT
FROM: Hal Horan

The attached memo to the President forwards for his signature, in duplicate, the subject Convention and Ratification concerning political rights to women. It was originally planned to have a signing ceremony, but now it has been decided that this will not take place.

RECOMMENDATION:
That you forward the memo at Tab I to the President for signature.
MEMORANDUM FOR: THE PRESIDENT
FROM: Brent Scowcroft


The Conventions provide that women shall have equal rights with men in the enjoyment and exercise of political rights.

The Conventions require your signature in duplicate.

RECOMMENDATION:
That you sign the two Conventions, in duplicate, at Tab A.

Messrs. Buckley, Marsh and Friedersdorf concur.

J.W.B.
THE WHITE HOUSE

EXCHANGE OF REMARKS
BETWEEN THE PRESIDENT
AND
JEANNE HOLM, MAJOR GENERAL USAF (Ret.)
SPECIAL ASSISTANT TO THE PRESIDENT FOR WOMEN

THE OVAL OFFICE

12:13 P.M. EST

THE PRESIDENT: Good morning, everybody.

I am delighted to announce this morning the appointment of Jeanne Holm as the President's Assistant for Women in the White House. She is taking the place of Pat Lindh, who is leaving to go to the State Department.

I am delighted to have you, Jeanne, over here to carry on the very important functions that relate the White House to women throughout the country.

Jeanne, as all of you know, has had a wonderful career in the military. She was the first Major General, I think, in the Department of Defense as a woman. She was Director of the Air Force activities relating to women from 1968 until 1973, as I recall, retired a year or so ago with great recognition.

She received a Ladies Home Journal award for the Outstanding Woman in Diplomacy in Government. She has been very, very active in a lot of activities concerning the rising, emerging role of women in Government. So we are very, very pleased, Jeanne, to have you on board and to carry on the fine job that Pat Lindh has done.

With Pat going over to the State Department and you coming here, we are going to have a first class team and I am delighted to have you on board.

MAJOR GENERAL HOLM: Thank you, Mr. President.

I certainly feel honored and pleased to be here and to be able to work with you. I am very impressed with the record that you have made in support of the women's issues and certainly magnificent appointments you have made in the last several months -- Carla Hills and Anne Armstrong, and your stand on the ERA, an argument involving women for some time.

MORE
I assure you I have a personal commitment and an emotional commitment and it is nice to feel that you are able to work with someone who also has that commitment, and I have a feeling you do.

THE PRESIDENT: We are delighted to have you on board. I think that you will find the job challenging, you will find it interesting, and you can rest assured I will back you 100 percent.

MAJOR GENERAL HOLM: Thank you, Mr. President.

END (AT 12:18 P.M. EST)
9:30 a.m. Thursday, March 25, 1976

Eva,

Jeanne Holm's secretary called to see if she could meet with Mr. B on Monday or so to discuss the attached memo.

Please advise. x2715

She is Spec. Asst. to the Pres.

For 21000.
I am planning a meeting with a group of the women Presidential appointees for April 1, 1976. The purpose of the meeting is to discuss current and future Presidential initiatives relating to women. The White House staff, other than women Presidential appointees, participating in the meeting will be Dick Cheney, Rogers Morton, Bob Orben, Doug Bennett, and Warren Hendricks.

I am seeking your advice on including the following women Presidential appointees in the meeting since they are serving on regulatory agencies:

- Catherine Bedell, U.S. International Trade Commission
- Betty Southard Murphy, National Labor Relations Board
- Georgiana Sheldon, Civil Service Commission
- Ethel Bent Walsh, Equal Employment Opportunity Commission

Thank you in advance for your guidance. And I would like to discuss this further with you at your earliest convenience.

Advised Ms. Holm on Monday, March 29 to invite women of the regulatory agencies to appear at one of two meetings and to avoid the one which would deal largely with political matters.
FOR ACTION:
Phil Buchen
Jeanne Holm
Bill Seidman
FROM THE STAFF SECRETARY

DUE: Date: Monday, April 26 Time: 2 P.M.

SUBJECT:
Jim Cannon memorandum 4/20/76
re: Secretary Coleman's Letter about Women's Salaries

ACTION REQUESTED:

- For Necessary Action
- Prepare Agenda and Brief
- X For Your Recommendations
- Draft Reply
- Draft Remarks
- For Your Comments

REMARKS:

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Jim Connor
For the President
MEMORANDUM FOR THE PRESIDENT
FROM: JIM CANNON
SUBJECT: Secretary Coleman's Letter about Women's Salaries

Bill Coleman has written to you about his concern on the difference in salary levels of men and women (Tab A). He attaches figures produced by the Department of Labor and suggests that you ask someone in the Administration to study the situation.

The statistics he cites do not reflect the whole story. There is evidence that women have different job patterns than men. Many drop out of the labor force for a number of years and when they reenter do so at a lower level than men with comparable backgrounds who have remained in the labor market continuously. There is also a question of the extent to which past inequities will continue to be reflected in the data for some years while young people newly entering the labor force find that men and women receive more nearly equal treatment.

The Federal government is already doing a great deal in this area. Executive Order 11246, as amended, says that women who work for Federal contractors may not be discriminated against and that there is an affirmative action obligation to remedy past instances of discrimination.

I would be pleased to discuss this situation with Bill Coleman on your behalf. I do not believe you should commission a special study at this time as he suggested. I would suggest to Bill Coleman that he discuss his concerns with Bill Usery and learn from Usery what additional data is already available and what steps the Department of Labor has already taken.

RECOMMENDATION: That I follow up with Bill Coleman on your behalf.

Approve ________ Disapprove ________
THE WHITE HOUSE

ACTION MEMORANDUM
WASHINGTON

Date: April 22, 1976
Time:

FOR ACTION:

Phil Buchen
Jeanne Holm
Bill Seldman

FROM THE STAFF SECRETARY

cc (for information):

DUE: Date: Monday, April 26
Time: 2 P.M.

SUBJECT:

Jim Cannon memorandum 4/20/76
re: Secretary Coleman's Letter about
Women's Salaries

ACTION REQUESTED:

X For Your Recommendations

- For Necessary Action
- Prepare Agenda and Brief
- For Your Comments

Draft Reply
Draft Remarks

REMARKS:

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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Jim Connor
For the President
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RECOMMENDATION: That I follow up with Bill Coleman on your behalf.

Approve Disapprove

Disapprove
The President  
The White House  
Washington, D.C.  

Dear Mr. President:

A friend of mine called my attention to the statistics which appear on the attached paper. You will note that even though the average years of education for a U.S. woman are slightly higher than for a U.S. man, the incomes are strikingly less for women than for men. For example, the average income of a male college graduate is $16,576 and for a woman college graduate it is only $9,771.

I do feel that you should ask someone in the Administration to study this matter in detail and if what appears on the attached sheet of paper is correct, we should think about policies and programs which would change the situation. Another reason I am sending this paper to you is I am sure you would want to share it with Mrs. Ford.

Respectfully,

William T. Coleman, Jr.

Enclosure
Some interesting statistics

Average years of education

U.S. Men - 12.2  U.S. Women - 12.5

Average incomes of year-round full-time workers:

Men - $11,000  Women - $6,480

Average income by job category:

<table>
<thead>
<tr>
<th></th>
<th>Men</th>
<th>Women</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sales</td>
<td>$12,296</td>
<td>$4,650</td>
</tr>
<tr>
<td>Prof.</td>
<td>14,306</td>
<td>9,000</td>
</tr>
<tr>
<td>Admin</td>
<td>14,519</td>
<td>7,667</td>
</tr>
<tr>
<td>Cler.</td>
<td>10,627</td>
<td>6,469</td>
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</table>

by education level:

<table>
<thead>
<tr>
<th>Education</th>
<th>Men</th>
<th>Women</th>
</tr>
</thead>
<tbody>
<tr>
<td>College graduate</td>
<td>$16,576</td>
<td>$9,771</td>
</tr>
<tr>
<td>High School graduate</td>
<td>12,017</td>
<td>6,623</td>
</tr>
</tbody>
</table>

Source: Women's Bureau, U.S. Department of Labor

Year: 1974
MEMORANDUM FOR: 

FROM: PHIL BUCHEN 
JEANNE HOLM 

SUBJECT: July 1, IVY Ceremony

The ceremony will be held in the East Garden at 3:30 p.m., on Thursday, July 1, instead of the Rose Garden.

I hope you will be able to attend.
MEMORANDUM FOR: PHIL BUCHEN
FROM: JEANNE HOLM

On behalf of the President I would like to invite you to a ceremony to be held on Thursday, July 1, at 3:30 p.m. at which time the President will accept the final report of the National Commission on the Observance of International Women's Year.

The ceremony is being planned for the Rose Garden. I will contact your office if there is any change.