

THE WHITE HOUSE

WASHINGTON

December 4, 1975

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

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Enclosure