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APPROVED
DEC 26 1974

ACTION

THE WHITE HOUSE
WASHINGTON

Last Day: December 30

December 23, 1974

*Posted in
Colorado
12/26
Jo Archive
12/30*

MEMORANDUM FOR

THE PRESIDENT

FROM:

KEN *COLE*

SUBJECT:

Enrolled Bill H.R. 8864
Little League Baseball

Attached for your consideration is H.R. 8864, sponsored by Representative Griffiths, which amends the Federal charter of Little League Baseball, Incorporated, to allow girls to participate in its activities on the same basis as boys.

OMB recommends approval and provides additional background information in its enrolled bill report (Tab A).

Max Friedersdorf and Phil Areeda both recommend approval.

RECOMMENDATION

That you sign H.R. 8864 (Tab B).



APPROVED
DEC 26 1974

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

DEC 20 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 8864 - Little League Baseball
Sponsor - Rep. Griffiths (D) Michigan

Last Day for Action

December 30, 1974 - Monday

Purpose

Amends the Federal charter of Little League Baseball, Incorporated, to allow girls to participate in its activities on the same basis as boys.

Agency Recommendations

Office of Management and Budget

Approval

Civil Rights Commission
Department of Justice

Approval
No objection

Discussion

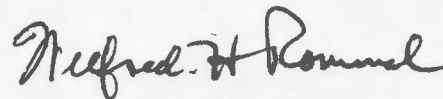
From its founding as a summer baseball program in 1939, the Little League has served young boys exclusively. In 1964 the organization requested and was granted a Federal charter (Public Law 88-378) which specifies that the League is an organization for young boys.

This year, twenty-two class action suits were filed across the country seeking equal opportunity for young girls to participate in Little League activities. While many of these lawsuits were pending the League organization petitioned Congress to amend its charter to include girls. In addition, the Appellate Division of the New Jersey Supreme Court handed down a decision affirming the right of girls to play Little League baseball.



H.R. 8864 would amend the League's charter by deleting the word "boy" each time it appears and replacing it with the word "young people." In addition, the word "manhood" would be dropped from a section in the charter which states that the purposes of the League are to instill "citizenship, sportsmanship and manhood." The Committee reports stress the intent of the Congress that girls should be treated equally with boys and that it would not tolerate separate but equal programs.

The Executive Branch was not asked to comment on this legislation during the course of congressional deliberations.



Assistant Director for
Legislative Reference

Enclosures



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 803

Date: December 20, 1974

Time: 4:00 p.m.

FOR ACTION: Geoff Shepard *-ok*
Phil Areeda *-ok*
Max Friedersdorf *th*

cc (for information): Warren Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 23

Time: noon

SUBJECT:

Enrolled Bill H.R. 8864 - Little League Baseball

ACTION REQUESTED:

- | | |
|---|--|
| <input type="checkbox"/> For Necessary Action | <input checked="" type="checkbox"/> For Your Recommendations |
| <input type="checkbox"/> Prepare Agenda and Brief | <input type="checkbox"/> Draft Reply |
| <input checked="" type="checkbox"/> For Your Comments | <input type="checkbox"/> Draft Remarks |

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

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.

K. R. COLE, JR.
For the President

UNITED STATES COMMISSION ON CIVIL RIGHTS

Washington, D. C. 20425

December 19, 1974

• Mr. W. H. Rommel
Assistant Director for Legislative Reference
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Rommel:

This is in reply to the OMB request for our views and recommendations on enrolled bill H.R. 8864.

The U.S. Commission on Civil Rights heartily supports passage of this bill, which seeks to open Little League Baseball to both boys and girls. We supported this bill when it was introduced by Representative Martha W. Griffiths, sent a detailed letter of support and comment to her on the subject, and continue to support this bill and similar efforts to end treatment of women based on their biological classification rather than their individual attributes.

There is one suggestion, however, which we hope will be given consideration. The proposed legislation (amongst other changes) strikes out the language "citizenship, sportsmanship, and manhood" and inserts in lieu thereof "citizenship and sportsmanship" with "fair play," "sportslike conduct" or another word or words of similar meaning. If this is a bill designed to provide for the inclusion of girls in Little League Baseball, all language in the bill should be sex-neutral and thereby reflect the principles for which the bill stands. "Sportsmanship" specifically refers to the behavior of men and boys, as "sportswomanship" refers to the sporting conduct of women and girls. Each term excludes members of the other sex and, particularly in light of the nature of this bill, neither should be used here. Use of "Fair play," for example, would be language far more consistent with the legislative intent evidenced by H.R. 8864.

Sincerely,

William A. Blakey

WILLIAM A. BLAKEY
Director
Congressional Liaison



Department of Justice
Washington, D.C. 20530

DEC 19 1974

Honorable Roy L. Ash
Director, Office of Management
and Budget
Washington, D.C. 20503

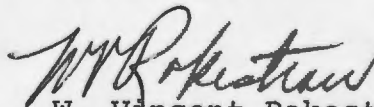
Dear Mr. Ash:

In compliance with your request, I have examined a facsimile of the enrolled bill H.R. 8864, "To amend the Act to incorporate Little League Baseball to provide that the league shall be open to girls as well as to boys."

Little League Baseball, Incorporated, is a federally chartered organization incorporated by the Act of July 16, 1964 (P.L. 88-378). As indicated in the title of the enrolled bill, the purpose of this legislation is to expand the scope of the activities of Little League Baseball, Incorporated, to include girls as well as boys.

The Department of Justice has no objection to Executive approval of this bill.

Sincerely,



W. Vincent Rakestraw
Assistant Attorney General

OFFICE OF THE ASSISTANT ATTORNEY GENERAL

DEC 18 11:13

RECEIVED



THE WHITE HOUSE

WASHINGTON

December 21, 1974

MEMORANDUM FOR: WARREN HENDRIKS
FROM: MAX L. FRIEDERSDORF
SUBJECT: Action Memorandum - Log No. 803
Enrolled Bill H.R. 8864 - Little League Baseball

The Office of Legislative Affairs concurs in the attached proposal and has no additional recommendations.

Attachment



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 803

Date: December 20, 1974

Time: 4:00 p.m.

FOR ACTION: Geoff Shepard /
Phil Areeda
Max Friedersdorf

cc (for information): Warren Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 23

Time: noon

SUBJECT: Enrolled Bill H.R. 8864 - Little League Baseball

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

Ok

N.L. J.

m

G.C.F.

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.

Warren M. Hendriks
For the President

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THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 803

Date: December 20, 1974

Time: 4:00 p.m.

FOR ACTION: Geoff Shepard
Phil Areeda ✓
Max Friedersdorf

cc (for information): Warren Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 23

Time: noon

SUBJECT:

Enrolled Bill H.R. 8864.- Little League Baseball

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

*Judy Johnston
Phil Areeda
12/23*



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.

Warren H. Hendriks
For the President

**AMENDING THE ACT TO INCORPORATE LITTLE LEAGUE
BASEBALL TO PROVIDE THAT THE LEAGUE SHALL
BE OPEN TO GIRLS AS WELL AS TO BOYS**

OCTOBER 2, 1974.—Referred to the House Calendar and ordered to be printed

Mr. EDWARDS of California, from the Committee on the Judiciary,
submitted the following

REPORT

[To accompany H.R. 8864]

The Committee on the Judiciary, to whom was referred the bill (H.R. 8864) to amend the Act to incorporate Little League Baseball to provide that the league shall be open to girls as well as to boys, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

On page 1, lines 6 and 7, strike the words "boys and girls" and insert in lieu thereof the words "young people".

PURPOSE OF THE AMENDMENT

This amendment removes the possibility of interpreting the charter to mean that separate but equal activities are acceptable. This makes it clear that girls are to be treated on an equal basis with boys.

PURPOSE OF LEGISLATION

The purpose of the proposed legislation is to amend the Federal charter of Little League Baseball, Inc., to allow girls to participate on an equal basis with boys.

STATEMENT

Little League Baseball began in 1939 as a program for young boys during the summer months, with only three teams in Williamsport, Pennsylvania. Little League Baseball continued to operate as a private organization until 1964, when it petitioned Congress to become a federally chartered organization. They received that charter on July 16, 1964, entitled "An act to incorporate the Little League Baseball, In-

corporated." (Public Law 88-378) The language of that charter under objects and purposes of Corporation specifies that Little League Baseball is an organization for young boys.

With the emergence of women seeking equal rights under the law, many of our "traditional" institutions have had to take a second look at themselves to determine if discrimination on the basis of sex does exist. Young girls, although they may have desired to play Little League Baseball, in the past were prohibited in this case from playing Little League Baseball under the legal sanction of the League. Over the years frustration developed until, in 1974, these young girls, through their parents, sought to participate in this activity by petitioning the courts for equal opportunities to play Little League Baseball. Twenty-two class action suits were filed across the country. The controversy embroiled many people and resulted in the historic decision of the New Jersey Superior Court Appellate Division in March of 1974, affirming the right of girls to play baseball in the Little League Organization. (127 N.J. Super. 522, 318 A.2d 33)

It was while many of these lawsuits were pending that the Little League Baseball organization petitioned Congress to amend their Federal charter to include girls in this far-reaching program. This fine organization, which has done so much in the past to further the moral and physical development of a segment of our young people, will now be expanded to include all of our young people. With this change in their charter, we can look forward to unhindered local Little League programs, where boys and girls can play side-by-side.

Stressed during the hearing on the amendment to this Federal charter was the intent of Congress that this federally chartered organization should treat girls equally with boys, and that Congress would not tolerate separate but equal programs. The Little League organizations were encouraged to immediately open its new girls softball league to include any young boys who might want to participate. There had been a tendency for this organization to assume that little girls were not capable of competing with young boys their own age. The Committee felt that young girls should not only be given the opportunity to play Little League Baseball but should be encouraged to participate in this meaningful activity.

The proposed legislation, as amended, will accomplish the goal of girls' participation on an equal basis with boys in Little League Baseball, Inc.

COST OF LEGISLATION

Pursuant to the requirements of clause 7 of rule XIII of the Rules of the House of Representatives, the Committee concludes that no Federal cost will be incurred by the enactment of this legislation.

COMMITTEE APPROVAL

On September 25, 1974, the Committee on the Judiciary by voice vote, with no dissenting votes, ordered the bill, as amended, favorably reported to the House.

CONCLUSION

The Committee has concluded that the bill, as amended, effectively assures equal participation of girls in Little League Baseball, Inc. It is recommended that the bill be considered favorably.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of Rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, existing law in which no change is proposed is shown in roman):

ACT OF JULY 16, 1964

AN ACT To incorporate the Little League Baseball, Incorporated

* * * * *

OBJECTS AND PURPOSES OF CORPORATION

SEC. 3. The objects and purposes of the corporation shall be—

(1) To promote, develop, supervise, and voluntarily assist in all lawful ways the interest of **[boys]** *young people* who will participate in Little League baseball.

(2) To help and voluntarily assist **[boys]** *young people* in developing qualities of citizenship**[.]** sportsmanship**[,** and manhood**].**

(3) Using the disciplines of the native American game of baseball, to teach spirit and competitive will to win, physical fitness through individual sacrifice, the values of teamplay and wholesome well-being through healthful and social association with other youngsters under proper leadership.

* * * * *

○

AMENDING THE ACT TO INCORPORATE LITTLE LEAGUE BASEBALL TO PROVIDE THAT THE LEAGUE SHALL BE OPEN TO GIRLS AS WELL AS BOYS

DECEMBER 14, 1974.—Ordered to be printed

Mr. HRUSKA, from the Committee on the Judiciary,
submitted the following

REPORT

[To accompany H.R. 8864]

The Committee on the Judiciary, to which was referred the bill (H.R. 8864) to amend the Act to incorporate Little League Baseball to provide that the league shall be open to girls as well as to boys, having considered the same, reports favorably thereon, without amendment, and recommends that the bill do pass.

PURPOSE

The purpose of the proposed legislation is to amend the Federal charter of Little League Baseball, Inc., to allow girls to participate on an equal basis with boys.

STATEMENT

The facts of the case as contained in House Report 93-1409 are as follows:

Little League Baseball began in 1939 as a program for young boys during the summer months, with only three teams in Williamsport, Pennsylvania. Little League Baseball continued to operate as a private organization until 1964, when it petitioned Congress to become a federally chartered organization. They received that charter on July 16, 1964, entitled "An act to incorporate the Little League Baseball, Incorporated." (Public Law 88-378) The language of that charter under objects and purposes of Corporation specifies that Little League Baseball is an organization for young boys.

With the emergence of women seeking equal rights under the law, many of our "traditional" institutions have had to take a second look at themselves to determine if discrimination on the basis of sex does exist. Young girls, although they may have desired to play Little League Baseball, in the past were prohibited in this case from playing Little League Baseball under the legal sanction of the League. Over the years frustration developed until, in 1974, these young girls, through their parents, sought to participate in this activity by petitioning the courts for equal opportunities to play Little League Baseball. Twenty-two class action suits were filed across the country. The controversy embroiled many people and resulted in the historic decision of the New Jersey Superior Court Appellate Division in March of 1974, affirming the right of girls to play baseball in the Little League Organization. (127 N.J. Super. 522. 318 A.2d 33)

It was while many of these lawsuits were pending that the Little League Baseball organization petitioned Congress to amend their Federal charter to include girls in this far-reaching program. This fine organization, which has done so much in the past to further the moral and physical development of a segment of our young people, will now be expanded to include all of our young people. With this change in their charter, we can look forward to unhindered local Little League programs, where boys and girls can play side-by-side.

Stressed during the hearing on the amendment to this Federal charter was the intent of Congress that this federally chartered organization should treat girls equally with boys, and that Congress would not tolerate separate but equal programs. The Little League organizations were encouraged to immediately open its new girls softball league to include any young boys who might want to participate. There had been a tendency for this organization to assume that little girls were not capable of competing with young boys their own age. The Committee felt that young girls should not only be given the opportunity to play Little League Baseball but should be encouraged to participate in this meaningful activity.

The proposed legislation, as amended, will accomplish the goal of girls' participation on an equal basis with boys in Little League Baseball, Inc.

COST OF LEGISLATION

Pursuant to the requirements of clause 7 of rule XIII of the Rules of the House of Representatives, the Committee concludes that no Federal cost will be incurred by the enactment of this legislation.

COMMITTEE APPROVAL

On September 25, 1974, the Committee on the Judiciary by voice vote, with no dissenting votes, ordered the bill, as amended, favorably reported to the House.

CONCLUSION

The Committee has concluded that the bill, as amended, effectively assure equal participation of girls in Little League Baseball, Inc. It is recommended that the bill be considered favorably.

In agreement with the views of the House of Representatives the Committee recommends the bill favorably.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with subsection (4) of Rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman) :

ACT OF JULY 16, 1964

AN ACT To incorporate the Little League Baseball, Incorporated

* * * * *

OBJECTS AND PURPOSES OF CORPORATION

SEC. 3. The objects and purposes of the corporation shall be—

(1) To promote, develop, supervise, and voluntarily assist in all lawful ways the interest of [boys] *young people* who will participate in Little League baseball.

(2) To help and voluntarily assist [boys] *young people* in developing qualities of citizenship[,] sportsmanship[,] and manhood[.]

(3) Using the discipline of the native American game of baseball, to teach spirit and competitive will to win, physical fitness through individual sacrifice, the values of teamplay and wholesome well-being through healthful and social association with other youngsters under proper leadership.

* * * * *

○

Ninety-third Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-first day of January,
one thousand nine hundred and seventy-four*

An Act

To amend the Act to incorporate Little League Baseball to provide that the league shall be open to girls as well as to boys.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of July 16, 1964, entitled "An Act to incorporate the Little League Baseball, Incorporated" (Public Law 88-378), is amended by striking out "boys" each place it appears and inserting in lieu thereof "young people" and by striking out "citizenship, sportsmanship, and manhood" and inserting in lieu thereof "citizenship and sportsmanship".

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

December 18, 1974

Dear Mr. Director:

The following bills were received at the White House on December 18th:

✓ S.J. Res. 229	✓ S. 3191
✓ S.J. Res. 260	✓ S. 4013
✓ S. 425	✓ H.R. 7978
✓ S. 939	✓ H.R. 8193
✓ S. 2343	✓ H.R. 8864

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder
Chief Executive Clerk

The Honorable Roy L. Ash
Director
Office of Management and Budget
Washington, D. C.