EQUAL RIGHTS AMENDMENT

The Equal Rights Amendment should be ratified.

Background:
"Women have waited more than 200 years for the equality promised by the Declaration of Independence to all men."

Women will not have equality in the United States unless it is guaranteed by the Constitution. In 1978, more than 200 years after the founding of this Nation, American women, 51.3 percent of the population, still are not the equals of men before the law. The rights they have are unclear and incomplete and are at the mercy of conflicting State laws and inconsistent court decisions. There is no clear standard to guide legislators in writing laws about women or to guide judges in interpreting them.

The Equal Rights Amendment has been ratified by 35 States, in which three-fourths of the United States live. Approval by only three more States is needed to make the ERA part of the Constitution. Under the preamble to the amendment approved by Congress, ratification must be completed by March 22, 1979, unless Congress votes to extend that date.

Although a majority of Americans favor equal rights for women, ratification in the remaining States has been blocked by a well-organized, well-financed minority that relies on many of the same false arguments that were used to prevent women from getting the vote, namely, that ERA would destroy the family and morality. In some States, ratification has been held up by the negative votes of as few as two or three male legislators.

The Equal Rights Amendment itself is short and simple:

Section 1: Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

Section 2: The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

"Section 3: This amendment shall take effect two years after the date of ratification."

Why an amendment is needed

The Declaration of Independence, signed in 1776, stated that "all men are created equal" and that governments derive their powers "from the consent of the governed." Women were not included in either concept. The original American Constitution of 1787 was founded on English common law, which did not recognize women as citizens or as individuals with legal rights. A woman was expected to obey her husband or nearest male kin, and if she was married, her person and her property were owned by her husband. The power of the ballot was denied to her by the States, which also denied it to Indians, slaves, and criminals.

It has been argued that the ERA is not necessary because the 14th amendment, passed after the Civil War, guarantees that no State shall deny to "any person within its jurisdiction the equal protection of the laws."

Early court decisions made clear, however, that women were not necessarily persons under the 14th amendment. In a famous lower court ruling in 1872, the judge in the trial of Susan B. Anthony, who was charged with committing a Federal offense because she voted in the 1872 Presidential election, stated flatly: "I have decided as a question of law . . . that under the 14th amendment, which Miss Anthony claims protects her, she was not protected in a right to vote." The judge prevented Anthony from appealing to the U.S. Supreme Court, but in the same year the high court approved an Illinois law prohibiting women from being licensed to practice law. Bradwell v. State, 83 U.S. 916, Wall. 130 (1872).

Since then, the Supreme Court has struck down some gender discrimination laws but has allowed others to stand, and no majority opinion has articulated sex as a "suspect" classification, like race, under the 14th amendment. See also Goesart v. Cleary, 335 U.S. 464 (1948) and Hoyt v. Florida, 368 U.S. 57 (1961). Indeed, the first time sex classifications were struck down by the Supreme Court was as recently as 1971. Reed v. Reed, 404 U.S. 71 (1971).

If the courts had interpreted sex classifications by the same strict scrutiny standard as race classifications under the 14th amendment, the need for a constitutional amendment would have been less compelling. When the court does consider a particular basis of classification—such as race—to be suspect, it triggers a "compelling State interest" standard of judicial review which, as a practical matter, the State can rarely, if ever, satisfy. Thus, under constitutional challenges, race-based classifications are often struck down as unconstitutional.

Just as women were not included under the 14th amendment, they were also omitted from the 15th amendment, which enfranchised former slaves, but males only. This exclusion from coverage resulted in a century-long struggle that ended with approval of the 19th amendment guaranteeing women the right to vote.

Aside from the fact that women have been subjected to varying, inconsistent, and often unfavorable decisions under the 14th amendment, the Equal Rights Amendment is a more immediate and effective remedy to sex discrimination in Federal and State laws than a case-by-case interpretation under the 14th
States shown in the shaded areas have already ratified the Equal Rights Amendment. If only three of the remaining states (shown unshaded here) join the majority by March 22, 1979, ERA will become the 27th amendment to the Constitution. States yet to ratify are Alabama, Arizona, Arkansas, Florida, Georgia, Illinois, Louisiana, Mississippi, Missouri, Nevada, North Carolina, Oklahoma, South Carolina, Utah, Virginia.

amendment could ever be. The critical distinction is that under the ERA, sex is a prohibited classification, not a classification that is subject to some level of judicial review and that, therefore, may or may not be sustained.

**What the ERA will do**  In interpreting the ERA, the courts can be expected to rely on the legislative history as expressed in the majority report of the Senate Judiciary Committee and in the congressional debates on passage of the amendment. That the courts will interpret the ERA responsibly and with an understanding of the underlying legislative intent is evident from the existing decisions interpreting equal rights amendments in those 16 States which have such amendments in their constitutions.

Based on this record, it is fair to say that:

ERA will enshrine in the Constitution the value judgment that sex discrimination is wrong.

ERA will require the Federal Government and each State to review and revise all laws and official practices to eliminate discrimination based on sex.

ERA will insure that governments do not enact future laws that discriminate on the basis of sex. Many State and Federal laws have been devised and new laws enacted to eliminate sex discrimination as a result of the debates on ERA. But these laws could be changed by new Congresses and new State legislatures and failure to ratify the ERA may result in some losses of recent gains. Constitutional amendment provides permanent basis for progress.
ERA will be the basis for recognition of the principle (ignored in most family law) that the homemaker's role in marriage has economic value and that marriage is a full partnership. Under Pennsylvania's ERA, for example, the State supreme court ruled in 1975 that non-monetary contributions to a marriage, such as household work and child care, must be considered when a couple's household goods are divided as a result of divorce.

ERA will insure equality of opportunity in public schools, state colleges and universities, employment training programs of Federal, State, or local governments, and in governmental recreation programs.

ERA will insure equal opportunity, privileges, and benefits in all aspects of Government employment.

ERA will insure that families of women workers receive the same benefits as families of men workers under the social security law, Government pension plans, and workers' compensation laws.

ERA will insure that married women can engage in business freely and dispose of separate or community property on the same basis as married men.

ERA will give the same rights to a woman as to a man in marital law and allow a married woman to maintain a separate domicile for voting purposes, for passports, for car registration, etc. (A husband may be in the military service and maintain his legal domicile "back home," but his wife may want to vote for the local school board where the kids go to school, for example.)

What ERA will not do

ERA will NOT change or weaken family structure. Courts do not interfere in the private relationship of an ongoing marriage, and ERA will strengthen families by implicitly giving value to each spouse's contribution to and support of the other.

ERA will NOT require the States to permit homosexual marriage. The amendment is concerned with discrimination based on gender and has nothing to do with sexual behavior or with relationships between people of the same sex. After the State of Washington had passed an Equal Rights Amendment to its own constitution, the State supreme court held that a State law prohibiting homosexual marriage was not invalidated.

ERA will NOT have any impact on abortion laws. The U.S. Supreme Court decisions on abortion were made under present constitutional provisions addressed to privacy issues and based on the 1st, 9th, and 14th amendments.

ERA will NOT require co-ed bathrooms. The legislative history to which the courts would refer makes it clear that "the amendment would not require that dormitories or bathrooms be shared by men and women." Sexual equality will not be obtained at the expense of the constitutionally guaranteed right to privacy.

ERA will NOT require that there be as many women as men in combat roles in the military service, but it will give women equal access to the skills, training, education, and other benefits that military services provide. There is no draft now, but if a national emergency requires one in the future or if it is reinstated for any reason, women would be subject to the draft just as men would be, under a system that would undoubtedly provide for exemptions for specific categories, e.g., parents of dependent children, persons with physical, mental, or emotional illness, conscientious objectors, and others.

The military services would have the same right to assign women as they have to assign men, but this does not mean that women would be automatically assigned to combat, unless they volunteered for such duties. As a matter of fact, in modern warfare a very small percentage of men in the armed services actually serve in combat, and the decision as to who is best equipped for combat is up to the commanders. Meanwhile, to deny women the opportunity to freely enter the military services today is to deny them an equal expression of patriotism as well as career, educational, and job opportunities.

ERA will NOT be a "gigantic power grab by the Federal bureaucracy" to take over jurisdiction that now belongs to the States, as is frequently charged. Once ERA is ratified, States and the Federal Government have two years within which to bring their laws into conformity. If this is not done, the courts may declare invalid or extend to both sexes State or Federal laws or practices that are contrary to the ERA. The State will still be able to enact a new law or regulation that is in conformity. The first 10 amendments to the Constitution—the Bill of Rights—guarantee that the States will not pass laws infringing on freedom of speech, freedom of religion, freedom of the press, freedom from unreasonable search and seizure, the right to trial by jury, etc. None of these amendments denies States the right to enact laws
in these areas, but they do not have the right to enact laws that violate these constitutional guarantees. Adoption of ERA will guarantee that neither the States nor the Federal Government will pass laws or engage in official practices that discriminate because of gender.

ERA opponents cite, as the basis for some of their claims about the effects of the amendment, testimony by Professors of Law Paul Freund and Philip Kurland and interpretations of former Senator Sam Ervin. However, they fail to quote these law professors on the importance of legislative history in interpreting the ERA. Both Freund and Kurland testified in Congress before the committee reports on ERA were issued and before the debates in the House and Senate that established the legislative history of the ERA and the intent of Congress in approving the amendment.

Senator Ervin based his interpretation on his belief that the language of the amendment is so clear that the courts will have no choice but to interpret it his way and that, therefore, they will not look to legislative history. However, all the other members of the Senate Judiciary Committee and large majorities of both the House and Senate interpreted the language differently from Senator Ervin.

Where it stands now The Equal Rights Amendment, the 27th amendment, was passed by a vote of 354 to 23 in the U.S. House of Representatives on October 12, 1971. The U.S. Senate approved it March 22, 1972 by a vote of 84 to 8 after decisively rejecting, one by one, nine different proposals to alter and defeat it. It will become part of the U.S. Constitution when three-fourths of the States (38) have ratified it, and it will go into effect two years after the ratification date.


Three States—Idaho, Nebraska, and Tennessee—later voted to rescind ratification, a move of doubtful legality. An opinion issued by Assistant Attorney General John Harmon declares the States do not have the power under the Constitution to rescind. Congressional precedents and the 14th and 15th amendments provide the underpinning for this view.

Fifteen States have not ratified: Alabama, Arizona, Arkansas, Florida, Georgia, Illinois, Louisiana, Mississippi, Missouri, Nevada, North Carolina, Oklahoma, South Carolina, Utah, and Virginia.

Who supports ERA ERA has been endorsed by the last six Presidents of the United States, passed by the Congress, ratified by 35 States, approved by the Democratic and Republican national committees, and supported by more than 200 organizations, including: American Association of University Women; American Baptist Women; American Bar Association; the AFL-CIO and 26 affiliated unions; American Home Economics Association; American Jewish Congress; American Veterans Committee; B’nai B’rith Women; Board of Church and Society, United Methodist Church; Catholic Women for the ERA; Child Welfare League of America; Christian Church (Disciples of Christ); Coalition of Labor Union Women; Common Cause; General Federation of Women’s Clubs; Girl Scouts of the U.S.A.; League of Women Voters; Lutheran Church; NAACP; National Catholic Coalition for the ERA; National Coalition of American Nuns; National Council of Churches (of Christ); National Council of Jewish Women; National Council of Negro Women; National Federation of Business and Professional Women’s Clubs; National Organization for Women; National Secretaries Association; National Woman’s Party; National Women’s Political Caucus; United Auto Workers; United Presbyterian Church, U.S.A.; and Young Women’s Christian Association.

The outlook Under a seven-year limitation set by Congress, ERA must be ratified by March 22, 1979. If it is not ratified by then, the amendment would have to be reintroduced in Congress and go through the entire ratification process again. However, in the opinion of the Department of Justice, Congress may vote to change the date by which ratification must be completed. A bill has been introduced by Congresswoman Elizabeth Holtman to extend that deadline to 1980.

ERAmerica, a coalition of major organizations set up to fight for ratification, NOW, the League of Women Voters, the American Association of University Women, the Business and Professional Women, other groups, and an overwhelming majority of the delegates to the National Women’s Conference are making final ratification of ERA a priority.

The ratification battle has narrowed down to a few States where some legislators, despite public commitment to support ERA, have, succumbed to last-minute political pressures and voted against it. Pro-ERA forces are conducting national education campaigns on the issue and are lobbying, fundraising, and organizing support and campaigning for defeat of anti-ERA legislators. More than 80 nonratified States and are canceling meetings that were scheduled to be held there. An important factor in National Commission’s decision to hold its National Women’s Conference in Houston was that Texas has ratified the ERA.

Women have waited more than 50 years for the equality promised by the Declaration of Independence to men. Two years after the United States of America celebrated its Bicentennial, it is time to extend democracy to all American citizens and to put women into the Constitution at last.
Federal legislation should establish a national health security program. Present Federal employees' health insurance policies and any future national health security program should cover women as individuals.

Health insurance benefits should include:

- Preventive health services.
- Comprehensive family planning services.
- Reproductive health care.
- General medical care.
- Home and health support services.
- Comprehensive mental health services.

States should license and recognize qualified midwives and nurse practitioners as independent health specialists, and State and Federal laws should require health insurance providers to directly reimburse these health specialists.

States should enact a patient’s bill of rights which includes enforceable provisions for informed consent and access to and patient ownership of medical records.

Federal legislation should be enacted to expand the authority of the Food and Drug Administration to:

- Require testing of all drugs, devices, and cosmetics by independent sources other than the manufacturers.
- Extend test periods, beyond the present grossly inadequate one year or 18 months.
- Have immediate recall of hazardous, unsafe, or ineffective drugs, devices, and cosmetics.
- Require a patient information package insert with every drug and device marketed. This insert should include warnings about possible risks.
- Require by law the reporting of significant adverse reactions noted by physicians or by the manufacturers of drugs, devices, and cosmetics.

Congress should appropriate funds for increased research on safe, alternative forms of contraception, particularly male contraception. Research to identify the risks of present forms of contraception and estrogen-based drugs should be given higher priority. Outreach programs should be established by the Department of Health, Education and Welfare to identify and provide services for victims of hazardous drug therapy.

The Department of Health, Education and Welfare should provide additional funds for alcohol and drug abuse research and treatment centers designed to meet the special needs of women.

Federal and State governments should encourage fair representation of women on all Federal, State, and private health policy and planning bodies.

Congress should appropriate funds to establish and support a network of community-based health facilities to offer low cost, reproductive health services.

The President should appoint a special commission to conduct a national investigation of conditions in nursing homes and mental institutions and propose standards of care.

Congress should appropriate funds to encourage more women to enter the health professions, and Congress should allocate funds only to those health professions schools whose curricula are clearly nonsexist.

The Secretary of Health, Education and Welfare should undertake a special investigation of the increase in surgical procedures such as hysterectomy, Cesarean section, mastectomy, and forced sterilization.
Background:

"Women have begun to rebel against male-dominated health care."

Through most of human history, women have been the healers. They watch the health of their families, and paid or unpaid, they still do most of the work of caring for the sick, the disabled, and the elderly. But policy on professional medical care, drugs, research, hospitals, and environmental hazards is controlled by men who are frequently unsympathetic if not actually ignorant of the special health needs of women.

One example of this unresponsiveness is the danger to women exposed to chemicals used in kitchens, offices, factories, and bathrooms, as well as in cosmetics and hair dyes. According to the Massachusetts Coalition for Safety and Health, substances that can harm reproductive organs or fetuses include trichloroethylene, used by typists in white-out correction fluid, and the radiation from microwave ovens used by homemakers and flight attendants.

Mental health services are another area of neglect. According to Phyllis Chester, author of Women and Madness, these are used twice as often by women as men but are still not available to many women who need help. Health education is needed to slow the rapid rise of smoking among teenage girls, as documented by the American Cancer Society. Family planning services are also needed, particularly for teenagers, among whom an "epidemic" of pregnancy is occurring. Research is needed to find safer contraceptives. And there are many other health needs of women that are not being met.

Women require more health care than men. They bear the children. On average, they live longer than men and are more likely to acquire the age-connected chronic diseases that require many health care visits.

In the past few years, women have begun to rebel against male-dominated health care. Health was the third most popular issue at the IWY State meetings held prior to the Houston Conference. More than 400 resolutions were passed recommending changes in health care policy and priorities.

Health insurance Many existing health insurance plans on which any future national health program might be based cover married women as dependents of men rather than as individuals in their own right. A woman who is divorced or widowed may lose her health coverage. A single woman may be denied pregnancy benefits. A man does not lose out on health insurance because he chooses to remain single, or because his marriage is disrupted by death or divorce. And family-based health insurance is expensive. According to the Committee on National Health Insurance, administration of the Canadian national health plan is cheaper in part because everyone is covered as an individual.

Women often get shortchanged in health insurance policies coverage of their unique health needs. In their 1977 report published by the Women's Equity Action League, "Sex Discrimination in Insurance," Naomi Naierman, Ruth Brannon, and Beverly Wall found that a majority of new health plans do not cover maternity, whereas those that do charge prohibitively expensive rates for the restricted benefits offered.

They also reported that working women are seldom covered for loss of income due to disabilities or pregnancy. Many policies still exclude all conditions related to the female reproductive system. The general exclusion of preventive health care deprives women of insurance coverage for breast and uterine cancer screening and family planning services, while the general exclusion of mental health services bears heavily on women than on men. Fewer women are more apt to become ill than men.

Finally, health insurance policies make little or no provision for the care of a chronically ill patient at home where most of them are kept. They use all money for even occasional trips to the doctor that care can become an intolerable human burden for the family, and the burden almost invariably falls on the wife or mother.

Many national health programs tended to remedy these and other defects of the medical care system proposed in Congress, but most comprehensive are the Kennedy-Corman Health Security Act (H.R. 22 and S. 3), which has been introduced for eight consecutive years, and the Health Services (H.R. 6894), introduced by Congressman Ron Dellums (D., Calif.).

Midwives and nurse practitioners Few American babies are born naturally. Drugs, a dramatically rise in the proportion of Caesarean births. Medical World News says the rate doubled between 1970 and 1978 and the routine use of fetal monitoring of the infant during labor have made the normal event of childbirth into a medical procedure that often appears to be designed more for the convenience of hospital and doctors than for the mother. "Is it beneficial to the woman and her newborn to have her lie flat on her back during labor and delivery," asks Dr. Hania W. Ris, the University of Wisconsin, "or does it only provide comfort for the obstetrician?"
Male medical control of childbirth has not necessarily made it safer. According to Doris Haire, president of the American Foundation for Maternal and Child Health, mothers and babies are more apt to live and babies are less apt to be damaged in countries such as Sweden and France where more parents choose to have their children born at home under the care of a trained midwife. Ann H. Sablosky, a social worker on the board of the National Women's Health Network, studied the record of midwifery in the United States and concluded that midwives could make the majority of uncomplicated births cheaper and more natural without sacrificing safety.

Nurse practitioners, nurse and lay midwives, and physician assistants are new categories of health workers dominated by women. Nurse practitioners are registered nurses qualified by extra training to practice nursing independently of the supervision of a physician. Yet under Medicare rules requiring the approval of a doctor, these independent practitioners cannot be reimbursed for their fees.

**Patient's Bill of Rights** The doctor's word is law, but women are beginning to question some of the heroic remedies practiced on their bodies, and consumer health advocates share their doubts. In 1977 Undersecretary Hale Champion of the Department of Health, Education and Welfare testified that American surgeons were making work for themselves by prescribing needless operations. Evidence is accumulating that many mutilating mastectomies might not have been necessary and, according to Peg Beals, past president International Childbirth Association of Ann Arbor, and a nurse herself, some doctors prefer Caesareans because they save time and produce higher fees.

In December 1977 HEW Secretary Joseph A. Califano, Jr. admitted that federal officials had not been "nearly zealous enough" in preventing quack doctors, social workers, and prison officials from forcing women to be sterilized. In her article, "Forced Sterilization," in the February 1976 issue of Sister Courage, Dr. Judith Herman estimated that 20 percent of married black women have been sterilized, compared with seven percent of married white women. The Committee to End Sterilization Abuse, an organization based in New York City, contends that more than a third of the women of childbearing age in Puerto Rico have been sterilized. According to The New York Times of May 24, 1977, Dr. Donnie Uri estimates that one out of every four American Indian women has been sterilized, in many cases without realizing what was being done.

In 1978 HEW was adopting new, stricter standards for sterilization operations funded by the Federal Government. The new rules require the written consent of the patient in her primary language, a 30-day waiting period, with certain exemptions, and a statement from the doctor that he/she has informed the patient of the risks and benefits of the operation and the fact that her welfare or Medicaid benefits will not be cut off should she refuse. The Federal Government will no longer fund hysterectomies performed solely for contraception.

Experimentation on women without their consent has also been documented. According to an article in the June 15, 1973 issue of Medical World News, for instance, a San Antonio, Texas physician gave placebos instead of contraceptive pills to 75 Chicanas who had come to the clinic for help in preventing pregnancies. Eleven unplanned pregnancies resulted from this "experiment." A Senate Health and Scientific Research subcommittee heard testimony March 7, 1978 from Food and Drug Administration Commissioner Donald Kennedy that physicians hired by drug companies have made misrepresentations to women in labor to win their "informed consent" for use of experimental drugs on their newborn babies.

Women are especially disadvantaged by the reluctance of doctors and hospitals to let patients see their own medical records. According to a compilation made for the Health Law Project of Philadelphia in 1976 by Carole F. Soskin, little more than a dozen States require doctors and hospitals to make any disclosure of their medical records to a patient. None gives the patient unconditional access, much less ownership. A Colorado statute, one of the most favorable, makes all records available for the patient to inspect except those referring to a psychological problem. Outright ownership is the only practical way for a woman to be able to take her medical records with her when she moves to a new community or travels.

**Safety** Women take two-thirds of all drugs prescribed by physicians, according to a study reported by Janet Holloway to the American Public Health Association Women's Caucus in 1976. Not only do millions of women take contraceptive pills every day, but women live longer and doctors are much more apt to prescribe "mood" drugs for them. According to Holloway, women take 72 percent of the antidepressants, 76 percent of the analgesics, and most of the tranquilizers. The cosmetics they use may be an additional risk to their health.

Under existing food and drug laws, powerful new compounds whose long-term effects are unknown are tested on the public at large. According to the Women's Health Concerns Committee, valium is the most frequently prescribed drug in the United States, yet it is only 10 years old. Its effects over a long period of time have not yet been determined. The Committee also points out that there is no serious testing of the vaginal douches many women use, and that regulation of the Intra-Uterine Device (IUD) for contraception leaves much to be desired. Federal control over the IUD was not established until 1976,
and then only over new devices to be marketed in the future, leaving unregulated the IUD's that four to six million women were already using.

The contraceptive pill has been shown to cause blood clots, stroke, heart attack, high blood pressure, urinary tract infections, gall bladder disease, and deaths in some of the presumably healthy 10 million women who take it every day. An article by Jerry Weaver in the March-April 1976 issue of Women and Health cites detailed evidence of the serious and sometimes fatal side effects of the pill for certain groups of women.

The National Women's Health Network reports that estrogen hormone supplements, prescribed in hard-sell advertising campaigns to make women "forever feminine," have been proven neither safe nor effective in relieving menstrual and menopausal symptoms. The drugs have been linked with cancer of the breast and uterus. DES (diethylstilbestrol), widely prescribed to prevent miscarriages, has been shown to produce a number of cases of vaginal cancer in the young daughters of women who received this therapy. Only since 1978, after a sharply contested lawsuit by consumer advocates, have pharmaceutical manufacturers been required to provide labeling information on the risks and benefits of estrogen drugs.

In March 1978 the Senate subcommittee mentioned earlier was hearing testimony on legislation supported by the Carter administration to strengthen Federal control over the testing of new drugs, to monitor adverse effects of drugs already on the market, and to make it easier to withdraw those which prove dangerous. In spite of the proven hazards of the contraceptive pill and the IUD, only two percent of the money spent on research by the National Institutes of Health has been earmarked for research on human reproduction in recent years.

**Alcoholism and women** Alcohol is a problem for almost as many women as for men, according to the National Council on Alcoholism. Among heavy drinkers, females are twice as likely as males to develop cirrhosis of the liver, and gynecological problems and miscarriages may also be associated with alcoholism. Authorities disregard women alcoholics and shame keeps them from asking for help.

Margaret Rudolph, director of the National Association of Halfway Houses, reports that only 30 of the 600 centers for helping alcoholics serve women exclusively. The Women's Health Network says that less than three percent of the treatment grants by the National Institute on Alcohol Abuse and Alcoholism are for women's programs.

**Mental institutions** More women than men are subject to the inhuman conditions prevailing in many mental institutions and nursing homes for the elderly. In Women and Madness, Phyllis Chesler reported that many women are involuntarily committed to mental institutions where they are physically abused, medically neglected, and forced to work as cooks and cleaners. Because of their greater longevity, women are a majority of the occupants in nursing homes and homes for the elderly. The poor level of care in many of these institutions has been repeatedly exposed by congressional and other investigations.

**Reproductive health** The rise in teenage pregnancies, documented in the background on the Reproductive Freedom plank, is due at least in part to the difficulty teenagers have in obtaining reliable, low-cost, confidential reproductive health services. When legal abortions are not available or are too expensive, women are forced to rely on dangerous, illegal methods of ending their pregnancies.

In October 1977, a Mexican American woman died in a hospital in McAllen, Texas from complications caused by a cheap abortion in a nearby town, just after the U.S. Supreme Court ruled that States did not have to fund abortions under Medicaid. "The Government cannot stop abortions," The New York Times commented. "It can only stop paying for them."

**Women's health centers** In many communities, women themselves have had to provide birth control and abortion information and services that doctors and hospitals have been reluctant to offer. Since the U.S. Supreme Court decision of 1973 upholding the right to abortion, the number of women's health centers has increased to more than 400, according to Carol Downer of the Los Angeles Feminist Women's Health Center. Where State law permits, at least 50 of these centers perform out-patient abortions at one third the cost of the procedure in hospitals. The low-cost supportive educational services and nonjudgmental atmosphere of these women-run facilities make them especially helpful to teenage women.

**Medical policy** Many observers agree with Dr. Vicente Navarro of Johns Hopkins University that the health care of women will not improve until more women are involved in making medical policies. According to an estimate made by the Women's Work Project, published in the March-June 1976 issue of Women and Health, 80 percent of the health workers in the United States are women, but 90 percent of the physicians and administrators who make health policy are men. The Association of American Medical Colleges reports that an all-time high of 25 percent of the entering medical school classes in the fall of 1977 were women. But, according to Mary Walsh, author of Doctors Wanted: Women Need Apply, the number of women in influential medical positions remains unchanged.
The Federal Government and State legislatures should base their laws relating to marital property, inheritance, and domestic relations on the principle that marriage is a partnership in which the contribution of each spouse is of equal importance and value.

The President and Congress should support a practical plan for covering homemakers in their own right under social security and facilitate its enactment.

Alimony, child support, and property arrangements at divorce should be such that minor children's needs are first to be met and spouses share the economic dislocation of divorce. As a minimum, every State should enact the economic provisions of the Uniform Marriage and Divorce Act proposed by the Commissioners on Uniform State Laws and endorsed by the American Bar Association. Loss of pension rights because of divorce should be considered in property divisions. More effective methods for collection of support should be adopted.

The Bureau of the Census should collect data on the economic arrangements at divorce and their enforcement, with a large enough sample to analyze the data by State.

The Federal and State governments should help homemakers displaced by widowhood, divorce, or desertion to become self-sufficient members of society through programs providing training and placement and counseling on business opportunities, advice on financial management, and legal advice.

Background:
"...legal realities of a marriage contract degrade and demean the wife's role."

The low value that our society places on the homemaker's role is reflected in support laws, property laws, divorce laws, and inheritance laws. If our children, sons as well as daughters, cannot expect that work in the home will be recognized as of equal value and as deserving equal dignity with work done outside the home, the institution of the family and society itself will suffer.

When a man and a woman enter into a marriage, they often believe that they are entering a cooperative partnership, but the legal realities of a marriage contract degrade and demean the wife's role.

Wife as chattel The low value placed on the wife's role has its roots in English common law. In his 1765 Commentaries on the Laws of England, William Blackstone wrote that "a wife is a superior servant to her husband, ... only chattel with no personality, no property and no legally recognized feelings or rights." Property laws, inheritance laws, and domestic relations laws in the United States grew out of the same principles.

While many changes have been made as a result of the women's movements in the 19th and 20th centuries, many discriminatory laws remain. For example:
In 1977 in Georgia, the house occupied by a family, if titled in the husband's name, belongs only to him, even if the wife is the wage earner and makes all payments. In 1977 in Arkansas, a husband can dispose of all property, even jointly owned, without his wife's consent. In Maine joint business profits belong solely to the husband. In 43 of the 50 states a woman cannot charge her husband with rape even though they are living apart and he forces her to have sexual relations with him.

Homemakers' lack of security
The full-time homemaker who works at home—unpaid—to attend to the family's day-to-day maintenance has no economic security. She receives no pay. She has no health or disability insurance in her own right. She has no retirement plan and receives no social security payments in her own right. If she "loses her job" through widowhood or divorce, she is ineligible for unemployment insurance.

The assumption is that her husband will support her, but the courts have been unwilling to interfere with the "sanctity" of the marital relationship, and in most States there is no way to enforce support unless she files for divorce or separation. When living under the same roof, the husband may give his wife as little as he wishes to run the home regardless of his income. He may be required to pay any bills she incurs, but merchants will be quick to deny credit to a wife if they believe they may have to sue her husband in order to collect.

Not only does the law assume a wife's work is not worth much, but it also assumes that the money belongs to the man who earned it even though the woman may have managed and saved it.

A homemaker does not legally have an equal share of the couple's economic assets except in eight community property states: Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas, and Washington. Even then the wife may not have real control. In Louisiana the husband has total control and charge of all community property, including the wife's earnings.

Homemakers and social security
Homemakers who have not worked in employment covered by social security have no protection in their own right. Divorced women married less than 10 years (20 years for benefits prior to January 1979) cannot collect social security benefits based on their husband's earnings. (The Bureau of the Census reports
that 25 percent of divorces occur after 15 years of marriage. If a divorced man remarries, his second wife is eligible for benefits after one year. If he dies, his second wife may become entitled to benefits if she had been married to him for nine months.

Alimony and child support The best evidence of the worth ascribed to the homemaker in the law can be found in property settlements at divorce, the awarding of alimony, or maintenance and child support. With the Bureau of the Census now reporting one divorce for every two marriages, divorce has become a major source of economic hardship for women.

The National IWY Commission's Committee on the Homemaker found many divorced wives and their children living on welfare, even when the husband was under a court order to support them. The women and children were living on an average of $21 a month, while the men were living on close to $800 a month. (The National Commission has published reports on the legal status of homemakers in each State.)

The RAND Corporation surveyed one-parent households in California and found that three out of five were on welfare, and almost all were headed by women.

There are not enough data available on economic arrangements at divorce to analyze them on a State-by-State basis, but all available evidence indicates that alimony is granted in only a very small percentage of cases; that fathers by and large are contributing less than half to the support of children in divided families; and that enforcement of alimony and child support awards is very inadequate.

Child support is actually awarded in only 44 percent of all divorces, and one study found that after three years, only 19 percent of divorced fathers were paying any support at all. Most court-ordered support payments fall below welfare in amount, according to an Alabama report. Judges have almost total discretion in making awards. In only a few States, such as Alaska, New Mexico and Washington, is there a recommended schedule of payments based on the net salary of the parent paying support.

Alimony is awarded in only 14 percent of all divorces, and no more than seven percent of divorced men actually make such payments. The courts in many States, including Pennsylvania, Indiana, and Texas, are not empowered to award any continuing alimony. No alimony at all is awarded in 90 percent of Iowa divorces. In Washington, D.C., South Carolina, Virginia, and Louisiana, wives found "at fault" in divorces may receive no alimony although men "at fault" are not penalized by having to make larger payments.

When it comes to dividing up the assets of a marriage at the time of divorce, most States do not require the courts to take into consideration the value of work in the home. The exceptions are: Colorado, Delaware, Indiana, Maine, Missouri, Montana, Nebraska, and Ohio. In Kentucky a homemaker's services must be considered, but even here they are downgraded. The general rule of thumb is that the wife receives approximately one-third of the jointly held property if she has been a homemaker and up to a maximum of one-half if she has been a wage earner.

Until recently, Pennsylvania State law did not require that a homemaker's contributions be considered when dividing up the household goods of a marriage, but the Pennsylvania Supreme Court determined that under the State's Equal Rights Amendment, a woman's work in the home must be considered as much of a contribution to the marriage as a man's job and that she is entitled to an equal share of the household goods.

Economic provisions of Uniform Marriage and Divorce Act: Many of the economic inequities that erode the lives of dependent spouses and children would be corrected if each State were to enact the economic provisions of the Uniform Marriage and Divorce Act.

Some of the more important provisions of the act are:

1. The contribution of the spouse as homemaker must be considered when dividing property.

2. The courts are authorized to order child support from either or both parties and must consider five relevant factors, including the standard of living the child would have enjoyed had the marriage not been dissolved.

3. Procedures would be established for payment of support or maintenance orders through a court officer and for enforcement by the appropriate prosecuting attorney.

4. The courts may order the person obligated to pay support or maintenance to assign part of his or her earnings or trust income to the person entitled to receive payments.

5. A decree ordering maintenance or support could be modified only upon a showing of changed circumstances so substantial and continuing as to make the terms unenforceable.

Some needed reform is not included in UMDA: It does not have a section requiring disclosure of assets. It does recommend that in community property States the family home right to live therein be awarded to the spouse having custody of the children; however, this recommendation is not included for common-law (non-community property) States, omission that may be of great importance in families where the only property owned is the home.

Wisconsin has enacted a new law that may be one of the best in the nation. Some features are improvements on UMDA. Copies may be obtained from the Wisconsin Commission on the Status of Women, West Mifflin Street, Madison, 53703.
Legislation Displaced Homemakers: Legislation providing 50 centers for counseling, training, and placement of displaced homemakers was introduced by Representative Yvonne Burke (D-California) and Senator Birch Bayh (D-Indiana). House and Senate hearings have been held. The bill, which has 100 cosponsors, is expected to be included in the Comprehensive Employment and Training Act (CETA), to be renewed in 1978.

Social Security coverage for homemakers: Representative Donald M. Fraser (D-Minnesota) introduced legislation in the 94th Congress to bring homemakers into the Social Security system. More recently, Representative Martha Keys (D-Kansas) has cosponsored the Fraser bill, which was reintroduced in the 95th Congress. The bill, which has 60 cosponsors, would amend the Social Security Act to establish individual records for both partners in a marriage. Both husband and wife would be credited with the family income on social security records, and those records would stay with each throughout life. The effect would be to give divorced women a social security record. The bill would also provide disability coverage for both spouses and would lower the age at which the surviving spouse could collect benefits to age 50, which is the time most widowed women with children lose benefits because their children have come of age. Hearings were held in July 1977, and further hearings were expected to be held in July 1978.
State legislatures and State insurance commissioners should adopt the Model Regulation to Eliminate Unfair Sex Discrimination of the National Association of Insurance Commissioners. The regulation should be amended and adopted to include prohibition of the following practices:

- Denying coverage for pregnancy and pregnancy-related expenses for all comprehensive medical/hospital care.
- Denying group disability coverage for normal pregnancy and complications of pregnancy.

Background:
"Women cannot buy certain kinds of insurance."

A thorough investigation of sex discrimination in insurance convinced former Pennsylvania Insurance Commissioner Herbert S. Denenberg that "discrimination against women is built right into the insurance system." The charge is amply documented by the report of the Michigan Insurance Department's Women's Task Force as well as in similar reports published by other States. A particularly pervasive discrimination is the exclusion of coverage for pregnancy and related expenses in health and disability insurance, whether purchased individually or through employers.

Women cannot buy certain kinds of insurance, a number of experts testified before the Joint Congressional Committee on Economic Discrimination Against Women. Working women may not be able to get noncancellable policies, lifetime benefits, riders offering future coverage on favorable terms, or even as much dollar protection against loss of income through disability as males, even when their earnings are the same. They may not be able to get disability insurance at all for a number of reasons: if they work in certain occupational categories for which coverage is available for men; if they cannot demonstrate a well-established pattern of full-time employment; if they earn their money at home; or if they are homemakers.

Disability payments for pregnancy
When disability policies are available to women, they generally do not regard pregnancy as a disability. The policies do not cover loss of income due to childbirth, abortion, or miscarriage and they may require waiting periods before coverage is effective or impose other limitations on the coverage of disabilities caused by "diseases of the female genital organs." Disabilities resulting from disorders of female reproductive organs may not be covered at all, though disorders of male reproductive organs are generally covered.

Health insurance policies often exclude maternity expenses or severely limit the benefit both in amount and eligibility. Sterilization operations may be covered for males but not for females. "All female reproductive organs may be excluded on the basis of a woman's medical history.

And, as in disability policies, health policies may deny favorable riders to women.

The rationale used by the insurance companies to exclude pregnancy from disability benefits is that pregnancy is a choice for which the woman is solely responsible and for which she must suffer the disabilities. But Barbara Shack, assistant director of the New York Civil Liberties Union pointed out to the Joint Congressional Committee that since "women serve the biological function of continuing the species, society should share the disabilities and costs instead of penalizing her for her necessary physiological role."

Pregnancy benefits: current status
Lack of maternity coverage means that American women and their families must pay most of the cost of pregnancy, childbirth, and medical care of their newborn babies. On December 7, 1976, in General Electric v. Gilbert, the U.S. Supreme Court ruled that Title 7 of the Civil Rights Act of 1964 did not require companies to treat pregnancy benefits on the same basis as other temporary disabilities.

Outraged women immediately pressed for a law prohibiting discrimination on the basis of pregnancy. The Senate bill was passed on September 16, 1977, and a House bill, which an anti-abortion rider was attached, was approved in committee March 1978. The American Council for Life Insurance objects that the additional cost of providing pregnancy benefits could cost business $1 billion in 1978, but AFL-CIO studies put it at only $130 million.

Insurance based on marital status
Insurance also discriminates against women on the basis of marital status. Inequities of many kinds arise when women are covered as dependents of men rather than individuals in their own right. Health insurance plans may cover the wife but not the husbands' employees. They may enroll men but not married women as individuals. Female
ployees may receive smaller maternity benefits than the wife of a male employee, and they may get none at all if they are single. When a woman is divorced and covered under a group health plan by her husband's employer, she may have to pay sharply increased premiums in order to continue her protection on an individual basis. Similar discrimination exists in auto insurance, where the common practice of insuring the husband for the family car results in much higher premiums for the divorced female when she seeks coverage in her own name.

Life insurance coverage for a married woman may depend on the amount of her husband's coverage and may require that the husband's policy be larger. Group plans often treat widowers less favorably than widows. A wife covered under a company pension plan may be left without protection after divorce, and she may be left entirely without income if her husband dies before retirement age.

Finally, car and homeowner's insurance discriminates against the rising proportion of women who are single, divorced, or living alone. In New York State, for instance, an 18-year-old woman pays less car insurance if she is married than if she is single. According to Catherine Timlin, who conducted a study of insurance for the Los Angeles chapter of the National Organization for Women, "Carriers say there is no one to take out the trash or clear the brush if a woman is living alone, so there is a fire hazard."

Higher costs for women Insurance costs women more than men. In disability protection, the amount of coverage can be less for a woman, with waiting periods longer, and premiums higher for the same benefits available to men. If disability protection is available to a homemaker, she may have to pay more for it than if she had been employed outside the home.

In health insurance, women are frequently charged higher rates for individual policies even when maternity benefits are excluded. Premiums for group health insurance may rise with the proportion of women in the group.

Barbara Shack, in her testimony, blamed these high costs on the prevailing attitude in the insurance industry that "women are only temporary members of the work force, dependent on a male primary wage earner, burdened with home responsibilities that cause her to feign sickness so she can collect insurance benefits, or poised to have a litter and retire as the happy homemaker, duping her employer and the insurance companies out of benefits intended for regular members of the work force." As she and every other expert before the committee pointed out, this attitude deprives many millions of women and their families of economic security that is available to men.

Sex-based rate tables The heart of discrimination against women is the maintenance of separate rate tables based on the difference in risk between the sexes. Former Congresswoman Martha Griffiths, who chaired the congressional hearings on discrimination in insurance, noted that women generally are considered high risks by insurance companies. "The people in this category, whom the insurance companies usually refer to as clunkers, include all women along with residents of poor neighborhoods, reckless drivers, and those who work in hazardous occupations."

Testifying at that same hearing, Pennsylvania Commissioner Deneenberg said that the time has come to drop classifications by sex. He pointed out that the companies used to have a separate classification for blacks, but that is now "unacceptable from a public policy standpoint. Like classifications based on color, sex classifications have also become suspect.... With changes in the economic position of women, the once homogeneous classification of women has become less meaningful."

The insurance companies may soon have no choice. Courts are beginning to demand the pooling of these risks as other differences among individuals are pooled. In Marie Manhart v. City of Los Angeles Department of Water and Power, the Court of Appeals upheld an injunction against "requiring individual female employees to make larger contributions than individual male employees to the Department of Water and Power employee retirement plan."

Model regulations and their drawbacks Some States are moving against insurance inequities. About a fourth have endorsed the reforms of the Model Regulation to Eliminate Unfair Sex Discrimination adopted by the National Association of Insurance Commissioners in 1975, but according to Naomi Naierman, author of Discrimination in Insurance, loopholes in the NAIC prohibitions make it easy for companies to get around them. She points out, for instance, that a company may comply by making health insurance for pregnancy available only at prohibitively high cost or in limited quantity.

At best, the NAIC Model Regulations do not touch coverage for maternity and equality of benefits for men and women, principles mandated by regulations of the Equal Employment Opportunity Commission.

Under the Model Regulation, the following practices are prohibited:

1. Denying coverage to females gainfully employed at home, employed part time, or employed by relatives when coverage is offered to males similarly employed.
2. Denying policy riders to females when the riders are available to males.

3. Denying maternity benefits to an insured or prospective insured individual purchasing an individual contract when comparable family coverage contracts offer maternity benefits.

4. Denying, under group contracts, dependent coverage to husbands of female employees when dependent coverage is available to wives of male employees.

5. Denying disability income contracts to employed women when coverage is offered to men similarly employed.

6. Treating complications of pregnancy differently from any other illness or sickness under the contract.

7. Restricting, reducing, modifying, or excluding benefits relating to coverage involving the genital organs of only one sex.

8. Offering more restrictive benefit periods and more restrictive definitions of disability income contract.

9. Establishing different conditions by sex under which the policyholder may exercise benefit options contained in the contract.

10. Limiting the amount of coverage an insured or prospective insured person may purchase based on marital status unless such limitation is for the purpose of defining persons eligible for dependent benefits.
INTERNATIONAL AFFAIRS

WOMEN AND FOREIGN POLICY

The President and the executive agencies of the Government dealing with foreign affairs (Departments of State and Defense, USIA, AID, and others) should see to it that many more women, of all racial and ethnic backgrounds, participate in the formulation and execution of all aspects of United States foreign policy. Efforts should be intensified to appoint more women as Ambassadors and to all U.S. delegations to international conferences and missions to the United Nations. Women in citizen voluntary organizations concerned with international affairs should be consulted more in the formulation of policy and procedures.

The foreign affairs agencies should increase with all possible speed the number of women at all grade levels within the agencies, and a special assistant to the Secretary of State should be appointed to coordinate a program to increase women’s participation in foreign policy and to assume responsibility for U.S. participation in and the funding of the U.N. Decade for Women. All concerned agencies of the executive branch should strive to appoint women on an equal basis with men to represent the U.S. on all executive boards and governing bodies of international organizations and on the U.N. functional commissions. A permanent committee composed of Government officials and private members, the majority of them women, should be appointed to advise the State Department on the selection of women candidates for positions on U.S. delegations, on governing bodies of international agencies, and in the U.N. system.

WOMEN IN DEVELOPMENT

The U.S. Agency for International Development and similar assistance agencies should give high priority to the implementation of existing U.S. legislation and policies designed to promote the integration of women into the development plans for their respective countries. They should also continue to study the impact on women in the developing world of U.S. Government aid and commercial development programs over which government has any regulatory powers. These agencies should actively promote the involvement of these women in determining their own needs and priorities in programs intended for their benefit.

HUMAN RIGHTS TREATIES AND INTERNATIONAL CONVENTIONS ON WOMEN

In pressing for respect for human rights, the President and the Congress should note the special situation of women victims of oppression, political imprisonment, and torture. They should also intensify efforts for ratification and compliance with international human rights treaties and conventions to which the United States is signatory, specifically including those on women’s rights.

PEACE AND DISARMAMENT

The President and the Congress should intensify efforts to:

- Build, in cooperation with other nations, an international framework within which serious disarmament negotiations can occur.
- Reduce military spending and foreign military sales; convert excessive weapons manufacturing capacity to production for meeting human needs.
- Support peace education in schools and advanced study in the fields of conflict resolution and peace keeping.

To this end the United States should take the lead in urging all nuclear powers to start phasing out their nuclear arsenals rather than escalating weapons development and deployment and should develop initiatives to advance the cause of world peace.

INTERNATIONAL EDUCATION AND COMMUNICATION

Government agencies, media, schools, and citizen organizations should be encouraged to promote programs of international education and communication emphasizing women’s present and potential contribution—particularly in developing countries—to economic and social well-being. Improved methods should be devised for collection and dissemination of this needed information in order to make adequate data available to policy makers and the public.

INTERNATIONAL WOMEN’S DECADE

The U.S. should give vigorous support to the goals of the U.N. Decade for Women, Equality, Development, and Peace in the General Assembly and in other international meetings; should give financial support to Decade activities; and should participate fully in the 1980 mid-Decade World Conference to review progress toward targets set in the World Plan of Action adopted unanimously by the World Conference of International Women’s Year, 1975.
Background:  
"Women's voices are seldom heard in government on the global issues."

**Women and Foreign Policy**  Mr. Carter spent his second full day on the job in the company of the men who will be involved in the shaping of his foreign policy and defense postures." The New York Times of January 23, 1977 did not, of course, italicize men when it printed that sentence. The exclusion of women from almost every aspect of foreign policy is simply taken for granted.

This unfair exclusion is against the stated policies of the U.S. Government and the U.N. World Plan of Action unanimously adopted by the International Women's Year Conference in Mexico City.

**Foreign Service Agencies.** Women are grossly underrepresented at mid- and upper-level positions in the three major foreign affairs agencies, the State Department, the United States Information Agency, and the Agency for International Development (AID). For instance, in the State Department as a whole (including both civil service posts at home and Foreign Service posts abroad), only 4.3 percent of senior level and 15.1 percent of middle-level positions are held by women.

There is evidence that the State Department is just beginning to utilize the talents of its women. The Office of Equal Opportunity found that women lagged three to five years behind male colleagues in getting promotions and that women were clustered in supportive roles rather than in policymaking. Discouraged by this lag, women are leaving the Foreign Service at middle levels, taking their valuable talents with them.

**Delegations.** Although the percentage of women on U.S. international delegations has doubled since 1975, the base year for the 1976 IVY Commission recommendation for an increase, it was still only 10 percent in September 1977. Since few women are in the technical and policymaking posts from which international delegations are chosen, efforts to appoint them have been sporadic and unsystematic.

Early in 1978 the Secretary of State directed that women and minorities should always be on the lists from which recommendations for delegations are made. One source for these names is the advisory and coordinating groups that meet under U.S. Government auspices to plan for U.S. participation in international conferences. Another source is the rosters requested earlier by the IVY Commission from Government agencies which suggest qualified delegates in their areas.

**Women's Groups.** Women's voices are seldom heard in Government on the global issues of food, energy, population, disarmament, and environment, which directly affect their lives. Nongovernmental women's organizations are deeply concerned with and knowledgeable on many international issues and could make important contributions to policy formation.

**U.N. Commission on the Status of Women**  An all-male United Nations group of 26 experts charged with re-defining the U.N.'s economic and social development work recommended abolishing all of the functional commissions, including the Commission on the Status of Women.

This commission, which should be retained, has brought improvements in the status of women and focused international attention on the contributions of women in development. Its work has resulted in many significant documents on international policy, including the Convention on Political Rights of Women (1952), the Convention on the Nationality of Mar-ried Women (1957), the Convention on Consent to Marriage, Minimum Age for Marriage, and Registration of Marriages (1962), the Convention on Suppression of Traffic in Persons and the Exploitation of the Prostitution of Others (1950), and the Convention on the Recovery of Abandoned Maintenance (1956).

Very few women have represented the United States on the governing boards of U.N. organizations and specialized agencies.

Women employees at the U.N have noted a sharp contrast between the organization's professed goals and reality for women and its practice in both its international programs and discriminatory employment promotion patterns within the Secretariat and U.N. agencies.

**Women in Development**  A work of women is essential to economic development in society even though it is largely unpaid and uncounted in the gross national product. Women bear and rear the children who are the world's resource for economic growth, yet they have the critical responsibility of managing population growth in a world of diminishing resources and increasing poverty.

According to the U.N. Economic and Social Council, Third World women living in predominantly male societies have added burdens. They produce 40 to 80 percent of the food and carry, in addition, the responsibility for family nutrition, health care, water supply and sanitation, and the education of the young. Although this contribution is central to any development, it has been largely ignored by their own governments as well as in programs of assistance by the United States Agency for International Development and other organizations.

New techniques and training programs have been introduced to increase male employment and productivity. In agriculture, new machinery, marketing programs, and farm credit are made available to farmers who either supplant women in traditional jobs, lowering women's status and depriving them of sm
comes from occasional food surpluses, or turn to cash-cropping for export, thus increasing the work women must do to provide subsistence food.

New factories lure men to city jobs, leaving women behind as the heads and usually as sole support of their families. In fact, almost 30 percent of rural families in the Third World are now headed by women. Young women frequently migrate to enter the urban labor force as maids or prostitutes or, if they work in factories, they tend to be exploited by the policies and operations of multinational corporations.

These poor, neglected women are caught in a depressing downward spiral. Because they must work harder for less money, they have even less time for what little education is available to them. UNESCO has reported that the illiteracy rate among women of the world has actually grown in the last 15 years from 58 to 62 percent.

U.S. Action. The United States has recognized the importance of women in developing nations. Recent amendments to foreign assistance legislation, known as the "Percy Amendments" require U.S. assistance programs to consider their impact on the women of the countries affected, include women as beneficiaries and participants, and refrain from any program that would affect women adversely.

AID plans for implementing this policy call for clear statements about the involvement of women in every program and preference for projects that use women in technical and managerial positions.

Human Rights Treaties and Conventions. In spite of the preamble of the U.N. charter, many of its articles, and multinational treaties supporting basic human rights and freedoms, gross violations of the human rights of women continue to occur throughout the world. These include physical and sexual abuse, imprisonment, and torture for political reasons.

A majority of the following International Conventions on Women have not been ratified by the United States:

I. United Nations Conventions:


II. Organization of American States (OAS) Conventions:


(Dates in parentheses are dates of adoption by U.N./OAS)

Peace and Disarmament. World military expenditures approached $370 billion in 1977, according to Ruth Sivard, World Military and Social Expenditures, 1977 (W.M.S.E. Publications, Box 1003, Leesburg, Virginia 22075.) She calculates that this amounts to $370 a minute since the birth of Christ.

Military spending on this scale is unprecedented in a time of comparative peace. At the present rate, the average U.S. citizen can expect to work three or four years of his or her life to pay for the arms race, in addition to the huge indirect costs of diverting resources to nonproductive uses.

It is obvious that a great many human needs could be provided for with the money now spent on the military. Sivard has calculated, for instance, that the world spends 60 times as much on equipping each soldier as on educating each child, and six times as much on military research as it spends for energy research. The world carries more insurance against the potential of war than against the actual, immediate problems of crime, illness, hunger, and poverty.

Developing Nations. Developing nations account for about one-fifth of the world expenditure on arms and spend as much on their military programs as they do on education and health care combined. Much of this money is spent in the United States. According to the U.S. Arms Control and Disarmament Agency, the United States sold $29 billion worth of arms to developing nations between 1966 and 1975.
President Carter has announced his intention of reducing our arms sales abroad, but a backlog of orders, a burgeoning arms industry, and political decisions will to accelerate the arms race in developing countries.

**Nuclear Stockpile.** The United States and the Soviet Union, the world's two nuclear giants, have a nuclear force capable of destroying the other several times over. The United States alone has a nuclear arms stockpile equivalent to 615,000 times the force of the atomic bomb dropped on Hiroshima in World War II.

Five countries are known to have nuclear weapons, and 30 others may soon be able to make nuclear weapons by using plutonium from nuclear reactors and widely available technology.

**Disarmament and Women.** The momentum of the arms race propels us toward the catastrophe of nuclear war. As a leader in that race, the United States must work with the Soviet Union and other nuclear powers to build a peaceful world. We must move with all possible speed to distinguish what we can do by ourselves, what we must do in partnership with the Soviet Union, and what measures must await the concurrence of other countries.

Women have a financial as well as a human interest in detente. Disarmament could release funds for programs affecting their welfare which now are stalled for lack of money: quality education, child care, national health, subsidized housing, and help for women returning to the work force.

Women are often frustrated in their attempts to make the world safer and more peaceful partly because they are not consulted when foreign policy decisions are made. But as private citizens and members of voluntary organizations they can raise their voices, do their homework, argue the case against massive armament, and support disarmament initiatives.

**International Education and Communication.** In spite of a great deal of demographic, economic, and social data, information explaining the actual situation of women around the world is not readily available.

Americans get little news about events outside their own country. Newspaper coverage of international events, for instance, averages half a column of new print a day. Only three percent of undergraduate college students take courses dealing with international affairs, and according to a survey by the American Association of Colleges of Teacher Education, only five percent of teachers are exposed to international perspectives in preparing for certification.

This information gap makes it difficult for American women to understand the impact of development programs on women in developing countries, or even how to find out more about women in other cultures, let alone what they can do about it. There is, however, an available remedy.

Almost every American woman belongs to at least one voluntary organization—a PTA, a church group, a political party, a labor union, a civic organization, or a professional association. Most of these are also affiliated with a national parent group whose membership may run into hundreds of thousands or millions. The voice of that united membership can definitely be heard by governments.

A worldwide communications network of women's organizations could help to foster increased international understanding of women's lives and concerns and establish a roster of resource women throughout the world.

**International Women's Decade.** The United Nations Decade for Women, 1975-1985, is an outgrowth of the World Conference of the International Women's Year held by the United Nations in Mexico City in 1975. The World Plan of Action, adopted unanimously at that conference and later by the U.N. General Assembly, targeted such areas as education, employment, and health for special attention at a Mid-Decade Conference scheduled for 1980 in Iran.

In preparation, a system of progress reporting has been set up to guide governments and intergovernmental bodies. Within the U.N. system, agencies are directed to assess the impact of their programs on women. A new agency, the International Research and Training Institute for the Advancement of Women, has been proposed to provide data and training. The United States is among the countries that have contributed to the Institute, but it awaits $3 million in pledges before it can begin operation.

Encouraged by women's voluntary organizations, the U.S. Congress has made a pledge to the Voluntary Fund for the Decade. The Fund goes primarily to support projects undertaken by women themselves in the regions, but requests for its use have lagged because they come through governments, and governments have paid much attention to women's projects.

Since the U.N. Decade for Women comes from a U.S. initiative at the United Nations and bears the unanimous endorsement of governments, the United States is obligated to support the Decade and urge other members to do the same.
MEDI A

The media should employ women in all job categories and especially in policy-making positions. They should adopt and distribute the IWY media guidelines throughout their respective industries. They should make affirmative efforts to expand the portrayal of women to include a variety of roles and to represent accurately the numbers and lifestyles of women in society. Training opportunities should be expanded so that more women can move into all jobs in the communications industries, particularly into technical jobs.

Appropriate Federal and State agencies, including the Federal Communications Commission, U.S. Commission on Civil Rights, Department of Health, Education, and Welfare, Department of Justice, and State civil rights commissions should vigorously enforce laws which prohibit employment discrimination against women working in the mass media. These agencies should continue studying the impact of the mass media on sex discrimination and sex-role stereotyping in American society.

Special consideration should be given to media which are publicly funded or established through acts of Congress. Particularly, public broadcasting should assume a special responsibility to integrate women in employment and programming.

Women's groups and advocacy groups should continue to develop programs to monitor the mass media and take appropriate action to improve the image and employment of women in the communications industries. They should join the campaign to de-emphasize the exploitation of female bodies and the use of violence against women in the mass media.

Women and minorities have traditionally faced financial problems in their attempts to establish power bases within the broadcast industry. During the late 1930's and 1940's when the Federal Communications Commission was distributing broadcast licenses, lack of money kept both these groups from applying for ownership of radio or TV stations.

Throughout the 1950's, women's roles on television were limited to the zany and incompetent, as in "I Love Lucy," and to the second fiddle homemaker-mother, as in "Father Knows Best."

The new wave of feminism in the United States sparked a keen interest in the impact of the media on the role of women in society. Women's groups monitor television, broadcasting and the press, and special publications report on how women are faring in these media. During the early 1970's, women's organizations staged an 11-hour sit-in at the offices of the male editor of the Ladies' Home Journal (winning the right to write and edit one issue of the magazine); picketed newspapers and companies using sexist advertising campaigns; and filed complaints challenging the licenses of TV and radio stations accused of discrimination in hiring of women.

In 1975, the Corporation for Public Broadcasting (CPB) released a comprehensive analysis of the poor record in hiring and in the portrayal of women within the public broadcasting system. More recently, the U.S. Civil Rights Commission published a damning report entitled, "Window Dressing on the Set: Women and Minorities in Television."

The study concluded: "Television drama does not reflect the sexual and racial/ethnic make-up of the United States. White males are overrepresented; female characters are underrepresented; and minority women are nearly invisible."

The IWY Commission in its 1976 report to President Ford made specific recommendations for improving hiring practices and portrayal of women, incorporating them in 10 Media Guidelines that are reprinted here.

Background:

"The reality of the lives most women lead does not come through on the screen or in the press."

So powerful are the nation's mass media that their perceptions of women's roles in American society are often taken as gospel by an image-conscious public, regardless of accuracy or taste.

On any given day, one can see a film, watch a television program or read a magazine article in which women are exploited as sexual toys or objects of violence, depicted as childlike or neurotic, shown as ignorant and in need of male guidance. Even in what is presumed to be her own domain—the home—TV commercials show women being instructed by authoritative-sounding men in how to launder clothes, wax floors or make coffee.

Although the media's treatment and employment of women have improved in response to organized pressures, the prevailing reality of the lives most women lead does not come through on the screen or in the press. By and large, what women perceive themselves to be and how the public is conditioned to perceive them are two different things.

Women make coffee, not policy

The most telling reason for this disparity is a statistic: though women hold 25 to 35 percent of jobs in the media, only about five percent are in policy-making positions.

The mass media have historically been male-dominated, particularly in positions of power. Suffrage leader Susan B. Anthony noted in 1900: "As long as newspapers and magazines are controlled by men, every woman upon them must write articles which are reflections of men's ideas. As long as that continues, women's ideas and deepest convictions will never get before the public."

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Pending solutions President Carter recently sent to Congress a proposal to reorganize the public broadcasting system in the United States. The bill includes anti-discriminatory provisions comparable to Title 6 and Title 7 of the Civil Rights Act and Title 9 of the Education Amendments of 1972. House and Senate Communications subcommittees in March 1978 were considering the President’s proposal, together with a report on job discrimination in public broadcasting by a task force composed of representatives from the Justice Department, HEW, FCC and EEOC.

More sweeping legislative proposals have been developed by the Office of Communication of the United Church of Christ, which call for reforming the Communications Act of 1934. The Office notes that this 44-year-old law no longer is attuned to the problems of the fast-developing broadcasting and telecommunications industries.

Non-traditional jobs About 20 percent (2,400) of the jobs in the broadcast industry are held by technicians, sound experts and other technical specialists. Women occupy only about six percent of these positions. Similarly, in the film industry, women hold about three percent of technical positions. These jobs are generally well paid and union organized, and provide good benefits for employees.

Many technicians at TV and radio stations have held their positions since the stations were established in the 1940’s and 1950’s. Although turnover is generally low, many television technicians are reaching retirement age. This should open more opportunities for women. Broadcast technicians are no longer required to fit the stereotype of the tall, strong, husky male since television equipment is lighter and less bulky than film cameras used in the past.

Jobs in media technical fields provide viable alternatives to the clerical or service positions in the media where women tend to be segregated, receiving low pay and accorded low status.

Top Federal positions The President appoints most of the top Federal media policymakers. Women serve as commissioners on the FCC and Federal Trade Commission, as well as on the Board of Directors of the Corporation for Public Broadcasting. However, female participation on boards and commissions has been limited to 10 to 15 percent. The same minimal representation is found in figures on women serving on the boards of directors of major corporations that own the commercial media.

Organizations including the Screen Actors Guild, the National Women’s Political Caucus and the National Organization for Women have been working actively for the appointment of more women to Federal agencies that monitor the media.

Among these agencies are the National Endowment for the Arts; the National Endowment for the Humanities; the recently reorganized Council on Arts and Humanities, the Office of Telecommunications Policy (being transferred from the White House to the Department of Commerce); and the contract compliance offices of the General Services Administration and the Department of Labor.

Other agencies that deal with the media are the Office of Education, the National Institute of Education and the National Institutes of Health and Mental Health, all of HEW; the EEOC, Department of Justice; and Civil Rights Commission.

The State Department will soon select delegates to attend the World Administrative Radio Conference in 1979 in Geneva, Switzerland. Other international agencies dealing with education have targeted women and the mass media as a key issue during the United Nations Decade for Women.

Long-range goals The impact of the American mass media increases with advancements in new technologies. Entire cities are wired for cable television, satellites connect countries and continents, and videocassette recorders can be purchased for home and personal use. As these technologies advance, it is important for women to continue to push for integration at all levels of the private and publicly owned mass media in order to improve the image of women.
10 Media Guidelines

1. The media should establish as an ultimate goal the employment of women in policymaking positions in proportion to their participation in the labor force. The media should make special efforts to employ women who are knowledgeable about and sensitive to women’s changing roles.

2. Women in media should be employed at all job levels—and, in accordance with the law, should be paid equally for work of equal value and be given equal opportunity for training and promotion.

3. The present definition of news should be expanded to include more coverage of women’s activities, locally, nationally, and internationally. In addition, general news stories should be reported to show their effect on women. For example, the impact of foreign aid on women in recipient countries is often overlooked, as is the effect of public transportation on women’s mobility, safety, and ability to take jobs.

4. The media should make special, sustained efforts to seek out news of women. Women now figure in less than 10 percent of the stories currently defined as news.

5. Placement of news should be decided by subject matter, not by sex. The practice of segregating material thought to be of interest only to women into certain sections of a newspaper or broadcast implies that news of women is not real news. However, it is important to recognize and offset an alarming trend wherein such news, when no longer segregated, is not covered at all. Wherever news of women is placed, it should be treated with the same dignity, scope, and accuracy as news of men. Women’s activities should not be located in the last 30-60 seconds of a broadcast or used as fillers in certain sections or back pages of a newspaper or magazine.

6. Women’s bodies should not be used in an exploitive way to add irrelevant sexual interest in any medium. This includes news and feature coverage by both the press and television, movie and movie promotion, “skin” magazines, and advertising messages of all sorts. The public violation of a woman’s physical privacy tends to violate the individual integrity of all women.

7. The presentation of personal details when irrelevant to a story—sex, sexual preference, age, marital status, physical appearance, dress, religious or political orientation—should be eliminated for both women and men.

8. It is to be hoped that one day all titles will be unnecessary. But in the meantime, a person’s title should be respected without slurs or innuendoes. If men are called Doctor or Reverend, the same titles should be used for women. And a woman should be able to choose Ms., Miss, or Mrs.

9. Gender designations are a rapidly changing area of the language, and a decision to use or not to use a specific word should be subject to periodic review. Terms incorporating gender reference should be avoided. Use firefighter instead of fireman, business executive instead of businessman, letter carrier instead of mailman. In addition, women from at least the age of 16, should be called women, not girls. And at no time should a female be referred to as “broad,” “chick,” or the like.

10. Women’s activities and organizations should be treated with the same respect accorded men’s activities and organizations. The women’s movement should be reported as seriously as any other civil rights movement; it should not be made fun of, ridiculed, or belittled. Just as the terms “black libbers” or “Palestine libbers” are not used, the term “women’s libbers” should not be used. Just as jokes at the expense of blacks are no longer made, jokes should not be made at women’s expense. The news of women should not be sensationalized. Too often news media have reported conflict among women and ignored unity. Coverage of women’s conferences is often limited solely to so-called “split” or fights. These same disputes at conferences attended by men would be considered serious policy debates.
MINORITY WOMEN

Minority women share with all women the experience of sexism as a barrier to their full rights of citizenship. Every recommendation of this National Plan of Action shall be understood as applying equally and fully to minority women.

But institutionalized bias based on race, language, culture, and/or ethnic origin or governance of territories or localities has led to the additional oppression and exclusion of minority women and to the conditions of poverty from which they disproportionately suffer. Therefore, every level of Government action should recognize and remedy this double discrimination and ensure the right of each individual to self-determination.

Legislation, the enforcement of existing laws, and all levels of Government action should be directed especially toward problem areas such as involuntary sterilization; monolingual education and services; high infant and maternal mortality rates; bias toward minority women's children; confinement to low level jobs; confinement to poor, ghettoized housing; culturally biased educational, psychological, and employment testing (for example, civil service); failure to enforce affirmative action and special admission programs; combined sex and race bias in insurance; and failure to gather statistical data based on both sex and race so that the needs and conditions of minority women may be accurately understood.

Minority women also suffer from Government failure to recognize and remedy problems of our racial and cultural groups. For instance:

AMERICAN INDIAN AND ALASKAN NATIVE WOMEN:

American Indian/American Native women have a relationship to Earth Mother and the Great Spirit as well as a heritage based on the sovereignty of Indian peoples. The Federal Government should guarantee tribal rights, tribal sovereignty; honor existing treaties and congressional acts; protect hunting, fishing, and whaling rights; protect trust status; and permanently remove the threat of termination.

Congress should extend the Indian Education Act of 1972; maintain base funding of education instead of replacing it with supplemental funding; provide adequate care through the Indian Health Service; forbid the systematic removal of children from their families and communities; and assure full participation in all Federally funded programs.

ASIAN/PACIFIC AMERICAN WOMEN:

Asian/Pacific American women are wrongly thought to be part of a "model minority" with few problems. This obscures our vulnerability due to language and culture barriers, sweatshop work conditions with high health hazards, the particular problems of wives of U.S. servicemen, lack of access to accreditation and licensing because of immigrant status, and to many Federally funded services.

BLACK WOMEN:

The President and Congress should provide for full quality education, including special admission programs, and for the full implementation and enforcement at all levels of education. The President and Congress should immediately address the crisis of unemployment which impacts the black community and results in black teenage women having the highest rate of unemployment.

The Congress should establish a national program for the placement of "children in need of parents," preferably in a family environment, where the status of said children is affected by reason of racial or ethnic origin.

The President and Congress should assure federally assisted housing to meet the critical need of black women, especially of low and moderate income, should direct the vigorous enforcement of all fair housing laws; and provide the allocation of resources necessary to accomplish this housing goal.

The President, Congress, and all Federal agencies should utilize fully in all deliberations and planning processes the Black Women's Plan of Action, which clearly reflects and delineates other major concerns of black women.

HISPANIC WOMEN

Deportation of mothers of American-born children must be stopped and legislation enacted for parents to remain with their children: citizenship provisions should be facilitated.

Legislation should be enacted to provide migrant farm working women with the Federal minimum wage rate, collective bargaining rights, adequate housing, and bilingual-bicultural social service delivery.

Classification of existing Hispanic American media as "foreign press" must be stopped to ensure equal access to major national events.

Additionally, the Federal Communications Commission should provide equal opportunity for Hispanic people for acquisition of media facilities (radio and television), and for training and in order to provide Spanish language programming to this group.

Puerto Rican women emphasize that they are citizens of the United States and wish to be recognized and treated as equals.
Background:
“The combined effect of race, sex and economic class can produce extreme hardship...”

Minority women have contributed immeasurably to the cultural life and economic strength of the United States. Moreover, their increased experience in recognizing and combating discrimination, plus their greater need to seek employment outside the home, have often put them in the leadership of the struggle for equality for all women. Nonetheless, minority women have been ignored, stereotyped, or treated as invisible by media and historical accounts of the American women's movement. Their economic position places them in the lower socioeconomic stratum, in a high concentration disproportionate to their numbers in the population. Thus, the combined effect of race, sex, and economic class can produce extreme hardship in the lives of these American women.

Even obtaining accurate data about minority women's lives and needs becomes an object lesson in the multiple discrimination minority women face in a white male-dominated society. The U.S. Bureau of the Census has often been shown to undercount minorities and has assembled advisory groups from those communities to help devise more accurate statistics in the future. Yet the current figures are still the basis of formulating social policy, as well as the comparisons offered below. In addition, Hispanic groups are frequently reported as part of the white population, thus skewing both white and minority data, and statistical information is rarely broken out by race or ethnic subgroup plus sex. (See background on Statistics Plank.) The available information does give some idea of the special problems of the approximately 19 percent of all female Americans who are members of races recorded as other than white (including black, American Indian, Japanese, Chinese, Filipina, Korean, Hawaiian, Eskimo, Aleut and others), as well as Hispanic women (including Mexican American, Puerto Rican, Cuban and other Spanish origins).

For these approximately 15 million minority women and girls, all the resolutions in this National Plan of Action have special significance. They often reflect needs that are even greater than those of white women. Some selected information in the areas of health, reproductive freedom, education, and employment is cited here:

Health. In 1975, the life expectancy for minority women was 72.3 years, compared with 77.2 years for white women. Maternal mortality was 29.0 per 100,000 minority women, as opposed to 9.1 per 100,000 white women. The infant mortality rate among minorities was 24.2 per 1,000 live non-white births as compared with 16.1 per 1,000 in the population at large. Poor nutrition is more likely to be a problem for the minority woman, as well as for the children she bears. She is less likely to see a doctor or dentist or to be covered by health insurance and is less likely to have access to a hospital or clinic within practical distance of her home. This lack of access to good or adequate health care is a function of economic status. It represents a clear example of the interaction of income with race and sex.

Reproductive Freedom. Minority women are less likely to have access to information, health care, and family planning techniques that make reproductive freedom a reality. Because of the disproportionate presence of mi-

ority women among poorer groups dependent on Federally funded health care, the recent restrictions on Medicaid funding for abortion are especially likely to increase the incidence among them of death and injury from illegal or self-induced abortions, as well as the incidence of unwanted births.

Restrictions on abortion also increase the potential of coerced sterilization through "bargaining": that is, allowing a woman to have an abortion only if she also agrees to be sterilized. Because of patterns and biases in the medical and birth control fields, as well as greater dependency on publicly supported teaching hospitals, minority women are more likely to be the subject of experimental medical techniques and drugs and more likely to undergo sterilization (both hysterectomies and tubal ligations) without informed consent.

Employment. The double discrimination against minority women ranks them below minority men and white men in earning power, as U.S. Bureau of Labor Statistics data show. In 1975, for instance, the average minority female worker earned 26 percent less than the average minority male; and 43 percent less than the average white male. These figures become more meaningful when it is realized that minority women account for 28 percent of the 7.5 million families headed by women.

In addition, unemployment rates for minority women in general persist at considerably higher levels than those for white women and minority and white men. For example, their unemployment rate was 13.3 percent in 1977 compared with the 7.8 percent rate of their white counterparts. This disparity is most pronounced among teenage women. The unemployment rate for female minority teenagers, for instance, was 39.0 percent in 1976.
The rate was 35.4 percent for minority teenage males; 16.4 percent for white teenage females; and 17.3 percent for white teenage males.

In March 1977, only 45 percent of employed minority women were in white collar jobs, compared with 66 percent of employed white women. About 23 percent of employed white women were working in the generally higher-paying, professional-technical, and managerial positions, compared with 18 percent of minority women. Sixteen percent of employed minority women were in the lower paying operative occupations (e.g., assemblers, inspectors, semiskilled factory workers) compared with 10 percent of white women.

Median income for all white families in the United States was about $15,620 in 1976. The median for minority families was $9,817. For families headed by women, however, median income was $8,226 for whites and $5,140 for minorities. In general, minority women tend to be a necessary support of larger households, and/or to be married to men with lower incomes, thus producing a greater pressure on their earnings.

One-third of all families headed by women are below the poverty level. Proportionately twice as many families headed by black and Hispanic women live below the poverty level as families headed by white women.

Education. Minority women as a group still receive somewhat less formal education than white women. White women aged 25 and older had completed 12.4 years (median) of school in March 1977, for instance, compared with 11.7 years for minority women in the same age group. In March 1977, 64 percent of minority women workers had graduated from high school, including 12 percent who had completed four or more years of college. The comparable figures for white women workers were 77 percent and 15 percent, respectively. The important fact is, however, that minority women with high school or higher education levels still receive lower salaries than comparably educated white women and lower salaries than minority and white men with much less education.

These limited examples are only indications of a profound problem. Specific factors combine to have greater and different impact on various groups of minority women. The following sections address special problems and social patterns in the major groupings of minority women.

American Indian and Alaskan Native Women. The American Indian/Alaskan Native population is the smallest minority group in the U.S.; about one million, or less than one percent of the total population. Many of its members assert, however, that it is also the most underecounted. About half of this population lives on tribal reservations or in Alaskan villages. These are the poorest of all the minority groups. On reservations, where the unemployment rate is over 60 percent, many families have no recordable income at all, and average annual family income is between $300 and $500. These families also are in effect wards of the Federal Government, with the Bureau of Indian Affairs in the Department of the Interior controlling the water, mineral rights, and other governance of their land, as well as the administration of their schools. The U.S. Public Health Service is frequently their only medical resource.

There are 789 different tribal entities within the U.S. Traditions and beliefs vary greatly; in some tribes, for instance, women play a much more powerful role than they do in the dominant American culture; in others, a lesser role. Women's identification with their tribal nations is often strong. The 1970 census figures indicate that for half of all Indian women, a tribal language is primary, with English as a second language.

Nonetheless, American Indian/Alaskan Native women share many overall, cross-tribal concepts: a fundamental identification with the land, for instance, and a view of the individual as an integral part of the community and of an interrelated system of nature that is a circle, a whole.

Due to health and social problems, Indian men are outnumbered by women 97 to 110. According to a 1969 U.S. Department of Labor report, more than 36 percent of all Indian women had no incomes. Of the remainder, 86 percent received less than $5,000 a year and half received less than $1,697. Among those in the labor force, only two percent have administrative or managerial positions.

In 1970, their unemployment rate was 10.2 percent; double the rate for all women. They also average 10.5 years of education, as opposed to 12 years for all women, and only 34 percent complete high school. In reservation families, the children may be removed by Government authority to be raised in outside schools, families, or institutions, sometimes without the informed consent of relatives. According to testimony given at a hearing held by the Department of Health, Education and Welfare in January 1978, Indian women are more likely to be sterilized than other women, including other minority women.

In addition to problems experienced as women, American Indian/Alaskan Natives share their group special concerns: the deprivation of hunting, fishing, and whaling rights, for instance, that may diminish the group's self-esteem and a center of its traditional economy, and the appropriation of traditional lands.

In spite of many handicaps, including their severe, sexist stereotyping in American films and pop culture, American Indian/Alaskan Native women may have leadership positions and experience in decision making as a result of more egalitarian tribal customs. A national communications network is being developed among them as a result of their participation in the Houston Conference.
Asian/Pacific American Women.

This group is highly diversified, including women of Chinese, Japanese, Philippine, Korean, Vietnamese, Indian, Indonesian, Thai, and Malaysian origin, as well as Pacific Americans such as Samoans, Guamanians, and Native Hawaiians. Because more detailed information and statistics have been kept about the Chinese, Japanese, and Filipino populations, these three groups are often inaccurately used to represent all Asian Americans.

In addition, official statistics on Pacific Americans are sketchy and often more than eight years old. Taken together, according to Bureau of the Census figures, these groups number about one percent of the U.S. population. Their percentage of the total American female population cannot be calculated according to the usual ratios, however, because of certain anomalies in immigration patterns. The Exclusionary Immigration Act of 1924, for instance, ruled that Chinese males could not bring in "alien" wives, thus insuring an unequal sex ratio that still continues. Filipino workers brought into the United States frequently as migrant farm workers, suffered a similar restriction. Antimiscegenation laws also kept many immigrants from marrying white American women, thus limiting the community and distorting family patterns. The Filipino community is still predominantly male. But among Korean, Vietnamese, and Japanese groups, large numbers of women arriving as brides of U.S. servicemen have made recent immigration predominantly female. About half of all Asian American women now in the U.S. are foreign-born.

In addition, there has been a history of legislation restricting the immigration and/or citizenship of persons of "Asiatic" origins. Detention camps established during World War II also had a destructive impact on the welfare of many Japanese families, often depriving them of livelihood and land.

Manipulations of female-male ratios and family patterns have created special tensions for many Asian/Pacific American women. Most dramatic is the plight of so-called "war brides," more than 300,000 of whom arrived from Asian countries immediately following World War II and whose influx continues. In 1973 alone, more than 7,000 transracially married Asian women, many of them Vietnamese, entered the United States. Regional studies indicate that such women often suffer from problems of language and cultural barriers, isolation even from other members of their communities in the United States, and, perhaps disproportionately, from abandonment and wife-battering. One study of Fort Lewis, a military reservation near Tacoma, Washington, for instance, indicates that between 200 and 500 Asian-born wives live in the area, as well as between 1,500 and 2,000 deserted or divorced wives of military men. When these women leave their husbands, they are divorced or abandoned, they often experience even more economic, linguistic, racial, and cultural problems on their own behalf than they did as Asian-born wives.

Many Asian/Pacific Americans experience tensions between the attitude toward them as women inside and outside their communities. The habit of valuing a daughter less than a son is often stronger within the traditional Chinese community, for instance. On the other hand, some experience a higher status, whether because of the greater educational attainment among Filipinas, on average, than among their counterparts (due largely to the recent influx of Filipina health professionals), or because of the greater status afforded to women by many native Hawaiian and other Pacific American groups.

About 50 percent of Asian American women are in the labor force. Levels of unemployment are slightly lower, and educational levels slightly higher, among Chinese American and Japanese American women than among white women. In many Asian American communities, there is also a strong tradition of order, self-governance, and business enterprise. Facts such as these have led to the frequent view of Asian/Pacific Americans as a "model minority" with few problems. In popular culture, Asian American women have been stereotyped as subservient to men or as "dragon ladies." This has served both to conceal and perpetuate such realities as the confinement of many Asian American women to a garment industry with sweatshop conditions (San Francisco's Chinatown has the highest tuberculosis rate in the country, for instance); their disproportionate employment in clerical, health and service professions, in spite of high educational attainment; their median income (in 1969) of only $2,931; and the isolation produced by language, culture, race, and the lack of political power.

Black Women. (Also see the Black Women's Action Plan, in the appendix of this report. The Action Plan was the consensus of the several Black Caucuses that met before and during the Houston Conference, and provides additional background research.) According to the Bureau of the Census, there were nearly nine million black women in the U.S. in 1977. Black women have been diligent in their quest for self-determination and equal opportunity, working
towards destruction of vestiges of race, sex, and social-economic class discrimination. Their political experience has often put them at the forefront of the many struggles for individual justice.

In 1977, the median income of black women was approximately $6,000 less than that of white men. Proportionately more black women are employed than white women in low-paying, low-status jobs and remain unemployed at a rate double that of white women and more than double that of white men. Unemployment remains especially high among teenage black women. Large numbers are high school dropouts, unskilled and untrained. If present trends continue, many of these young women will become heads of households facing the problems of raising families and working at low-paying jobs or not working at all.

A 1974-75 National Urban League report indicates that one of every four black women is unable to find work. Among black families headed by females, 43 percent are below the poverty level but do not receive any support from welfare programs. They rely primarily on earnings from low-paying jobs rather than public assistance. Many families headed by black women are forced to utilize public assistance as a way to supplement income from very low-paying jobs. The median income of families headed by black females in 1977 was $5,069.

Negative conditions continue to affect black women in many areas of their lives—health, housing, lack of access to credit, education—and in the care of their families and children. Roughly 6.4 percent of all black women held college degrees, according to the 1977 Census. The impact of those degrees is not felt in economic gain. They still receive lower incomes, sometimes less than those earned by white males who have not completed high school. For example, in 1975 a white male high school graduate earned $10,726 as opposed to $8,960 for a black woman with four or more years of college.

However, education still remains one of the principal methods of increasing economic choices and social mobility among blacks. Affirmative action and equal opportunity requirements relating to females are complicated by the variable of race, often causing black females to be counted twice in fulfilling affirmative action goals, while in actuality they receive only partial benefits. Public education for young black females is imperative because in most cases their families cannot afford private education. If this avenue of public education is blocked, the impact will be great on both black women and black families.

Poor health, substandard housing, and inadequate child care impact severely on black women who are poor. Discrimination and lack of enforcement of fair housing laws continue to deny black women and their families access to decent housing, a necessity for sound family development.

Black women recognize the gains they have made but are very much aware that they must obtain many more even to "catch up" to where white women have started from. Alliances are being formed with minority women of other groups and the larger society of women in general to advance their goals.

Hispanic Women. According to the Bureau of the Census, in March 1977 there were 5.7 million women of Spanish origin in the United States. These include persons of Mexican, Puerto Rican, and Cuban origin, as well as Central or South American, and other Spanish-speaking areas.

Hispanic women are younger than those in the overall population. In 1976, for instance, their median age was 22.2, as compared with 29.9 for non-Hispanic women. This fact increases their need for reproductive health services, as well as for educational facilities and child care. Female-headed Hispanic families tend to be larger than those headed by non-Hispanic women. Family size combines with a higher rate of unemployment, a lower educational level, and lower incomes to trap more Hispanic women into the cycle of poverty and the self-fulfilling prophecy of failure. In 1977, for instance, 37 percent of Hispanic women over 25 had completed high school, compared with 64.4 percent for other women.

Often restricted by language as well as by cultural, racial, and economic bias, Hispanic women are even more likely to be concentrated at the low end of the job ladder than are non-Hispanic women. Of all women employed full time by the Federal Government in white collar positions, only 2.2 percent are Hispanic.

Within this Hispanic population, the three largest groups are those of Mexican American, Puerto Rican and Cuban origin.

Mexican American Women. Even when taken separately from other Hispanics, Mexican Americans constitute the second largest minority group in the United States. Though they are often stereotyped as migrant workers—and they do constitute the largest proportion of migrants in general, as well as of female migrants—44.4 percent live in central cities.

Chicanas complete an average of 10 years of school, about two years less than do women in the popular at large. In 1976, about 71 percent of Chicanas earned less than $5,000 a year. Low-paying, low-skilled jobs contribute to their low annual income at $2,925, it is the lowest among women of Hispanic origin. They are the largest single ethnic group...
among household workers. Eighteen percent have completed less than five years of school; only 24 percent have completed high school; and, of those 25 years old or more, only 3.2 percent are college graduates.

In March 1976, 17.2 percent of all Mexican American families were headed by women. Of those female household heads who worked at any time during 1975, 60.3 percent had earnings below the poverty level.

Because they have often entered the United States at the Mexican border—and may be assumed to have done so illegally, whether or not this is actually the case—Chicanas are often the subjects of checking, questioning, and threatened or actual deportation by the United States Immigration and Naturalization Service. Though reliable deportation statistics are not available, there are documented incidents of Chicanas who could not provide “adequate” proof of citizenship or immigrant status, and were speedily deported, leaving their American-born children behind.

Puerto Rican Women. The 1977 Census shows 1.7 million Puerto Ricans in the United States. Of these, 934,000 are female. Puerto Rican women complete an average of 10.1 years of school; 24 percent attain a high school education; and only two percent are college graduates.

As with other Spanish-speaking women, Puerto Rican women are often disadvantaged by lack of bilingual services and programs. This has a direct effect on their educational attainment and employment opportunities.

Nearly half of Puerto Rican women participating in the labor force are operatives and service workers. Of those Puerto Rican women with incomes, 66 percent earn less than $5,000. Data indicate that in 1976, 38 percent of Puerto Rican families in the United States were headed by women, a percentage substantially above the national average of 13.3 percent.

Cuban American Women. The Cuban origin population is estimated to be around one million. In educational attainment they stand somewhat higher than other groups of Hispanic women. However, bilingual and bicultural education and services are a priority for them. Adjustment of legal status and slow procedures in immigration matters continue to be obstacles to their full integration into employment and political life.
OFFENDERS

States should review and reform their sentencing laws and their practices to eliminate discrimination that affects the treatment of women in penal facilities. Particular attention should be paid to the needs of poor and minority women.

States should reform their practices, where needed, to provide legal counseling and referral services, improved health services emphasizing dignity in treatment for women in institutions, and protection of women prisoners from sexual abuse by male and female inmates and correctional personnel.

Corrections boards must provide improved educational and vocational training in a nonstereotyped range of skills that pay enough for an ex-offender to support her family.

Law enforcement agencies, courts, and correctional programs must give special attention to the needs of children with mothers under arrest, on trial, or in prison.

States must increase efforts to divert women offenders to community-based treatment facilities such as residential and nonresidential halfway houses, work release centers, or group homes close to the offender’s family as possible.

Disparities in the treatment of male and female juvenile offenders must be eliminated; status offenses must be removed from jurisdiction of juvenile courts; and States are urged to establish more youth bureaus, crisis centers, and diversion agencies and receive female juveniles detained for promiscuous conduct, for running away, or because of family or school problems.

Background:
"Only one out of 10 violent crimes is committed by a woman."

Women make up a relatively small proportion of the prison population, and until recently little data had been collected or any effort made to understand their special problems. Studies have shown that they are treated differently and frequently fare worse than men in statutes, in courts, and in correctional institutions.

Who they are: According to the U.S. Justice Department’s Law Enforcement Assistance Administration, most incarcerated women are under 30, and 50 percent are black. Most are mothers, though only 10 percent had been living with husbands before they went to prison. The majority are less educated than women as a group, and most of them want to work when they are released.

Uniform Crime Reports of the FBI indicate that most women are arrested for crimes against property such as larceny, forgery, embezzle-

ment, and fraud. Only one out of 10 violent crimes is committed by a woman.

Discrimination in sentencing
Some States have laws that permit indeterminate sentences for women, and this leads to longer sentences for women than for men convicted of the same crime. The traditional theory has been that women are more responsive to rehabilitation and therefore should be incarcerated for longer periods. Since 1970, some State laws allowing longer sentences for women have been found in violation of the 14th amendment and the equal protection clause.

Institutions for women After sentencing, a woman will probably be sent farther from her home than a male offender. Because of the relatively small number of female offenders (6,600 women out of 196,000 inmates in State and Federal prisons in December 1970), there are fewer in-
after arrest, possible loss of custody, possible placement of children in foster homes, or referral to adoption agencies.

Alternatives to prison Half-way houses and other programs in which a woman can be rehabilitated close to home have been tried successfully in some cases. In Pennsylvania, community-based programs have been organized to provide women offenders with housing, legal counsel, child care, employment, job training, education, and individual counseling. Several programs in California have demonstrated that correction within the community is more effective in reducing the number returning to crime than severe forms of punishment.

Work-release (under which a sentenced prisoner is confined only at night or on weekends and is permitted to work) is not used as extensively for female offenders as for men. In a 1974 Southern California Law Review study, women in California prisons were found to be excluded from work-release programs for “economic reasons.” The rationale offered by prison officials is that since there are fewer women offenders than men, it is not economical to spend limited program funds on them; women don’t need jobs to support themselves or dependents; it is more expensive to provide separate housing for women.

Juveniles At every point in the juvenile justice system young women are treated differently and usually more harshly than young men. There appears to be greater willingness to institutionalize girls for far less serious offenses than those for which boys are committed. More young girls are in custody for what are called status offenses—acts not considered criminal if committed by an adult—such as promiscuity, running away, truancy, unruly behavior. According to a study by the National Assessment of Juvenile Corrections Project, 75 percent of the girls in juvenile correctional facilities were status offenders, as compared with 25 percent of boys in juvenile correctional facilities. The rest were declared delinquent (behavior considered criminal if committed by an adult). Because of the vagueness of the wording of many status offender laws, girls are too frequently locked up “for their own safety and well-being” or to protect their “morals.”

Once institutionalized, girls have less recreation, less vocational training, and less quality care in counseling than boys, and like their older sisters, they remain in custody longer.
OLDER WOMEN

The Federal and State governments, public and private women's organizations, and social welfare groups should support efforts to provide social and health services that will enable the older woman to live with dignity and security. These services should include but not be limited to:

- Innovative housing which creates as nearly as possible an environment that affords security and comfort.
- Home health and social services, including visiting nurse services, homemaker services, meal-on-wheels, and other protective services, that will offer older women alternatives to institutional care, keeping them in familiar surroundings as long as possible.
- Preventive as well as remedial health care services.
- Public transportation in both urban and rural areas for otherwise housebound women.
- Continuing education in order to ensure that the older woman will be an informed and intelligent user of the power which will be hers by virtue of the increase of her numbers.
- Immediate inclusion of geriatric education in the curriculum and training of all medical personnel in order that the elderly will receive optimum medical attention. This applies particularly to nursing home staff.
- Bilingual and bicultural programs, including health services, recreation, and other programs, to support elderly women of limited English-speaking ability.
- Elimination of present inequities in social security benefits.
- Recognition of the economic value of homemaking in social security benefits.
- Passage of the Displaced Homemakers bill.
- Expansion of coverage for medical and health care costs.
- Inclusion of older women as active participants in all kinds of policymaking positions at every level of government.
- The image of the older woman is changing, and there should be wide publicity focused on this. The effective use of the media is essential to furnishing information to the older woman so as to insure her informed participation in the decisionmaking process which continuously affects the quality of her life and the life of her community.
- Mandatory retirement should be phased out.

Background:

"Most older persons need only a little help—assistance in personal shopping or someone to prepare an occasional hot meal—and these small needs are sometimes the hardest to meet."

Poverty, isolation, and inadequate medical care deprive many older women of a productive and secure old age. The number of people facing this deprivation is increasing. More Americans live longer, and women outlive men by a widening margin. A woman's life expectancy is 76 years compared to 68 for men. On average, women live eight years longer than men.

Living alone in poverty After a lifetime of caring for men and children, women are left the poorest of the elderly, according to U.S. Bureau of Labor Statistics data. In 1976 women over 65 had the lowest median income of any age or sex group: $2,800, about half the income of men their age. Black women are poorer than the average—nearly half the black women over 65 were living below the poverty level.

Most women outlive their spouses. On average, a woman can expect to live the last 11 years of her life as a widow, (most men are married when they die)—and she will be worse off financially than when her husband was alive. The stereotype of the "rich widow" is a myth that occurs more often in operettas and fiction than in real life.

Women mentioned loneliness twice as often as men when a 1976 Harris poll asked about the worst aspects of growing older. Wherever they live, in cities or country, elderly women depend on public transportation. When it doesn't exist, or is too expensive, they are isolated in their homes. Most women over 65 do not have regular access to a car, reports the Bureau of the Census.

Older women living alone in big cities are often afraid to go out of their homes. According to a University of California study, one-third of the females robbed on our city streets are women over 65. They are six times as likely to become victims of crime as the rest of the population. Four out of five of these crimes against elderly women occur near their homes, frequently because it is known that they receive retirement checks in the mail.

Housing designed for the lifestyle and incomes of older people would permit them to live together in a more secure and supportive environment where needed services would be readily available.

Home care services Because women are more likely to live to an older age when disability is frequent, nearly three-fourths of the elderly living in institutions are women. According to Representative Claude Pepper of Florida, chair of the House Select Committee on Aging, 40 percent of the elderly who enter nursing homes are not sick; they simply cannot feed themselves adequately.

In a plea for a national policy toward the aged that will keep them
out of institutions as long as possible, Dr. James H. Sammons, executive vice president of the American Medical Association, said. "Most older persons need only a little help--assistance in personal shopping or someone to prepare an occasional hot meal--and these small needs are sometimes the hardest to meet."

Nearly a fourth of the elderly now living in nursing homes could live on their own with proper services, estimate the National Retired Teachers Association and the American Association of Retired Persons, but nursing, home health care, homemaking, meals-on-wheels, transportation, escort, recreation, legal, and counseling services are available only sporadically. A few programs are funded through the Older Americans Act and Title 20 of the Social Security Act, but these funds do not begin to meet the need. Less than one percent of Medicare funds was spent for home health services in 1975.

**Medicare inadequacies** Medicare insurance for the elderly costs them more and covers less of their medical costs than it did when the system was enacted in 1965. Inflation and the rising number of eligible participants have reduced the benefits available. In fiscal 1976, for instance, Medicare covered only 43 percent of the total health care costs of the elderly.

Though Medicare provides hospital insurance, it does not automatically take care of doctor's bills. That option must be chosen and paid for. People with low incomes are technically eligible for Medicaid, but to receive such total care the patient often has to be institutionalized.

Medicare offers no coverage at all for many of the services older people must have: annual health examinations; eyeglasses, required by more than 90 percent of the elderly, dental care, which half have neglected for five years; hearing aids, used by a fifth of the elderly and needed by half; prescription drugs, on which the elderly spend an average of $100 per year.

**Productive years** Concern for their health needs sometimes obscures the fact that a majority of older people want to and can be productive contributing citizens. An American Medical Association survey found that 82 percent of people over 65 have no limitations on their mobility. The Gray Panthers, an activist group advocating better conditions for the elderly, has campaigned against media stereotyping which portrays them as "stubborn, rigid, inflexible, forgetful, and confused." Mobilized by their organizations, however, older people can be a potent political force, reported The New York Times in an article on October 10, 1977. Their basic demands are to remain as independent as possible and to have a voice in making decisions that affect them.

**Mandatory retirement** Many older people want to work as long as they are able. Eight percent of women over 65 are gainfully employed, and according to a recent Harris poll, 30 percent would like to work.

Unfortunately, an elderly man is more acceptable to employers. In the pre-retirement decade, ages 55 to 64, unemployment is more than double for women; after age 65, the disparity increases.

Some are forced from their jobs by mandatory retirement rules in government, business, and educational institutions. For several years a number of organizations have joined the elderly in lobbying for a change in these rules that are thought to affect about 41 percent of the 21 million workers who are covered by pension plans.

A Congressional Committee on Aging heard testimony that compared older workers favorably with younger colleagues in dependability, judgment, work quality and volume, human relations, and absenteeism and noted that older workers have fewer on-the-job accidents.

"Chronological age alone is a poor indicator of ability to perform a job," concluded the report of the House Committee on Education and Labor. By October 1977 both the Senate and the House had passed a bill adding five years to the statutory ban on age-based discrimination in the workplace, including involuntary retirement. When and if the bill becomes law, it will postpone for five years the age at which most Americans (with the exception of some teachers and highly paid executives) can be retired against their will.

Many older people who are working have gone back to school. They are a growing number on every educational campus, and many would be attending classes if they could afford tuition and had transportation available to them.
RAPE

Federal, State, and local governments should revise their criminal codes and case law dealing with rape and related offenses to:

□ Provide for graduated degrees of the crime with graduated penalties depending on the amount of force or coercion occurring with the activity.

□ Apply to assault by or upon both sexes, including spouses as victims.

□ Include all types of sexual assault against adults, including oral and anal contact and use of objects.

□ Enlarge beyond traditional common law concepts the circumstances under which the act will be considered to have occurred without the victim's consent.

□ Specify that the past sexual conduct of the victim cannot be introduced into evidence.

□ Require no more corroborative evidence than is required in the prosecution of any other type of violent assault.

□ Prohibit the Hale instruction where it has been required by law or is customary.

Local task forces to review and reform rape law and practices of police, prosecutors, and medical personnel should be established where they do not now exist. Such task forces should also mobilize public support for change. Rape crisis centers should be estab-lished (with Federal and State funding) for the support of victims, and the confidentiality of their records should be assured. Bilingual and bicultural information resources should be made available where necessary.

Federal and State funds should be appropriated for educational programs in the public school system and in the community, including rape prevention and self-defense programs.

The National Center for the Prevention and Control of Rape within the National Institute of Mental Health should be given permanent funding for operational costs, for staff positions, research and demonstration programs, and for a clearinghouse on sexual assault information and educational material with regard to prevention, treatment of victims, and rehabilitation of offenders. In addition, rape centers should be consulted by NIMH in the setting of priorities and allocation of funds. The National Center should be continued in order to insure community involvement, and the composition of the committee should be reviewed to assure minority representation and a majority of women.

State legislatures should expand existing victim compensation for the cost of medical, surgical, and hospital expenses; evidentiary examinations; counseling; emergency funds for housing, etc.; and compensation for pregnancy and pain and suffering.

Background:
"Rape leaves its victims with psychological damage far greater than that inflicted by virtually any other violent crime."

A crime of violence directed primarily at women, rape is the fastest growing crime in the United States. Because of the nature of the crime, its victims face humiliation and embarrassment compounded by the insensitive treat-ment they receive from police and the courts.

The number of reported rapes increased 48 percent in the United States between 1970 and 1975, according to FBI statistics. In 1975 alone there were 56,000 reported rapes, or one every nine minutes. The rise in number of cases may partly be due to better police reporting and the increasing willingness of victims to go to the police, but rape is still one of the most underreported crimes. Two studies in the Washington, D.C. area estimate that the number of rapes may range from three and a half to nine times those actually reported. (The studies were conducted by the Metropolitan Washington Council of Governments and the District of Columbia City Council.)

Convictions are low The rate of conviction for those accused of rape is low. No arrest is made in 49 percent of all reported cases. The FBI's Uniform Crime Reports for 1975 indicate that only 58 percent of those arrested were actually prosecuted. And of these, almost one-half were acquitted or charges were dismissed. The rate of conviction is lower than in other crimes for a number of reasons: victims are reluctant and even afraid to testify; the evidence required by many State laws may be impossible to produce; and medical and legal authorities have traditionally viewed rape victims with suspicion and hostility.

Some sexual assaults are not even considered rape under the common law definition, which is the basis for most statutory and case law. According to this definition, rape is the unlawful carnal knowledge (penetration, however slight) of the victim by the alleged assailant without the victim's consent. Other forms of sexual assault, such as oral and anal contact and use of objects, are not included in this traditional definition. Under common law, sexual intercourse by a man with his wife against her will can never constitute rape, leaving many women without legal protection against a violent husband.

The myths about rape Rape is not a crime of sexual passion; it is a crime of violence. In most cases (85.1 percent, according to Menachim Amir, author of Patterns in Forcible Rape, published by the University of Chicago), force is used: choking, beating, roughness, or use of a
weapon. Amir also reports that 71 percent of rapes are planned—the place arranged, enticement used, or the victim deliberately sought.

Rape victims do not come from any specific age or socioeconomic groups. Women of all ages, races and economic background get raped. Rape Awareness, a Miami group, reported that victims range from two months to 85 years of age.

Contrary to common myth, rape victims do not secretly enjoy or invite the violation. Rape leaves its victims with psychological damage far greater than that inflicted by virtually any other violent crime. In a study on Rape and Its Victims, the Department of Justice described it as "one of the most brutal of all crimes. Rape victims need sustain no physical injury to suffer severe and long-lasting pain; few crimes are better calculated to leave their victims with lasting psychic wounds."

Some of these wounds were reported by Andrea Meda and Kathleen Thompson in their book Against Rape, published by Farrar, Straus and Giroux in 1974. After being raped, women said:

They were afraid of men;
Their sex lives had suffered;
They felt less independent or were afraid of being on their own;
They felt worthless and had lost their self-respect.

Rape "altered" their lives in a major way, reported 89 percent of the victims interviewed for a study by the Queens Bench Foundation, an organization of women attorneys and judges.

Another myth without any basis in fact is that rape victims accuse men they know as a form of revenge. In New York City, the police statistics for one year showed that only 3.4 percent of rape complaints were unfounded—a rate comparable to that of other crimes. And of these unfounded reports, only 0.4 percent were believed to be motivated by "revenge." Most adult victims are raped by strangers, according to a study in the District of Columbia, published in Sexual Behavior, December 1968. Children, on the other hand, are more likely to be attacked by someone they know.

The Victim and the Law
The rape victim usually faces skepticism, contempt, embarrassing questioning, and generally callous treatment by police officers, hospitals, and criminal prosecutors at a time when she is most in need of consideration and support. The ordeal may increase the trauma she has already suffered, and it makes future victims reluctant to cooperate even with those authorities who seem zealous in pursuing rapists.

She also faces obstacles in State laws about evidence that are "based on a deeply suspicious view of both the nature of woman and sexual intercourse," according to the authors of Sex Discrimination and the Law, published by Little, Brown and Company in 1975.

Rape is the only crime in which the victim has to prove that she did not consent and did not want, even subconsciously, to be raped. Her past sexual history can be introduced to show consent or undermine her credibility, but the past behavior of the defendant, even if criminal, is often not considered relevant.

Many State codes have definitions of consent that place untenable burdens upon the victim. Accused rapists have been acquitted because the victim did not resist enough. A woman has to prove that she resisted even when resistance had been clearly impossible—when the assailant had a weapon, for example. In New York the burden of proof on a victim is now just somewhat lighter—the statute was amended to require that a woman resist as much as is realistically possible, given the circumstances of the attack.

Corroboration
While most States do not require corroborative testimony to bring a case to trial, such evidence is usually needed to get a conviction. Criminals who intimidate their victims with weapons or threats of harm generally do not leave evidence behind, and such evidence is not required for many other substantive crimes. It places the testimony of a sex victim on the same footing as the word of a small child, whose testimony alone does not ordinarily suffice to establish a crime.

The Habeas Inquisition
Judges are required by law in some States, and by tradition in others, to instruct the jury that "rape is an accusation easily to be made and hard to be proved, and harder to be defended by the party accused, though ever so innocent." These words of caution, known as the Habeas Inquisition, date back to the 17th century jurist Lord Chief Justice Matthew Hale. They only enforce the suspicion that constantly haunts a rape victim and make it even more likely that the criminal will go unconvicted.

Legislation
The National Center for the Prevention and Control of Rape was created in 1976 (Public Law 94-63) as a result of legislation introduced by Senator Charles Mathias of Maryland. It had an initial appropriation of $3 million in 1976 and $5 million in 1977. It has a professional and support staff of six people and is under the auspices of the National Institute of Mental Health, US Department of Health, Education and Welfare.

The Center's responsibility is to develop, implement, and evaluate promising models of health and related services for rape victims, their families, and for offenders. It encourages research into the legal and social, and medical aspects of rape, and through its research and demonstration program is developing public information and training materials aimed at preventing and treating problems associated with rape.

As of March 1978, legislation was expected to be introduced by Senator Mathias authorizing the Center to enter into contracts with States, government agencies, and non-profit organizations, including local rape crisis centers, to develop and establish training programs and direct services (including counseling techniques) for both the victim and the offender, for paraprofessional, professional, and volunteer personnel, law, social services, mental health, and other related services that deal with rape problems.
REPRODUCTIVE FREEDOM

We support the U.S. Supreme Court decisions which guarantee reproductive freedom to women.

We urge all branches of Federal, State, and local governments to give the highest priority to complying with these Supreme Court decisions and to making available all methods of family planning to women unable to take advantage of private facilities.

We oppose the exclusion of abortion or childbirth and pregnancy-related care from Federal, State, or local funding of medical services or from privately financed medical services.

We urge organizations concerned with improving the status of women to monitor how Government complies with these principles.

We oppose involuntary sterilization and urge strict compliance by all doctors and medical and family planning facilities with the Department of Health, Education and Welfare's minimum April 1974 regulations requiring that consent to sterilization be truly voluntary, informed, and competent. Spousal consent should not be a requirement upon which sterilization procedures are contingent. If the patient does not speak English, appropriate staff must be found to explain the procedures and HEW regulations in the primary language of the patient.

Particular attention should be paid at all levels of Government to providing confidential family-planning services for teenagers, education in responsible sexuality, and reform of laws discriminating against unwed parents and their children.

Programs in sex education should be provided in all schools, including elementary schools.

Federal, State, and local governing bodies should take whatever steps are necessary to remove existing barriers to family planning services for all teenagers who request them.

Each school system should assist teenage parents with programs, including child care arrangements, that will encourage them to remain in school, provide educational and vocational training leading to economic independence, and teach prenatal health and parenting skills.

Background:
“Each year, before the Supreme Court decision was handed down, physicians had to treat about 350,000 women suffering from complications arising from illegal abortions. Each year, some women died...”

Decisions relating to childbearing are rightfully the responsibility of the individual woman.

It is the woman’s body that carries and nurtures the embryo and fetus. It is the woman who experiences the physical and psychological changes of pregnancy. It is the woman who has the discomforts and sometimes the medical complications that may accompany childbearing. It is the woman who feels the pain of childbirth. It is the woman who may suffer postpartum depression. And it is the woman who bears the major responsibility of caring for and raising the child and who often must leave school or her work to do so.

Every woman, regardless of her age, economic condition, race or ethnic origin, education, marital status, rural or metropolitan residence, is entitled as a fundamental human right to have readily available the means of controlling reproduction. As the World Plan of Action adopted in Mexico City acknowledged, the “exercise of this right is basic to the attainment of any real equality between the sexes.”

The Supreme Court decision In its historic (Rowe v. Wade) decision of January 22, 1973 affirming the right of a woman to choose abortion, the U.S. Supreme Court held that the constitutional right of privacy “is broad enough to encompass a woman’s decision whether or not to terminate her pregnancy.”

The decision, written by Justice Harry Blackmun and concurred in by six other justices, cited the hardships a State could impose upon a pregnant woman by denying her this choice:

“Specific and direct harm medically diagnosable even in early pregnancy may be involved. Maternity, or additional offspring, may force upon the woman a distressful life and future. Psychological harm may be imminent. Mental and physical health may be taxed by child care. There is also the distress, for all concerned, associated with the unwanted child, and there is the problem of bringing a child into a family already unable, psychologically and otherwise, to care for it. In other cases... the additional difficulties and continuing stigma of unwed motherhood may be involved. All these are factors the woman and her responsible physician will consider in consultation.”

While holding that the right of personal privacy includes the abortion decision, the Supreme Court decision also ruled that “this right is not unqualified and must be considered against important State interests in regulation.”

Accordingly, the court held that for the first three months of pregnancy, the abortion decision must be left to the woman and her physician. In the next stage, approximately the second trimester, the State “in promoting its interest in the health of the mother, may, if it chooses, regulate the abortion procedure in ways that are reasonably related to maternal health.” It is not until the stage of
viability, usually defined as the time when the fetus can sustain life outside the womb of the mother, the court said, that "the State in promoting its interest in the potentiality of human life may, if it chooses, regulate, and even proscribe abortion, except where it is necessary, in appropriate medical judgment, for the preservation of the life or health of the mother."

Before the Supreme Court issued its decision, most States had anti-abortion laws dating back to the 19th century. Protection of the woman's health was the major concern behind the enactment of these laws because, before aseptic surgical techniques were developed, abortions were extremely dangerous and sometimes fatal, even when performed by physicians. Today, however, with a variety of techniques available and with abortions more available to women in the early stages of pregnancy, abortion is safer than childbirth.

Throughout the period when State anti-abortion laws were in effect, an estimated one million American women were having abortions each year. About 10,000 of these women, usually white, middle-class, or rich women, succeeded in having abortions performed legally in hospitals. The great majority had to resort to bootleg abortionists. Prohibition of abortion was no more effective than the constitutional prohibition of liquor. In fact, illegal abortions were so common and profitable that they were said to be the third largest source of criminal revenue, following only narcotics and gambling. (D. Lowe, Abortion and the Law, cited in The Rights of Americans, edited by Norman Dorsen.)

**Maternal deaths** Each year, before the Supreme Court decision was handed down, physicians had to treat about 350,000 women suffering from complications arising from illegal abortions. Each year some women died as a result of those complications. In 1972, according to the Abortion Surveillance Report of the Government Center for Disease Control in Atlanta, when an estimated 550,000 legal abortions were performed, 88 abortion-related deaths were reported. Of these, about 83 were associated with illegal abortions. In 1975, when just under 900,000 legal abortions were performed, related deaths were down to 44.

As abortions have become more readily available, the trend is toward earlier, and therefore, safer abortions. In 1975, approximately 87.9 percent of all legal abortions were performed at 12 weeks or less, when the medical risk is smaller than in continued pregnancy.

"Elimination of dangerous illegal abortions removed the main single cause of maternal deaths," the Planned Parenthood Federation of America reported in 1973. Effective use of contraception was another factor reducing maternal mortality rates, said, citing evidence that contraceptive practices improved markedly "perhaps related to the contraceptive counseling provided in facilities performing abortions."

The report cited data from New York State, where, following legal status of abortion, there was...
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marked decrease in the maternal death rate and a steep decline in numbers of women who were hospitalized or died because of botched abortions. It also reported a 54 percent decline in the number of newborn infants left for placement or simply abandoned.

Planned Parenthood noted that "about seven in 10 of the legal abortions of New York residents would have taken place anyway—most of them illegally—in the absence of the new law. In other words, the primary impact of legalizing abortion is to make safer, less expensive and more open a procedure which would have taken place anyway."

Constitutional amendment

Some abortion opponents favor so-called "right to life" amendments to the Constitution that would define the unborn as a "person," either "from the moment of conception" or at every stage of its biological development.

The Supreme Court held, however, that a fetus is not a person. "We need not resolve the difficult question of when life begins," its decision said. "When those trained in the respective disciplines of medicine, philosophy and theology are unable to arrive at any consensus, the judiciary, at this point in the development of man's knowledge, is not in a position to speculate as to the answer."

Medicine does not define when the "moment of conception" occurs. Is it when the egg is fertilized, or some five to eight days later when the process of implantation occurs? The state of pregnancy itself cannot be determined with certainty until some three weeks after implantation.

Philosophers and theologians hold a variety of views on when human life begins, with some contending that it is the undefined "moment of conception," others holding that it is when the fetus is viable, and still others supporting the view that it begins with live birth.

Lawyers have pointed out that conferring personhood on the unborn would create legal chaos. A memorandum prepared by Planned Parenthood attorney Harriet Pilpel noted: "Presumably the state could enjoin a safety regimen on every woman from the moment she conceived (assuming anyone could figure out what that moment was) and hold her accountable criminally and civilly for any injury the fetus suffered." In criminal law, she said, an individual committing a lesser crime that incidentally resulted in the miscarriage of a woman might be held guilty of murder; in general tort law, if a pregnant woman were in an accident, someone acting on behalf of the fetus might sue for negligence.

Legal persons, unborn fetuses might inherit property, even if never born alive, or they might be counted as dependents for income tax purposes. All Americans could cite their gestation period to claim that they have instantaneously aged by seven to nine months, which would affect everything from birth certificates to death certificates, voting age, retirement, pension systems, insurance policies, etc.

Attorneys cite the potentially mischiefous consequences of the ambiguously worded "right to life" amendments as evidence that the moral and religious concerns of people who oppose abortion are not subjects that can be appropriately dealt with in legal terms, particularly in a society with constitutional guarantees of separation of church and state.

Ban on Medicaid Despite the constitutional guarantee of the right to abortion, in recent years antiabortion forces have been increasingly successful in restricting access to abortion through congressional, state and local actions. Some hospitals refuse to perform abortions and many women do not have access to abortion services in their local areas. In 1977 the Supreme Court ruled that States may decide not to fund abor-

Congress and a number of State legislatures have passed laws to prevent use of Medicaid funds for abortion, even though these funds are available for the full scope of medical services, including childbirth. A House committee recently attached an antiabortion rider to a pregnancy disability bill, and similar riders were being proposed for other legislation.

The result of these restrictive actions is that Medicaid recipients must either accept compulsory pregnancy and motherhood; face the dangers of cheap, amateurish or self-induced abortion; or worry about increased danger to their health caused by the delay while they try to raise the money for an abortion. The Government Center for Disease Control has reported the death of one woman who could not get a Medicaid-funded abortion, and other deaths have been reported among women who have resorted to back alley abortions.

Women most severely affected by these restrictions are members of minority races, since they are disproportionately represented among the poor who rely on Medicaid for their health care.

(For comments on sterilization, see HEALTH plank background)

Support for birth control Most women prefer not to rely on abortion as a method of reproductive control, but they insist that it must be available to them as a choice. The most effective way to reduce the number of abortions is to provide safe, failproof contraception and to make sure that it is available to all fertile women and men.

The health consequences of unwanted and mistimed childbearing have been amply demonstrated. They are especially serious for teenagers and the poor, for whom pregnancy is inherently more risky. Babies born to women in these high-risk categories are less likely to survive and are more likely to have birth defects, mental retardation, and other long-term handicapping conditions.
The health and social benefits of family planning are well documented. Research indicates that the timing and spacing of births and the number of children born into a family are probably the most influential determinants of maternal, infant, and even long-term family health.

Yet only two percent of the money spent on research by the National Institutes of Health is earmarked for research in human reproduction and development of new techniques for fertility reproduction.

**Teenagers and pregnancy** Sexual activity is beginning at an increasingly early age. Teenagers account for almost half of the out-of-wedlock births in the United States. Their birth rate is higher in the United States than in 18 other countries; they have higher rates of death during childbirth; and their babies have a higher death rate during the first year of life. (Many of these statistics come from a 1976 study, *11 Million Teenagers, What Can Be Done About the Epidemic of Adolescent Pregnancies in the United States*, the Alan Guttmacher Institute.)

Most teenagers do not use birth control, and several studies note that those who visit birth control clinics have usually been active for at least a year. Two doctors from Johns Hopkins University, John F. Kanter and Melvin Zelnick, in a study of teenage pregnancies reported a "pattern of having sex, becoming pregnant, and then going on to use birth control."

Ideally, education about reproduction and responsible sexuality should be provided at home by caring parents. Yet most young people do not receive adequate information. Dr. Robert C. Sorenson, author of *Adolescent Sexuality in Contemporary America*, interviewed more than 400 teenagers in 1973. Sixty-eight percent of the girls and 80 percent of the boys said their parents did not tell them about birth control. The Draper World Population Fund Report says that most sexually experienced teenagers who have not used contraceptives have a confused idea about the risks of pregnancy. Nearly 40 percent of those studied believed that pregnancy could not occur because they were too young or had infrequent intercourse.

Despite the acute need to create opportunities for teenagers to discuss their concerns and anxiety about sexuality and the need for increased knowledge about reproduction, contraception, and health hazards, only six States and the District of Columbia require the teaching of family life and sex education in the schools. In many areas, lack of parental consent and other barriers stand in the way of teenagers who want contraceptive information and services.

**Teenage mothers** Pregnancy is the most common reason for teenage girls to drop out of school. Without a high school education and some kind of skill, the teenage mother will be unable to support her child, and she may be its sole support. One-third of all babies born to teenagers are born out of wedlock, and teenage parents who are married have a higher divorce rate than older parents.

Until very recently most programs for pregnant adolescents and teenage mothers were designed to supply emergency aid for prenatal and early postpartum care, but once a girl became a mother, she was left to her own resources. Centers that offer comprehensive programs on a continuing basis can "reverse the terrible statistics of teenage pregnancy," according to Eunice Kennedy Shriver, reporting on such a center in Baltimore. The young mothers were given practical vocational training. Counselors helped them care for their babies and build solid family relationships with their own parents, and with the young fathers when that was possible. Two years later, less than one percent of the girls enrolled in the program had become pregnant again compared with the average of 20 percent repeat pregnancies for teenage mothers in general.

**The right to choose** Public opinion polls show majority support among both American men and women for the right to choose abortion. Women who assert their right to control their own bodies oppose compulsory abortion, compulsory pregnancy, or compulsory sterilization. In a secular democracy founded on concepts of individual rights and diversity of viewpoints, the right of American women to reproductive freedom must be fully protected.
RURAL WOMEN

The President and Congress should establish a Federal rural education policy designed to meet the special problems of isolation, poverty, and underemployment that characterize much of rural America. Such a policy must be consciously planned to overcome the inequality of opportunities available to rural women and girls.

The Office of Management and Budget should set and enforce a policy that data collected on beneficiaries of all Federal programs shall be reported by sex, by minority status, and by urban/rural or metropolitan/nonmetropolitan areas, based on a standard definition.

Data on employment of women and public programs on behalf of working women should include in their definitions farm wives and widows who perform the many tasks essential to the farm operation.

A farm wife should have the same ownership rights as her spouse under State inheritance and Federal estate laws. Tax law should recognize that the labor of a farm wife gives her an equitable interest in the property.

The President should appoint a joint committee from the Departments of Labor, Agriculture, and Justice to investigate the Louisiana sugar plantations system's violations of human rights, especially of women. This commission should also investigate conditions of other seasonal and migratory workers in all States and Territories of the United States.

All programs developed on behalf of rural women should be certain to include migrant, black, Native American, Alaskan, Asian, and Hispanic women and all isolated minorities, and affirmative action programs should be extended to include all disenfranchised groups.

Background:

"Because they are isolated, and live in sparsely settled areas, it is much more difficult...to provide services they desperately need."

Nearly a third of the people in this Nation live in what are considered rural areas; of these, 34 million are women and girls. While all of them are certainly not poor, rural residents account for 40 to 50 percent of the Americans in poverty. In general, rural residents have a higher incidence of social problems and receive a lower per capita share of the Federal dollars designed to meet those problems than the rest of the population.

The special needs of rural women have been ignored by the Federal Government, concluded the National Advisory Council on Women's Educational Programs, after a year-long study and consultations in Madison, Wisconsin; Stockton, California; Santa Fe, New Mexico; and Boone, North Carolina.

Efforts to improve the quality of rural life do not necessarily benefit men and women equally, nor can it be assumed that efforts to improve the status of women benefit rural as well as urban women.

Statistics on rural women Statistics that include specific categories for rural women are virtually nonexistent. No breakdowns into urban/nonurban classifications were made in nearly 100 statistical tables that appeared in the "Statistical Portrait of Women in the United States" published by the Census Bureau in April 1976. Federally supported programs that operate in rural areas, such as Cooperative Extension Services, are not required to report the extent to which women are involved or benefit.

Farm women Those rural women who are farmers receive little economic or legal recognition for the extensive work they do. The 1976 Federal inheritance tax reform increased the exemption allowed to a surviving spouse, but otherwise the wife's labor on the farm does not legally earn her as much as her husband to the capital they have accumulated together. The burden is particularly heavy for family farmers whose property evaluations are high, when the cash available to pay taxes is ordinarily low.

Women as well as men consider farm work their careers, and farm women at the Houston Conference specifically urged that references to women in business include them. Many women are farm managers, and 25 percent of all college majors currently in agriculture are women.

Services for rural women The needs of rural women—farm and nonfarm, and migrant workers, Indians on reservations, and Alaskans—are not substantively different from the needs of urban and suburban women. But because they are isolated and live in sparsely settled areas, it is much more difficult, and more costly to provide services they desperately need and for which many of these women are least able to pay.

Among the most critical needs, identified by rural women themselves, are education and training, job oppor-
in good health.

Inadequate health care is common among children in rural areas, and many at-risk children do not have access to the medical care they need.

**High-risk women**

High-risk women are those who are pregnant or are considering pregnancy. They may live in poverty or have limited access to health care. High-risk women are more likely to have complications during pregnancy and childbirth.

**Women who work in the informal economy**

Women who work in the informal economy are often at risk of exploitation and abuse. They may lack access to basic services such as health care and education.

**Poverty and displacement**

Poverty and displacement can lead to stress and mental health issues. Children who are displaced or living in poverty may have difficulty accessing education and health care.

**Lack of resources**

Lack of resources can make it difficult for children to attend school or receive proper nutrition. Teachers may lack the necessary training to teach in these areas.

**Disparities in education**

Disparities in education are common in rural areas. Children may not have access to the same resources as those in urban areas.

**Challenges in health care**

Challenges in health care are common in rural areas. Children may not have access to proper medical care or may not receive it in a timely manner.

**Parental involvement**

Parental involvement is crucial in the education and health of children. However, many parents in rural areas may not have access to education or health care themselves.
SEXUAL PREFERENCE

Congress, State, and local legislatures should enact legislation to eliminate discrimination on the basis of sexual and affectional preference in areas including, but not limited to, employment, housing, public accommodations, credit, public facilities, government funding, and the military.

State legislatures should reform their penal codes or repeal State laws that restrict private sexual behavior between consenting adults. State legislatures should enact legislation that would prohibit consideration of sexual or affectional orientation as a factor in any judicial determination of child custody or visitation rights. Rather, child custody cases should be evaluated solely on the merits of which party is the better parent, without regard to that person’s sexual and affectional orientation.

Background:
“Homosexuals are entitled to the same civil rights as are other American citizens. There is no evidence that they harm others or society at large to any greater degree than do heterosexuals.”

Despite increasing public understanding that sexual preference is a private matter of choice protected by the Constitution, homosexuals face widespread discrimination in every area of their lives.

As women, lesbians encounter double discrimination; their employment and earning opportunities are already limited because of their sex; their lifestyle challenges stereotypes of a woman’s role; and their right to raise their children. If they have any, is threatened in the courts where judges may declare them “unfit” mothers. As Americans, they find their civil rights in jeopardy, and they are subject to potential harassment through selective enforcement of criminal laws.

There are no reliable figures on the number of homosexuals and lesbians in the population, because only recently have large members felt that it was safe to stop concealing their sexual preference. However, according to a March 18, 1977 letter from Paul H. Gebhard of the Kinsey Institute for Sex Research to the National Gay Task Force, the Institute’s studies indicate that one out of five American women has had some form of overt lesbian experience after puberty.

Gebhard estimated that 13.95 percent of males and 4.25 percent of females, or a combined average of 9.13 percent of the total population, have had extensive homosexual experience. His conclusion: “... a significant percentage of the American population is predominantly homosexual in its sexual and affectional preference.”

Lesbians point out that they are often the focus of attempts to “keep women in their place.” A woman who does not choose to play a traditional or male-centered secondary role may find herself labeled too strong, too aggressive, too masculine, and finally, a lesbian. The fear of the effects of that label may limit the non-lesbian woman in the expression of her individuality. Only when the word “lesbian” has lost its power to intimidate and oppress will women feel free to be strong and independent human beings.

The changing view of lesbian and homosexual lifestyles has been influenced by positive statements issued by authorities on human behavior. In December 1973 the American Psychiatric Association ruled that homosexuality (in its generic sense) should no longer be listed as a “mental disorder,” and said: “Homosexuals are entitled to the same civil rights as are other American citizens. There is no evidence that they harm others or society at large to any greater degree than do heterosexuals.”

This position was endorsed a year later by the American Psychological Association, which said: “Homosexuality per se implies no impairment in judgment, stability, or general social or vocational capabilities.”

Employment The most overt kind of job discrimination encountered is the refusal of the employer to hire or retain a lesbian or homosexual employee. A number of large employers, including AT&T, IBM, CBS, McDonald’s, Honeywell, Proctor & Gamble, and others have publicly stated their opposition to discrimination on the basis of sexual preference. Many other organizations and companies have no such policies, and discrimination is still prevalent in employment. The U.S. Civil Rights Commission has acknowledged jurisdiction “under the equal administration of justice” and is including homosexuals in studies such as police brutality, but it thus far refuses to recognize discrimination against gay people as an appropriate subject for its investigations and recommendations in employment, housing and public accommodations. The same is true of many of the various agencies, commissions, and boards established around the country at the State and local levels to oversee extension of full civil rights to minorities that are discriminated against.

Lesbians seeking Government employment that requires security clearance also encounter obstacles. They must be approved by either the State or Defense Departments, and in the past these departments have routinely denied clearance to known homosexuals or lesbians, using the rationale that they are vulnerable to blackmail. However, an openly gay
person is no more vulnerable to blackmail than anyone else. In 1976 the Defense Department effectively revised its automatic practice of denying security clearance to open gays, and since that time there have been almost no denials of security clearance to avowed homosexuals or lesbians.

In the armed services, however, those discovered to be gay are invariably discharged, frequently with a “less than honorable” label that can be a barrier to employment or promotion for the rest of the person’s life.

The schools The most insidious form of employment discrimination is that based on false assumptions. There is considerable resistance to hiring acknowledged lesbians or homosexuals for jobs such as teaching or counseling that involve close contact with young people on the grounds that they might influence their students’ sexual behavior. But according to the American Psychiatric Association, “there is no evidence that homosexuals molest children to any greater extent than do heterosexuals,” or that they are “dedicated to proselytizing persons of any age group.”

Those in a position to know, the National Education Association and the American Federation of Teachers, have issued statements deploiring discrimination against lesbian and homosexual teachers.

Housing Single lesbians living alone are discriminated against along with other singles. Lesbians living together face even more difficult problems, especially if they wish to rent or purchase a house. In an area zoned for family use, two women (or two men) may not be considered a family.

Credit A lesbian woman trying to obtain credit has two strikes against her: as a woman, her income is considered less secure than that of a man; as a lesbian, she may be considered less stable. A heterosexual married couple may co-sign loans, but a lesbian couple often may not, even if both partners are employed and have good individual credit ratings.

Child custody Many lesbians and homosexuals either first realize or come to accept their sexual orientation after they are already married, and sometimes after they have had children. Lesbian mothers may lose their children when they divorce, though specialists in child development do not support the view of some judges that ‘lesbians are “unfit” mothers.”

Dr. Benjamin Spock does not believe that parental visitation rights and child custody should be decided on the basis of a parent’s sexual orientation. “I know of no evidence,” he says, “that homosexual parents are more apt to raise homosexual children. Most homosexuals are the children of conventionally heterosexual parents.”

Dr. Judd Marmor of the University of Southern California, a nationally known psychiatrist, says he knows of “no evidence that predominantly homosexual parents are more loving, supportive, or stable in their parental roles than homosexual women and men.”

Lesbians and the law Under the Constitution, it is not possible for any State or for Congress to make it illegal to be a lesbian or homosexual. However, in March 1976 the U.S. Supreme Court, in a widely criticized decision, affirmed the right of States to prohibit certain sexual acts between persons of the same sex.

In its decision, the Supreme Court upheld the constitutionality of a Virginia statute, nearly 200 years old, prohibiting a variety of sexual acts, including some kinds of heterosexual activity. The issue in dispute, however, affected only homosexual relations between consenting adults in private.

The Supreme Court decision did not say that States must retain or pass anti-sodomy laws, and in fact, some States repealed their sodomy laws after the decision. By May 1977, California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Indiana, Iowa, Maine, New Hampshire, New Mexico, North Dakota, Ohio, Oregon,
South Dakota, Washington, West Virginia, and Wyoming had de-criminalized sexual activities between consenting adults in private. Thirty-two States still have laws on the books that restrict private sexual behavior between consenting adults, laws that affect both heterosexuals and homosexuals but are selectively enforced against the latter.

Laws protecting the civil rights of lesbians and homosexuals have been passed in about 40 cities and municipalities around the country. They range from small college towns like Chapel Hill, North Carolina and Youngstown, Ohio to major cities like Detroit, Washington, D.C., Minneapolis, and Boston. The newly elected mayor of New York, Edward Koch, issued an executive order banning discrimination against gays in city employment, including the police and fire departments.

At the Federal Government level, several bills have been introduced, with 39 co-sponsors, amending the Civil Rights Act of 1964 to prohibit discrimination in employment, housing, public accommodations, and other areas on the basis of affectional or sexual preference. They are pending before the House Civil and Constitutional Rights Subcommittee, Representative Don Edwards, chair, but no hearings have been scheduled or projected.

Support for gay rights Among the organizations that have supported civil rights for lesbians and homosexuals, in addition to the National Gay Task Force, are the American Bar Association, American Psychiatric Association, American Medical Association, American Federation of Teachers, National Education Association, American Civil Liberties Union, Civil Service Commission, National Council of the Churches of Christ, National Federation of Priests Councils, American Jewish Committee (New York Chapter), Episcopal Church, Lutheran Church of America, National Association of Mental Health, National Organization for Women, National Women's Political Caucus, and Young Women's Christian Association.
STATISTICS

The Office of Management and Budget should require all departments and agencies to collect, tabulate, and analyze data relating to persons on the basis of sex in order to assess the impact of their programs on women. The U.S. Bureau of the Census should aggressively pursue its efforts to reduce the undercounts of minority Americans, including blacks, Hispanic Americans, Asian Americans, and American Indians. The Department of Health, Education, and Welfare should continue its efforts to implement the usage of special group identifiers in all vital statistics recordkeeping. These statistics should be recorded and reported by sex and subgroup.

Background:
“Undercounts of minorities deprive them of Federal funds designed especially to help the disadvantaged.”

Federal statistics of all kinds have not identified women and minorities well enough to show exactly how they are disadvantaged. And when they are counted, the count is frequently inaccurate or absorbed into data that report on such ambiguous units as “households” or families.

Head of household One of the longstanding problems for women has been the concept of “head of household.” In the Bureau of Census statistics, the husband was always considered the “head” no matter how much the wife earned. And the average family was described as consisting of a breadwinning father, homemaking mother, and two school-age children, even though, according to the Bureau’s own figures, only a small percentage of all families have been at this level of income in recent years—six percent in 1976, for example.

Many of these defects are being remedied. The 1980 census will drop the word “head,” and the U.S. Bureau of Labor Statistics has already begun to analyze data on individual persons in the family and their relationship to other family members. This will make it possible to compare the unemployment rate of wives with employed husbands with the rate for wives whose husbands are also unemployed.

Once statistics begin to accumulate on this basis, those who make policy will have to recognize that social and family programs must be addressed to women in a great variety of family situations: single parents, childless women, women living alone or with unrelated persons, and others.

Employment statistics When employment figures are not collected by sex, it is difficult to assess the progress or lack of progress women are making in specific areas. This is particularly true in agencies. In the civil service, for example, reports of the number of persons promoted from one grade to the next do not identify them by sex—virtually eliminating an easy way to find out how many women are gaining access to the higher level grades from which they have been almost entirely excluded.

Statistical breakdowns by sex are necessary in many other areas. Inequities cannot be corrected unless accurate counts are kept.

Minority undercounts Members of minority groups are often left out of statistics entirely. They are undercounted as individuals and in their communities, making it more difficult to assess—and meet—their needs.

The Bureau of the Census estimates that 2.5 percent of the population, or 5.3 million people, were not counted in the 1970 census. They believe that 7.7 percent of all blacks were left out, compared with only 1.9 percent of whites.

They have not been able to identify the undercounts as accurately for other minorities. Hispanics, Asian Americans, Pacific Islanders, and Native Americans have frequently been placed in the “other” category in statistical counts, which can obscure the specific needs of these large ethnic groups.

With the help of citizens advisory councils representing the Hispanic, Asian, and Pacific Island communities, the National Center for Health Statistics is asking States to add special identifiers to birth and death certificates. More than a dozen States with high minority populations have already agreed to provide more information, but it will be a time-consuming process to calculate the undercounting by comparing birth, death, and immigration records with the decennial counts.

Undercounts of communities in which minorities are concentrated deprive them of Federal funds designed especially to help the most disadvantaged. These communities are underrepresented politically and are short-changed in all programs for which Federal and State money is allocated on the basis of population, such as women’s programs, health care facilities, vocational education, bilingual education, veterans’ education, public works, and community development projects for bringing housing up to standard.

Action to eliminate some of these problems in data-gathering and analysis is the responsibility of both the Director of the Office of Management and Budget and the Secretary of Commerce. The OMB director provides departments and agencies with the instructions for submission of all types of data essential to the review of budgetary and legislative proposals, management and reduction of paperwork. In the fall of 1977, the responsibility for establishing policies and standards for Federal statistics was transferred from the OMB head to the Secretary of Commerce. Coordination between these two officials is necessary to get more accurate and detailed data that will be used to assess the impact of programs on women.
WOMEN, WELFARE, AND POVERTY

The Federal and State governments should assume a role in focusing on welfare and poverty as major women’s issues. All welfare reform proposals should be examined specifically for their impact on women. Inequality of opportunity for women must be recognized as a primary factor contributing to the growth of welfare rolls.

Women in poverty, whether young or old, want to be part of the mainstream of American life.

Poverty is a major barrier to equality for women. Millions of women who depend on income transfer programs or low-paying jobs for their basic life support may be subject to the multiple oppression of sexism, racism, and poverty—and they are often old or disabled.

Many other women, because of discriminatory employment practices, social security laws, differential education of men and women, and lack of adequate child care, are just one step away from poverty. Consequently, the elimination of poverty must be a priority of all those working for equal rights for women.

Along with major improvements in the welfare system, elimination of poverty for women must include improvements in social security and retirement systems, universal minimum wage, nontraditional job opportunities, quality child care, comprehensive health insurance, and comprehensive legal services.

A concerted effort must be made to educate the public about the realities of welfare, the plight of the blind, the aged, the disabled, and single-parent families and other low-income women.

We support increased Federal funding for income transfer programs (e.g., Social Security, SSI, and AFDC). Congress should approve a Federal floor under payments to provide an adequate standard of living based on each State’s cost of living for all those in need. And, just as with other workers, homemakers receiving income transfer payments should be afforded the dignity of having that payment called a wage, not welfare.

We oppose the Carter administration proposal for welfare reform (H.R. 9030), which among other things eliminates food stamps, threatens to eliminate CETA training and CETA jobs paying more than minimum wage, and does not guarantee adequate day care. We oppose proposals for “workfare” where welfare mothers would be forced to “work off” their grants, which is work without wage, without fringe benefits or bargaining rights, and without dignity. H.R. 9030 further requires those individuals and families without income to wait weeks, possibly months, before even the inadequate grant is available.

We strongly support a welfare reform program developed from ongoing consultation with persons who will be impacted. This program should: (1) be consistent with the National Academy of Science recommendation that no individual or family living standard should be lower than half the median family income level for substantial periods (after taxes) and that this income should not fall below the Government-defined poverty level of family income even for shorter periods; (2) help sustain the family unit; and (3) insure that women on welfare and other low-income women who choose to work are paid at least the prevailing wage.

In order to increase employment for women, the following should be taken:

a. To insure that all women who are other poor are drawn up to parity with the employers who already have affirmative action goals.

b. To increase the number of Federal and state employment offices, and require employers to be required to show that they are hiring recipients.

c. To require that there be a study of these funds by local CETA advisory boards for the placement and training of women in nontraditional higher paying jobs, consistent with the original mandate.

d. To require that unions devote additional energy to the organization of women to upgrade pay and working conditions for women in traditional employment.

Quality child care should be a mandated Title 20 service available to all families on an ability-to-pay basis through training, education, job search, and employment.

Congress should encourage education of women by insuring that Federal and other education grants do not reduce an individual’s or family’s eligibility for public assistance in AFDC or in any other program.

Comprehensive support services and social services must be provided and adequately funded.
Background:
“Substandard income traps a woman and her family in a poverty cycle...that as a general rule causes great physical, psychological, and many times moral damage not only to the woman but also to her children.”

 Millions of American women live in poverty and either receive assistance or need it. They need direct income assistance so they can meet their day-to-day requirements for food, shelter, and clothing. They need back-up assistance in the form of child care, educational opportunities, job counseling, and training and employment programs to make it possible for them to become self-supporting at better than mere subsistence levels.

 The largest number of poor women are the three million women caring for eight million children who make up 90 percent of all families receiving help under the Aid to Families with Dependent Children (AFDC) program. Another large group are the elderly, blind, or disabled women who receive help under the Supplemental Security Income (SSI) program. Many other women under age 65 and not caring for children receive aid under State General Assistance programs and/or receive food stamps.

 Untold numbers of other poor women receive no help. They don’t fit into any of the above categories, and very few States provide any comprehensive general assistance programs to reach those left out of Federal programs.

 Poverty among American women is a shifting condition. Although the majority of poor women are white, the condition of minority women is deteriorating. In its study, The State of Black America 1978, the National Urban League reported: “The number of poor families headed by black women increased sharply from 1.0 to 1.1 million between 1975 and 1976, raising the proportion of families headed by black women that were poor from 50 to 52 percent. But the number and proportion of poor families headed by white women fell sharply over the same period.”

 Rising unemployment among black women was seen by the National Urban League as directly related to the increasing number of poor black women. “While almost three-fourths (71 percent) of the black families headed by unemployed women were poor in 1976, only one-fourth (26 percent) of the black families headed by employed women were poor,” it said.

 The human side In the national debate over welfare reform, it is important to remember that the lives, hopes, and well-being of millions of women and their children are at stake. The human side of what happens to women in AFDC programs was described at the Department of Health, Education and Welfare hearings March 10, 1977 by Lupe Angulano, head of the National Women’s Political Caucus Welfare Task Force, who lived in San Antonio, Texas housing projects with families headed by women on AFDC.

 “I found that substandard income traps a woman and her family in a poverty cycle,” she said, “a living condition that as a general rule causes great physical, psychological, and many times moral damage not only to the woman but also to her children. Healing this damage is very often costly and sometimes impossible.

 “I often accompanied the women to a doctor’s visit, to a food stamp office, or on a visit to the welfare department. Finding transportation was the first problem; waiting in the welfare office or the doctor’s office or in a food stamp line was another problem. Many times it took the complete day. Finding a babysitter to stay with the younger children or having someone stay at home to wait for those who come home from school was another problem. Then to top it all, the hostile attitude or treatment received from employees in these offices or agencies was exasperating. Additionally, all the families I lived with ran out of food in three weeks. In Texas a woman must support a family of four with only a $164 monthly grant...

 “Without a doubt women on welfare have serious mental and health problems. In my six-month stay in the housing projects I witnessed six suicide attempts.... The basic problem is inadequate income for support of basic family needs.”

 Although the Carter administration has pledged to provide more equitable and more adequate help for all those in need, its proposed welfare reform plan will not improve life for all these people. In some ways, it will make it worse. In addition, other proposals pending in Congress would cut back even the limited aid now available.

 Welfare reform The administration-backed welfare reform bill (H.R. 9030/S. 2084) would replace the separate AFDC, SSI, and food stamp programs with one nationwide Federal program with cash benefits and a jobs program. The cash benefits would be a universal aid program, providing some benefits to all persons on the basis of their income and not limiting coverage, as present programs do, to certain groups such as single-parent families with children, or those over 65, the blind, or the disabled. Although the principle of a universal aid program has been widely applauded, its application in this legislation has been opposed by women on welfare because it would mean lower benefits than many now
receive and the jobs program would cover only some needy people.

The administration bill separates persons into different categories with different benefit levels and eligibility conditions. The Federal benefits payable under the proposal to families with children would be lower than the combined value of AFDC benefits and food stamp benefits now available in approximately 40 States. For example, the proposed Federal benefit for a family of four “not expected to work” is $4,200 in 1978 dollars; for a family of four “expected to work,” it is $2,300, even though the head of this family may not be able to find work. Federal benefits payable to the elderly, blind, or disabled would be $2,500 for an individual and $3,750 for a couple. This would be below the combined value of State benefits (including State supplements) and food stamps in some States. Benefits for childless couples or individuals who are 18 to 65 and not blind or disabled would be $2,200 and $1,100, respectively. The proposal permits but does not require States to pay additional benefits to supplement Federal benefits. Even if they did provide supplementary benefits, cash payments to families with children in the vast majority of States would be far below the 1978 poverty level of $6,400 for a family of four.

Individuals and families would be able to increase their income through paid employment or receipt of other nonassistance income, since some of that income will be disregarded in determining their eligibility for cash benefits. However, since welfare recipients are not guaranteed jobs, there can be no assurance that even everyone who is able and willing to work outside the home will be able to increase her income in this way. In addition, this factor offers no help to those who are wholly dependent upon the basic benefit for any length of time and to women who choose to stay home to care for their children.

**Jobs for poor women** Although women in AFDC programs must have the option of staying home, job opportunities are a key element in pulling women out of poverty. The administration proposal is supposed to assist women who are heads of families to become self-supporting if they are able to work outside the home. However, although the bill provides for public service jobs under a new Title 9 of the Comprehensive Employment and Training Act (CETA) if no private employment is available, these jobs would apparently replace rather than expand existing CETA commitments. Furthermore, the proposal does not even guarantee a public service job to all those who qualify. Moreover, despite the lack of a job guarantee, some families with children—two-parent families and single-parent families with children over 14—as well as single individuals and childless couples would be classified as “expected to work” and would receive lower benefits than others even though they are unemployed and actively seeking work.

The failure to guarantee a job together with the imposition of the work requirement and accompanying lower benefits would probably result in great pressure to give available jobs first to adults in families classified as “expected to work.” This could mean that women heading

single-parent families with younger children would be served last, if at all, by the jobs program even though they are theoretically eligible on the same basis as anyone else.

Women in two-parent families would also be largely disqualified from public service jobs because the program provides only one job per family, and the program specifies that the job would go to the “principal wage earner,” the adult who had the highest earnings or worked the most hours during the last six months.

Under the administration proposal, persons “expected to work” would be required to accept minimum wage or slightly above minimum wage jobs in the private or regular public sector. Only if no such job was offered to the individual could she qualify for a public service job. That job would pay the minimum wage or slightly above, except that 15 percent of the positions could be classified as “work leaders” and receive up to 125 percent of the otherwise applicable pay rate.

In States that did not supplement the Federal benefits, the total combined gross income of benefits and wages available to a family of four in full-time minimum wage employment in the regular public or private sector at 1978 levels would be $7,432 in 1978 dollars, an amount barely above the poverty level and far below the Bureau of Labor Statistics lower living standard of $10,000 in 1976 for a family with an employed member. A family of four in a public service job in a nonsupplementing State would have a total gross income of $6,957.
The situation is even more bleak for individuals and childless couples. Their cash benefits under the proposal are so low that they are left in hopeless poverty without outside income. When they are able to get a job, they become eligible for cash benefits at earned income levels of $2,200 and $4,400, respectively, in nonsupplementing States.

At best, the administration proposal offers minimum wage jobs, but it fails to provide any stepping stones to higher paid employment. There is no provision for career education; no provision for ensuring that the jobs created will provide training for higher paying work in the regular economy; no emphasis on providing skills training for jobs other than those in the program; and no assurance that these subsidized jobs have counterparts in the regular labor market at adequate wage levels.

Although the categories of proposed public service jobs will provide needed services in local communities, they are not jobs with pay scales that will eliminate dependency unless some fundamental reappraisal of wage rates occurs.

Workfare plans Even more disturbing than the administration bill are other “workfare” proposals to force poor women into working off their family’s grant as a condition of receiving public assistance. Some States are pushing strongly for authorization to start such programs for women who now receive AFDC payments, and legislation pending in Congress (H.R. 7200) would authorize such programs. Here is how they would operate:

Women would be assigned to unpaid work for public or nonprofit agencies and would work the hours necessary to pay off their family’s grant. If a woman was receiving an AFDC check of $300 a month for her family’s needs and she was assigned to work valued at $2.65 an hour, she would have to work 113 hours a month, or 26 hours a week, to work off her grant.

Under these programs, a woman would not receive any salary but would simply work as a condition of receiving the cash benefits. She would not be an employee of the agency or organization for which the work was performed and would not have any of the rights of an employee (collective bargaining, grievance procedures, etc.) or any fringe benefits (sick leave, vacation, health insurance). She would not even get social security coverage. She would not be an “employee” but a second-class or “inferior” worker without any of the rewards or rights and benefits that a working woman has a right to expect.

The injustice of such “workfare” proposals is compounded by the fact that women could be assigned to jobs with little or no provision for skill development or training. In effect, they could just be used for whatever labor they were capable of and then later tossed aside without being any better qualified to enter the paid labor market and to support themselves and their families.

The Carter administration proposal does not provide any new funding for support services for those in employment or training. These services, including child care, are supposed to be provided under Title 20, but some States are already spending up to the ceiling in their Title 20 programs and therefore probably would not fund increased child care services.

The proposal does allow working adults to deduct child care expenses from their earnings before these are counted for purposes of determining eligibility for cash benefits. However, this does not apply to women who need child care for educational or training purposes and who do not have earned income sufficient to meet their child care costs.

While Congress pondered welfare reform, immediate action is needed to relieve the desperate poverty of women in the southern States where AFDC grants are indefensibly low as a result of the double race and sex prejudice of State governments. Federalizing AFDC at a decent level of family support must be a priority.

The purpose of welfare reform must be to bring millions of Americans out of poverty. For women in particular, welfare reform must include a comprehensive and multiple attack on the social and family problems that afflict poor women, enable them to exercise free choice on how they raise their children, and equip them, where possible, to become self-supporting members of a society that will benefit from their skills and participation.
CONTINUING COMMITTEE OF THE CONFERENCE

Whereas, Public Law 94-167 requires the establishment of a Committee of the Conference which will take steps to provide for the convening of a Second National Women's Conference to assess the progress made toward achieving the recommendations of this 1977 conference; and

Whereas, such Committee would constitute an important mechanism to consider steps to achieve the recommendations of this Conference.

It is hereby resolved that:

☐ A Committee of the Conference be selected by the National Commission on the Observance of International Women's Year after receiving recommendations of individuals to serve on the Committee in writing on or before December 30, 1977* from the delegates of this body following the Conference.

The Committee shall be composed of persons of diverse ages and racial, ethnic, religious, economic, social, and geographic backgrounds.

☐ This Conference calls upon the President to issue an Executive Order creating a commission to carry out our recommendations.

☐ The Committee of the Conference shall serve until such time as the President appoints such a commission.

☐ This Conference calls upon the President and the Congress to authorize and appropriate sufficient funds to enable these bodies to carry out this mandate.

*The Commission extended this date to January 15, 1978.

The National Commission appointed a Continuing Committee of the Conference, consisting of about 470 members from all parts of the country. The Committee held its first meeting in Washington, D.C. on March 22, 1978.