



**WOMEN'S EQUALITY:
AN Unfinished
AGENDA**

Women's Organizations Assess U.S. Government Actions
on Implementing the Beijing Platform, 1995–2000

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Women's International League
for Peace and Freedom

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The Women's Environment and Development Organization is an international advocacy network that strives for a healthy and peaceful planet, with social, political, economic and environmental justice for all through the empowerment of women in all their diversity participating equally with men in decision-making from grassroots to global arenas.

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Foreword

THE PLATFORM FOR ACTION

The Beijing Platform for Action is a broad-based agenda for promoting and protecting the human rights and fundamental freedoms of women worldwide. It seeks to establish the principle of shared power and responsibility between women and men at home, in the workplace and in the wider national and international communities. One hundred and eighty-nine governments, including the government of the United States, adopted the Platform at the 1995 United Nations Fourth World Conference on Women in Beijing, China.

Some 6,000 delegates took part in the Beijing Conference and more than 40,000 representatives of non-governmental organizations participated in the unofficial World Forum on Women held at the same time. An estimated 7,000 U.S. women—of all ages, races, and ethnic backgrounds and from a range of social, economic and cultural circumstances—were among the Conference delegates and Forum participants. They represented a multitude of diverse local, state and national non-governmental organizations. The energy of the Beijing events galvanized U.S. women and they returned home to develop recommendations for implementing the Platform in their local communities, organizations and workplaces, and in their city, state and national governments.

To mark the fifth anniversary of the Beijing meeting and to review the progress made on implementing the actions proposed by the Beijing Platform, the United Nations General Assembly will hold a Special Session in June 2000. At this Special Session, the U.S. Government, along with other world governments, is expected to reaffirm its commitment, share the progress that has been made, and encourage further action.

MONITORING GOVERNMENTS

Soon after the Beijing Conference, a consortium of organizations, including WEDO, drew up the *Women's National Action Agenda*, which set out an ambitious policy agenda for U.S. implementation of the Beijing Platform. WEDO, in collaboration with the Center for Women Policy Studies, developed a "Contract with Women of the U.S.A.," translating the principles of the Beijing Platform for Action into U.S. policy goals. Individual organizations, including those that collaborated on this report, have been engaged in monitoring the Critical Areas of Concern set out in the Platform for Action.

U.S.-based groups with a global outlook, such as WEDO, have also worked with scores of organizations worldwide to monitor the progress of all the governments that adopted the Platform.¹

Women's Equality: An Unfinished Agenda marks the first time that U.S. women's groups have collaborated to monitor and document the U.S. government's performance in implementing the Beijing Platform for Action. The contributors join other women's organizations worldwide that have compiled similar shadow reports to review and critique the official government reports in preparation for the UN Review. At the regional preparatory meeting of the UN European Economic Council in Geneva, Switzerland in January 2000, highlights from the U.S. report were presented along with those by coalitions of non-governmental organizations from Canada, the European Union, countries of Central and Eastern Europe and the Commonwealth of Independent States (plus Turkey and Mongolia). The U.S. report was also presented at the March 2000 UN preparatory meeting in New York City, along with reports from Kenya, Pakistan, the Philippines and Mexico.

COMPILING WOMEN'S EQUALITY

WEDO proposed a collaboration of women's groups to compile a U.S. shadow report in October 1999. Many organizations participating on the Beijing + 5 Host Committee, an ad hoc group of diverse U.S. based groups and individuals that is facilitating activities for NGOs during the UN review session in June, as well as other groups, had indicated an interest in preparing issue specific reports on each of the Critical Areas of Concern in the Beijing Platform.

These groups reviewed three government documents—the U.S. government response to a 1999 UN questionnaire, *America's Commitment*, a 1997 report issued by the President's Interagency Council on Women, and a 1999 update to that report.² The objective was to review the government's actions to implement the Beijing Platform and to make recommendations that reflected the diversity of experiences of women in the U.S.

Women's Equality: An Unfinished Agenda is part of a process by which U.S. women's organizations are collectively holding their government accountable to the objectives of the Beijing Platform. It establishes a foundation on which future government actions to finalize the agenda on women's equality can be assessed on a regular basis.

1. Reports from these global monitoring programs include *Mapping Progress: Assessing Government Actions to Implement the Beijing Platform* (1997).
2. For copies of *America's Commitment*, updates and related documents, go to <http://secretary.state.gov/www/iacw/index.html>.

Introduction

BY JUNE ZEITLIN, EXECUTIVE DIRECTOR, WOMEN'S ENVIRONMENT AND DEVELOPMENT ORGANIZATION

The Beijing Platform for Action sets forth principles, and proposes actions, that serve as a comprehensive guide for improving the lives of women, but it is not legally binding. To begin addressing this lack of an enforcement mechanism, women called upon governments to make Beijing a conference of commitments. Governments committed to the words of the Platform, but words are not enough. As WEDO co-founder Bella Abzug used to say, “We have the words, now it is time for the music.”

The success of the Platform requires the mobilization of adequate resources by governments and by institutions at all levels. Time-bound targets that enable governments and women to measure progress, and women and others to hold their governments accountable, are also required.

The full realization of women's equality in the U.S. demands a comprehensive and far-reaching approach that promotes and empowers more women in decision-making in all fields, and that brings a gender perspective to government policy, particularly economic policy. Inherent in this approach is the recognition that many women face additional barriers, such as race, class, age, religion, culture, disability and sexual orientation, as well as the exploitative conditions experienced by migrant, indigenous and refugee women, and those who are institutionalized or in detention.

Women's equality requires the transformation of societal institutions in a way that promotes gender equality. Structural barriers make it difficult for a critical mass of women to gain access to these institutions and to attain leadership positions. This is not merely an issue for women. Those men who choose a non-traditional career path or who lack access to money or who desire to make family care-giving a priority, face similar constraints.

Each of the sections in *Women's Equality: An Unfinished Agenda* recognizes the significant accomplishments of the government at the national level, from actions to address domestic violence to the appointment of more women than ever before to top Cabinet, executive and judicial positions.

However, by highlighting the many actions still needed to bring about women's equality, this report draws attention to a central weakness in the government's attempts to implement the Platform for Action. Even as women applaud the gains made, we point to a piecemeal and incremental approach to women's rights that the government must address if we are ever to attain true equality.

The issues of violence against women and women's human rights have gained greater visibility and far more government attention and action worldwide since the Beijing Conference. In the United States, the government has made groundbreaking advances including passage of the Violence Against Women Act, increased funding for women who have suffered domestic violence, and the establishment of the Office of Violence Against Women within the Department of Justice. What women want to see now are comprehensive programs to tackle long-standing societal attitudes that condone violence against women.

A high priority of the Platform for Action is the creation of “an enabling environment that allows women to build and maintain sustainable livelihoods.” Governments are urged to “provide adequate safety nets and strengthen state-based and community-based support systems as an integral part of social policy...” These shadow reports point to an erosion of women's capacity to attain economic equity. In the U.S. and across the globe, women

are getting poorer and, as a result, are less able to provide sufficiently for the needs of their families.

The U.S. is experiencing one of the longest periods ever of sustained economic growth, generating an unprecedented number of new jobs and putting more adults to work than ever before. In sharp contrast to this enormous economic growth, average poverty rates have hardly changed, declining by a mere one percentage point between 1996 and 1998.

Of the more than 34 million impoverished individuals living in this, the world's richest nation, 40 percent are children under 18 and 30 percent are living in female-headed households. Among Black and Hispanic women, this latter figure is 10 percent higher. Women are also much more likely to be poor in old age. In 1998, about 13 percent of women aged

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65 and older had incomes below the poverty line, compared with seven percent of men in the same age group. Women of color are particularly at risk.

Government policies of the last five years have not only failed to address these issues, but some policy decisions have actually exacerbated the situation. Looming large among these is welfare reform legislation, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, which effectively ended 60 years of Aid to Families with Dependent Children (AFDC) and its policy of federal entitlement for impoverished families.

The population of welfare recipients is composed largely of single women with young children. Most jobs available to them don't pay enough to achieve self-sufficiency or to lift a family out of poverty. Moreover, those women who remain on the rolls and are now approaching the five-year limit for federal benefits, are likely to be the most difficult to place and sustain in jobs, leaving them dependent on a patchwork of widely diverging state benefits and work requirements. The high cost of childcare has been a considerable obstacle to sustainable employment for single welfare mothers in particular. While there are childcare subsidies available for low-income families, only 10 percent of families entitled to them actually use them.

More women than ever before are employed, but they are working for low pay, in insecure part-time or temporary jobs. While the administration has proposed and Congress has adopted an increase in the federal minimum wage from \$4.25 to \$5.15 an hour, this wage level is still insufficient to allow even a single woman with one child to rise above the poverty line. The need for part-time and flexible work should not come at the price of economic security for women and their families.

Women still earn an average of 76 cents for every dollar a man earns. For African American and Hispanic women the figures are much lower—67 cents and 58 cents respectively for each white male worker's dollar. One in five women—or 18 percent—are currently uninsured or were uninsured at sometime during the last year. For these women, lack of access to reproductive health care presents additional, often acute, burdens. Only 23 percent of unemployed women, as compared with 34 percent of unemployed men, receive unemployment insurance benefits.

In families where both parents are present, women also face additional burdens. In 71 percent of these families, both parents work. Among them, 73 percent of those who take on the dual responsibility of caring for children and elders are women. The Family Medical Leave Act (FMLA), a positive step, enables workers to take time off without pay for childbirth or serious illness, but the law also leaves nearly

one in 10 users dependent on public assistance. Expanding the FMLA to offer paid leave is therefore critical to women and their families.

With respect to these crucial social and economic issues, this report raises the question of national spending priorities. Women are asking, for instance, why military spending is again on the rise as minimal economic security safeguards and other social support programs have been cutback.

Macroeconomic policies too, are not gender neutral. Yet, governments continually fail to apply a gender lens in macroeconomic policymaking and analysis. The same governments that committed to the Platform for Action have been adopting economic and trade policies that are overriding the gains women made in Beijing and at other United Nations intergovernmental conferences of the past decade.¹ The U.S. government is a powerful and leading force in the creation and promotion of global macroeconomic policies. U.S. women say the time has come for the U.S. government to also take the lead in promoting a gender dimension in the global sphere. But as this report clearly indicates, the U.S. government not only fails to take the lead on gender issues, it is often out of step with the rest of the world on key international policies affecting women.

The United Nations is an important institution for the achievement of women's equality worldwide. The U.S. has effectively undermined the operations of the UN by failing to meet its financial obligations. U.S. women note that the government's partial payment of its \$1.5 billion in back dues was tied to conditions, demanded by Republican Senator Jesse Helms, Chairman of the Senate Foreign Relations Committee, that compromised the reproductive rights of women worldwide by reimposing a global gag rule. Due to opposition led by Senator Helms, the U.S. is one of only two nations in the world that has failed to ratify the UN Convention on the Rights of the Child—Somalia, which is without an organized government, is the other. The U.S. government is also the only industrialized nation, and one of only a handful in the world, that still refuses to ratify the 1979 Convention on the Elimination of all Forms of Discrimination Against Women. This international instrument seeks to ban discrimination against women and to legally enshrine their political, social and economic rights.

These policy failures underscore the importance of achieving a critical mass of women leaders committed to advancing women's rights at the highest levels in all branches of government. The Clinton Administration should be recognized for translating its commitment to gender equality into action by appointing more women to senior positions in the Cabinet, including such first-ever positions as Attorney Gen-

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eral (Janet Reno) and Secretary of State (Madeleine Albright). Thus an overarching issue of concern to U.S. women is that of achieving equal participation in decision-making.

Women make up 52 percent of the U.S. population and a majority of voters, but they are disproportionately underrepresented in decision-making bodies in all areas of the public arena. Women's equal participation in decision-making is not only a matter of social justice. It is also an essential step for the achievement of representative governance in all institutions, whether social, economic or political in nature.

The Beijing Platform recommends actions for ensuring equal access to, and full participation in, the power structures of all governmental bodies. While the Clinton administration has appointed more women to senior positions in executive-branch agencies than ever before, and appointed more women judges, the report points out that in elected office, women are woefully underrepresented at the federal, state and municipal levels.

Women hold a mere 12.9 percent of the seats in the House of Representatives: 17 Republicans and 39 Democrats. In addition, two non-voting Democratic women delegates represent the District of Columbia and the Virgin Islands. In the Senate, women occupy only nine percent of the 100 seats: three Republicans and six Democrats. Despite its position as a global leader in democracy, the U.S. ranks only 42nd worldwide in terms of women in government.

The report recommends the setting of specific goals and timetables to achieve genuine equality between women and men in policymaking. It suggests that states initiate measures that make it easier for women in all political parties to be nominated to seats that are winnable.

However, women need not wait for these structural reforms to be adopted to gain a more equal role in decision-making. They must demand now that every governor and every mayor appoint women to fill half the top positions in their administrations. But, while increasing the numbers of women in leadership positions is essential, the report also speaks to the importance of bringing a gender perspective to all policy deliberations.

The kind of far-reaching approach to the agenda for equality envisioned by U.S. women requires the integration of gender perspectives in all legislation, public policies, programs and projects. A basic ingredient of this approach is the generation and dissemination of gender-disaggregated data and information for both planning and evaluation. To achieve this objective, the government must ensure that responsibility for the advancement of women is vested at the highest level.

Over the years, successive administrations have put in place various mechanisms for advancing women's equality.

The latest such effort is the President's Interagency Council on Women. Located in the Department of State, it was created in 1995 by the Clinton administration, following the Beijing Conference. But lacking a statutory basis, the Council, like its predecessors, is unlikely to outlive the current administration. Inadequate staffing and a lack of other resources limits the reach and effectiveness of the Interagency Council. Furthermore, while there has been outreach and consultation with women's organizations, there is no formal mechanism to ensure their ongoing participation.

Women's Equality: An Unfinished Agenda recommends that steps be taken to safeguard and strengthen the Interagency Council. It also calls on the Council to work more closely with women's organizations to reassess its role, and to promote a gender perspective in all government programs, policies and legislation that is cross-cutting, comprehensive and transformative.

1. These include groundbreaking accords reached at UN world conferences on Environment and Development (Rio de Janeiro, 1992), Human Rights (Vienna, 1993), Population and Development (Cairo, 1994), and Social Development (Copenhagen, 1995).

Women and Poverty

THE PLATFORM FOR ACTION SAYS

- A.1. Review, adopt and maintain macroeconomic policies and development strategies that address the needs and efforts of women in poverty.**
- A.2. Revise laws and administrative practices to ensure women's equal rights and access to economic resources.**
- A.3. Provide women with access to savings and credit mechanisms and institutions.**
- A.4. Develop gender-based methodologies and conduct research to address the feminization of poverty.**

WOMEN'S ASSESSMENT AND RECOMMENDATIONS

In 1998, the poverty rate dropped to 12.7 percent, down from 13.3 percent the previous year. While this drop in percentage was paralleled by a decline in the number of poor people, there are still over 34 million impoverished individuals in the United States.¹ The majority of the poor are women and children; there were 13.5 million impoverished children under 18 in 1998, comprising 40 percent of people below the poverty line. One of the highest poverty rates occurred among female-headed households with no husband present (30%), a figure that was over 10 percent higher among black and Hispanic women.² Based on these facts, major steps must be taken to move women and their children out of poverty—the President's Interagency Council on Women highlights several such federal programs and new initiatives. This report will outline further steps that the federal government can take to help women bridge the gap between poverty and financial security.

In this section we will shadow the issues of housing, food security, minimum wage, employment and training, welfare reform and childcare.

HOUSING

As stated in the President's report, the primary recipients of the U.S. Department of Housing and Urban Development (HUD) programs are poor women. The federal government has instituted several programs to help women achieve financial independence by providing social services and training, including the Family Self-Sufficiency Program, the Foster Child Care Program, the Early Childhood Development Program, and Family Investment Centers. Other federal housing programs, such as "Section 3" hiring and contracting obligations,³ the Resident Opportunities and Self-Sufficiency (ROSS) program,⁴ and Hope VI Supportive Services Funds,⁵

may also make training, employment and social services available to women and children.⁶

While these programs are intended to help public housing residents attain self-sufficiency, one of the biggest problems facing impoverished women is the overall lack of affordable housing.⁷ Statistics published by the National Low-Income Housing Coalition illustrate that both metropolitan and rural areas have an inadequate proportion of housing for low-income individuals. Under federal standards, families should not spend more than 30 percent of their income on housing. In many areas, however, the Fair Market Rents (FMR)—the "gross rent paid by the 40th percentile of recent movers to standard housing, including the cost of shelter and utilities but excluding telephone—are unaffordable to large portions of renters. For example, in Chicago, FMR for a two-bedroom apartment is \$737, leaving 43 percent of renters unable to afford a two-bedroom apartment. In the non-metropolitan areas of Iowa, FMR for a two-bedroom apartment is \$421, and 39 percent of renters are unable to afford the cost. In Maine, another largely rural state, 43 percent of renters are unable to afford the \$528 FMR. These figures illustrate that impoverished women devote a significant portion of their incomes to housing, leaving them with less income to pay for other necessities, such as food, childcare and transportation. In Chicago, an individual would need to earn \$14.17 or 275 percent of the minimum wage to reach the FMR.⁸ Consequently, there are over 30,000 families on the Chicago Housing Authority's waiting list and over 30,000 on the housing assistance list.

For those families able to secure affordable housing (30 percent of their incomes or below), public housing or housing subsidies are frequently concentrated in "unstable neighborhoods." Unstable neighborhoods are characterized by high concentrations of poverty, violence and unemployment, and offer few opportunities for economic advancement. Families moving into stable neighborhoods benefit from better access to jobs, better government services and improved educational services. Among the benefits of moving families from high-crime to low-crime areas is a radical reduction in violent criminal behavior by teens, recent research shows.⁹ There are several steps that the federal government can take to remedy the dearth of affordable housing and the ghettoizing of low-income women into high poverty areas.

Recommendations

Develop affordable housing for low-income individuals:

- Subsidize the construction of homes in mixed-income areas

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with high employment rates. Past experience has taught us that the construction of mass public housing contributes to unstable and unsafe neighborhoods. Constructing mixed-income developments or building in mixed-income areas will enable low-income women better access to employment opportunities.

- HUD owns many abandoned properties throughout the country. The federal government could subsidize the rehabilitation of these properties, provided that a certain percentage of units are allotted to low-income individuals.

Expand and further develop the housing voucher program:

- Based on the FMR, the Section 8 voucher program pays the difference between 30 percent of an individual's income and their housing cost. Increasing the number of available vouchers would enable more individuals to access affordable housing.

- The refusal of landlords to rent to Section 8 participants may contribute to the concentration of participants in high poverty areas. Offering tax breaks to property owners who rent to Section 8 tenants may offset the stigma of renting to low-income individuals.

Inform women of their housing options via caseworkers and advocates:

- Section 8 vouchers can be used to move anywhere in the country. Women should be informed of their ability to use this option to move to high employment areas.

- Information sessions should be developed to inform housing recipients of the programs and options available to them. The welfare system and the public housing programs should work more closely together to offer poor women all the options available in both systems.

FOOD SECURITY

Food security programs such as the Food Stamp Program (FSP), the Special Supplemental Food Program for Women, Infants and Children (WIC), the National School Breakfast and Lunch Program and other federal food programs attempt to alleviate hunger among low-income families. Yet about 4 million children under 12 go hungry each year and 9.6 million more are at risk of going hungry. The Food Research Action Coalition (FRAC) estimates that 13.9 million or 29 percent of children under 12 are at risk of hunger for one or more months throughout the year. In 1999, USDA found that 10.5 million households, or 36 million individuals, faced food insecurity in 1998. In 1997, the U.S. Conference of Mayors documented a 16 percent increase from 1996 in the request for emergency food. Individuals cited food stamp cuts, pover-

ty or lack of income and low public assistance benefits as their reasons for hunger.¹⁰

The increase in emergency food usage parallels a precipitous decline in the number of individuals participating in the food stamp program. In the two-year period following welfare reform, 6.2 million persons, or 25 percent of the caseload, left food stamps. According to an Urban Institute study, approximately 65 percent of former welfare recipients who left the food stamp program were still eligible.¹¹

The study's results suggest that a significant number of eligible former welfare recipients were unaware of their eligibility, while about 30 percent left FSP because of the administrative hassle. About two-thirds of the families leaving FSP had difficulty affording food, and one-third reported severe difficulties affording food.¹² Yet even families who received food stamps reported food security issues. The study also noted that only about two-fifths (40%) of eligible low-income working families receive food stamps, 60 percent of whom are headed by females.

Recommendations

- Develop an information campaign to inform eligible low-income families of their ability to receive food stamps, and destigmatize FSP for low-income families;

- Streamline the administrative process to make the application process easier, and inform women moving from welfare to work of their option to remain on food stamps if their incomes are no more than 30 percent above the poverty line; and

- Increase food stamp allotments to decrease the number of individuals facing food insecurity even with food stamps.

MINIMUM WAGE

From 1996 to 1997, the federal minimum wage increased 90 cents from \$4.25 to \$5.15 an hour. The federal government has also taken steps to increase awareness about the minimum wage. A major drawback of the law is that the increase was not significant enough to allow most individuals to move above the poverty line. Welfare recipients entering the labor market average \$5.50 to \$6.60 per hour and typically only earn higher incomes as their hours increase, rather than through increased wages. The average wage does not enable most welfare recipients to cross the poverty threshold (\$13,133 for one adult, two children), while the federal minimum wage, \$5.15 an hour, does not allow even single mothers with one child to move above the poverty line.¹³

The figures are even higher when the definition of poverty is modified. Currently, poverty is measured by a "set of money income thresholds that vary by family size and com-

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position to detect who is poor.” While the poverty threshold is updated annually, the threshold is the same across the U.S. Regional costs of living are not taken into account. Nor are the costs of necessities that are critical to women moving out of poverty such as childcare, transportation to and from work, healthcare and other resources. While the federal measure of poverty for a family of three (one adult, two children) is \$13,133, estimates of the living wage needed to move people out of poverty are much higher. Living wage studies are typically tailored to regional costs of living and account for childcare, transportation, healthcare and housing outside of high poverty areas. Recent estimates range from \$27,415 in Chicago to \$35,079 in Washington State.¹⁴ These figures break down to an hourly wage of \$13.71 and \$16.86, respectively.

Several states, such as Washington and Massachusetts, have instituted minimum wages higher than the federal level, and several cities have passed Living Wage Ordinances affecting city workers. In 1998, Washington voters passed Initiative 688, the Paycheck Protection Act, which raised the state minimum wage to \$5.70 an hour in 1999, and to \$6.50 an hour in 2000. The minimum wage is adjusted to the rate of inflation every year beginning in 2001.¹⁵ In 1997, the Los Angeles City Council instituted a Living Wage Ordinance, which increased city workers’ minimum wage to \$7.25 an hour with health coverage and 12 paid days off. The bill also impacts employers that hold city contracts over \$25,000 and companies that receive significant financial aid from the city.¹⁶

Recommendations

- Raise the federal minimum wage to the federal poverty level for a family of three and adjust it to the rate of inflation;
- Study poverty from a living wage perspective, accounting for regional cost of living, as well as childcare, transportation, housing costs at the FMR, and other provisions critical to moving women out of poverty; and
- Mandate that businesses with government contracts pay their workers a living wage and provide their workers with health care and paid leave.

EMPLOYMENT AND TRAINING

The federal government has several programs through HUD and USDA designed to give low-income women comprehensive training. Former welfare recipients and working poor women are overwhelmingly concentrated in low-wage, low-skill positions with few opportunities for advancement. While these jobs allow welfare recipients to earn income, they typically do not enable women to achieve self-sufficiency. To broaden welfare recipients’ opportunities beyond the low-wage labor market, welfare advocates and women’s organi-

zations have begun to explore other self-sustaining options for poorly educated and untrained welfare recipients. Some of the explorations have focused on the nontraditional labor market as a means to achieve economic self-sufficiency.

Nontraditional employment is defined as those occupations in which women comprise less than 25 percent of the total population. In the “work-first” era, nontraditional employment is viewed as a viable option because it stands in direct contrast to the low-wage service sector. While wages within the service sector have not kept pace with the enormous growth in service-sector jobs, both nontraditional jobs and wages are predicted to grow over the next seven years. In fact, growth of occupations within the nontraditional sector is expected to range from 6 to 52 percent.

Overall, women only account for 5.7 percent of workers in nontraditional employment fields, including the trades and crafts. Nontraditional employment typically pays 20 to 30 percent more than female-dominated industries, including the service industry where most former welfare recipients are concentrated. Nontraditional employment offers welfare recipients the opportunity to secure a livable wage and allows them to close the wage gap with men of their educational level. Women entering nontraditional employment experience a significant boost to their incomes; former Ohio Nontraditional Occupations for Women (ONOW) participants earned 32 percent more after entering nontraditional job fields. Women Unlimited, a nontraditional training program for women in Maine, reported that the hourly wage for former nontraditional training program participants averaged \$9.25 and was as much as \$9.55 per hour in the transportation industries. In some fields, such as elevator repair, entry-level helpers boast starting wages of \$19.56 per hour, placing workers far above the poverty line and firmly in the middle-class. Additionally, nontraditional occupations typically have well-established job ladders, enabling even those with lower starting salaries to obtain higher wages as they progress in knowledge and status.

Unfortunately, welfare reform curtails the education and training opportunities available to welfare recipients. Similarly, the 1998 Workforce Investment Act (WIA) adopts a “workfirst” thrust and allows training and intensive services only to individuals who are unemployed and unable to obtain or retain jobs, or for those who are deemed to be in need of more training to achieve self-sufficiency. While WIA mandates that localities support nontraditional training programs, locally-determined and subjective measures of self-sufficiency may prevent working poor women from accessing nontraditional training.

Recommendations

- Nontraditional training programs with proven records of

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moving women into high-wage employment should be supported with federal funding, including welfare-to-work grants;

- Nontraditional training and intensive services should be allowed for all women within 200 percent of the poverty line, or the definition self-sufficiency should be indexed to a regional living-wage estimate; and
- Welfare caseworkers should be mandated to inform welfare recipients of the nontraditional employment opportunities available in their area.

WELFARE REFORM

In 1996, President Clinton signed the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), effectively ending 60 years of Aid to Families with Dependent Children (AFDC) and its policy of federal entitlement for impoverished individuals. AFDC was replaced by Temporary Aid to Needy Families (TANF), which introduced capped spending, five-year lifetime limits and work requirements into the welfare system, and thereby created a time-limited assistance program for needy workers. By 2002, PRWORA requires 50 percent of all caseloads to work 35 hours per week or states risk sanctions from the federal government. Work requirements will create an influx of 1 to 1.4 million individuals into the labor force over the next few years, many without skills or training.

PRWORA, based on the belief in the chronically unemployed welfare recipient, adopted a “work-first” approach to prevent welfare recipients from “abusing the system.” In reality, most welfare recipients used welfare benefits to supplement low-wage jobs that failed to provide enough income to support their families, or as a temporary income support between employment opportunities.¹⁷ Additionally, most welfare recipients averaged two children and participated in the labor force at rates comparable to married mothers. Yet welfare recipients typically lacked a high school diploma and higher education, marketable work skills and access to affordable and safe childcare. Most welfare recipients were concentrated in unstable low-wage positions with little opportunity to advance or to attain skills. Instead of enhancing training and educational opportunities for welfare recipients, PRWORA has virtually eradicated these programs and has emphasized “work-first.”

When PRWORA was instituted in 1997, recipients were mandated to work 20 hours per week. As mandatory work participation rates increase from 20 hours per week to 35 hours per week in 2002, job training and education can satisfy the additional work participation hours. However, no more than 30 percent of a state’s caseload may participate in vocational training or educational activities at any given time,

and participation is limited to a one-year period even when the training program extends beyond that time. By 2000 the 30 percent cap will include teenage parents engaged in education activities (including the completion of high school, participation in a GED course or vocational education), thus limiting the number of older welfare recipients able to participate in vocational education.

The cutbacks in federal welfare programs have dealt a big blow to women. A study by the Center on Budget and Policy Priorities, a non-partisan research organization, shows that, as a consequence, the average income of the poorest 10 percent of female-headed families with children fell an average of \$810 annually between 1995 and 1997, which equals one-seventh of their already meager income. The average income of these women-headed families was reduced to 35 percent of the official poverty measure.

Recommendations

- Eliminate the 30 percent cap on education and training. While work provides welfare recipients with earned income, the most effective means of moving welfare recipients out of poverty is through education and training. If the goal of welfare reform is to move women out of poverty, then women should have access to education and comprehensive training;
- Develop training programs that help women attain self-sufficiency or support programs that have a proven track record in doing so; and
- Reward states that have comprehensive supportive service programs that serve a large percentage of eligible women.

CHILDCARE

As welfare recipients have been mandated to move into the workforce, childcare has remained at the center of the debate surrounding a population disproportionately composed of single mothers with young children. The high cost of childcare has been a considerable obstacle to sustainable employment for single welfare mothers living below the poverty line. While there are childcare subsidies available for low-income families, only 10 percent of families entitled to childcare subsidies receive them. NOW Legal Defense and Education Fund (NOWLDEF) states that lack of information regarding childcare subsidies is a major reason many families do not use them.

Research on AFDC recipients illustrates that combiners—welfare recipients who combine welfare and work—were reliant on extended family members or other unlicensed providers for childcare. Among working AFDC recipients in 1988–1990, 33 percent paid for grandparent care, 71 percent paid for childcare from other relatives and 83 percent paid for

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unlicensed non-relative care. Most working welfare recipients spent 34 percent of their earnings, or \$1.86 per hour of employment, on childcare. Additionally, former welfare recipients moving into the labor market are likely to occupy positions requiring shift, evening, and weekend work, further hindering their access to safer and more dependable childcare options. While the costs of unlicensed care were presumably less than subsidized or unsubsidized center-based care, child safety issues and lack of dependability may compromise the financial benefits of unlicensed care.¹⁸

Recommendations

- Require states to develop information campaigns around childcare subsidies for low-income women;
- Subsidize 24-hour childcare programs so that shift, evening and weekend workers are not forced to compromise their children's safety or their jobs; and
- Include childcare participation in measures of state high-performance goals. Childcare is integral to the long-term employment of low-income women and critical to their ability to achieve self-sufficiency.

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CHILD SUPPORT

In many low-income families, child support is critical to the economic security of single mothers and their children. Consequently, single TANF recipients with children are automatically placed into the Child Support Enforcement (CSE) program. However, the CSE is based on a middle-class model of divorced fathers working full-time, while many low-income families involved in CSE are single-parent families led by never-married women.¹⁹ Research by the Public Policy Institute of California suggests that low-income women typically view the formal system as ineffective and prefer informal child support to CSE involvement. Similarly, fathers are frustrated by the punitive nature of the system and believe CSE fails to recognize the economic instability of many low-income fathers.²⁰

In cases of domestic violence, CSE has a “good cause” exemption from mandatory child support collection, but the exemption also forces mothers to forgo their child support. Collecting child support may provide victims with the financial means to escape their abusers and support their children in a non-abusive environment. Hence, some survivors may not want an exemption, but still need safe child support enforcement without risk of attack from their abuser.

Recommendations

- CSE should develop a model of enforcement for low-income families so that women are able to access child support. The

system should be less punitive and more focused on helping low-income women provide for their children;

- The government should develop feasible “opt out” and “stay in” approaches that acknowledge and support the social and economic issues affecting domestic violence survivors; and
- Collection efforts should be individualized to the personal experiences of survivors.

DOMESTIC VIOLENCE

The Violence Against Women Act (VAWA) of 1994 strives to protect women from sexual and physical violence by increasing the prosecution of offenders, increasing victim services, increasing resources for law enforcement and creating a National Domestic Violence Hotline (NOWLDEF). The VAWA is especially critical in the lives of low-income women, including welfare recipients, an estimated 65 percent of whom have been victims of domestic violence during their lives.

The experience of domestic violence erodes women's efforts to attain self-sufficiency. The National Workplace Resource Center on Domestic Violence found that almost three-quarters of employed domestic violence victims were harassed by their abuser at their place of employment. Over 50 percent were late for work at least five times a month or missed three full days of work a month due to domestic violence, while 28 percent were forced to leave early to maintain their safety. Poor job performance resulting from domestic violence may ultimately lead to termination, or a victim may be forced to resign to preserve her safety. Abusers may sabotage a woman's attempt to move into the labor market through a number of methods: preventing a woman from leaving her home to attend training or work, renegeing on a promise to provide childcare, consistently showing up at a victim's employment or training site to harass her, or battering a victim so that she is physically unable to work.

Recommendations

- Reauthorize the Violence Against Women Act. The bill was introduced in the House and Senate on January 19, 1999, but has yet to be voted on;
- Stop the TANF clock for domestic violence victims seeking safety, legal remedies, and counseling; and
- Mandate sensitivity training for federal and state case-workers interacting with TANF recipients and UI claimants.

UNEMPLOYMENT INSURANCE

Most workers expect that they can receive unemployment insurance (UI) benefits if they are temporarily out of work. However, many workers are not eligible for UI, because they

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work too few hours at low wages, leave their jobs for reasons that are not considered “good cause,” or because they are looking for a part-time job. Nationally, only 35 percent of unemployed men, and a mere 23 percent of unemployed women, receive UI.

States establish both monetary and non-monetary eligibility criteria to ensure that those receiving UI benefits have a significant attachment to the workforce, are able and willing to work, and are actively looking for new employment. Unfortunately, most states’ eligibility screens fail to consider the social and economic issues peculiar to women’s lives that affect their employment patterns and their earnings—inadequate childcare, low wages, domestic responsibilities, sexual harassment—or to acknowledge the difficulty low-income and part-time workers encounter in qualifying for UI.

Eligibility rules based on earnings, rather than hours worked, negatively affect low-income and part-time workers and, in turn, the women and people of color who disproportionately hold low-wage jobs. Typically workers must have earnings in two calendar quarters and must meet total earnings and high-quarter earnings requirements (e.g., New Hampshire requires \$1200 in each of two quarters and California mandates \$1300 in the high quarter) to receive UI. Adequate childcare may not be available, especially for shift workers, yet quitting a job for this reason usually disqualifies women from UI receipt. In most states, up to six months of recent earnings are excluded from eligibility calculations, making it difficult for low-income and part-time workers, who often have short-term as well as low-wage jobs, to meet the earnings requirements.

Job losers—most frequently men—are most likely to benefit from UI, while job leavers—most frequently women—must establish a “good cause” for resigning. Twenty-five percent of women leave their jobs for care-giving responsibilities, such as childcare, caring for a relative, and pregnancy. In thirty-two states, this makes them ineligible for UI receipt. Women who quit work because of sexual harassment or domestic violence may also not be eligible for UI.

In many states, UI claimants looking for part-time work are not eligible for UI, even if they have historically worked part-time or have family obligations, such as childcare, that preclude full-time work. Twenty-five percent of unemployed women look for part-time employment, yet they are only eligible for UI in California, Colorado, Delaware, the District of Columbia, Illinois, Massachusetts, Montana, New Jersey, and Ohio.

Recommendations

- Measure workforce attachment by hours worked rather than

earnings to ensure that part-time and low-income workers are not excluded by overall earnings requirements, or eliminate high-quarter earnings requirements and reduce earnings requirements overall;

- Include recent earnings in eligibility calculations;
- Extend coverage to workers who lose their jobs due to domestic circumstances beyond their control, such as child, spouse or parent care, partner relocation, domestic abuse, pregnancy and inadequate childcare;
- Permit workers seeking part-time positions to receive UI benefits;
- Raise weekly benefit levels, which can be as low as \$5 a week and average about \$42 less for women than for men; and
- Provide dependent allowances to supplement UI benefits. This provision would be particularly beneficial to low-income workers, but only twelve states and the District of Columbia have added this benefit.

FAMILY AND MEDICAL LEAVE ACT

The Family and Medical Leave Act of 1993 allows workers to take unpaid leave for family or medical emergencies. Yet 64 percent of employees who needed family and medical leave (FML) failed to take it because they could not afford unpaid time off. Ten percent of employees who did take leave relied on public assistance during their unpaid leave.²¹

The advent of time limits under PRWORA may prevent low-income workers from taking FML during critical periods or force them to forgo income during their times of crisis. This is especially true for former welfare recipients whose low-wage service sector jobs frequently lack sick leave and vacation time.

The plight of low-income workers has led to interest in using the UI system, Temporary Disability Insurance (TDI) or other financial sources, such as welfare reinvestment dollars or an employee tax, to fund family leave. The New Jersey Office of Legislative Services estimates the cost of paid family leave would be about half of what UI now costs in New Jersey. Polls show that most people favor and would be willing to pay into family leave insurance, illustrating that it has the potential to develop majority support.

Recommendations

- President Clinton’s proposal to allow states to use UI to fund leave for workers with babies or newly adopted children is a positive step towards Paid Family Leave; and
- The federal government should examine other potential sources to fund family leave.

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MICROENTERPRISE

Although there are several federal programs designed to help women develop their own businesses, PRWORA's implementation has affected state training and support for microenterprise initiatives for low-income families both positively and negatively. Microenterprise initiatives are a two-phase process of training and business implementation and low-income participants may require support (childcare, income support, health care, counseling and training) through both phases. While generous income policies make it easier to operate a microenterprise, time limits and participation requirements make it more difficult to participate in training.²¹

Recommendations

- Stop the clock for TANF families participating in microenterprise programs; and
- Increase the earnings disregard for low-income families so that they can continue to receive cash assistance during business implementation.

ACKNOWLEDGEMENTS

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NOTES

1. "Poverty in the United States, 1998." Current Population Reports: Consumer Income, U.S. Census Bureau, September 1999.
2. Ibid.
3. "Section 3" hiring and contracting obligations require that 30 percent of new hires for projects supported by public housing funds come from low-income households. Ten percent of contracting opportunities are also marked for businesses, controlled public housing residents or low-income households.
4. Under ROSS grants, public housing residents can access services to help them secure long-term employment. Funding allows for childcare, skills training, education and transportation assistance.
5. Hope VI funds can be used for literacy training, job training, childcare, and other supportive services.
6. Barbara Sard and Jeff Lubell, "Outline of How Federal Housing Programs Can Help Provide Employment and Training Opportunities and Support Services to Current and Former Welfare Recipients." Center for Law and Social Policies, January 2000, 20.
7. Poor housing quality, unstable neighborhoods, overcrowding and homelessness are also significant problems for low-income women.
8. "Out of Reach." National Low-Income Housing Coalition, September 1999 (<http://www.nlihc.org/oor99/index.htm>).
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12. Ibid.

13. U.S. Census Bureau, see note 1.
14. Northwest Job Gap Study.
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16. Evelina Alarcon, "Los Angeles Approves Living Wage Ordinance." *Peoples Weekly World* (<http://www.crisny.org/not-for-profit/unions/la-401.htm>).
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20. "Unemployment Insurance Forum Report." Institute for Women's Policy Research, Forthcoming.
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Education and Training of Women

THE PLATFORM FOR ACTION SAYS

- B.1. Ensure equal access to education.**
- B.2. Eradicate illiteracy among women.**
- B.3. Improve women's access to vocational training, science and technology, and continuing education.**
- B.4. Develop non-discriminatory education and resources.**
- B.5. Allocate sufficient resources for and monitor the implementation of educational reforms.**
- B.6. Promote lifelong education and training for girls and women.**

WOMEN'S ASSESSMENT AND RECOMMENDATIONS

U.S. commitments for following up on the Beijing Platform for Action do not provide an adequate basis for assessing the overall effort to meet the strategic objectives relating to education. The commitments provide information about specific new programs and initiatives, but do not present a picture of the overall effort to eliminate sex discrimination in the educational system. Nor do they indicate any targets against which to measure progress. For a more comprehensive view of the actions taken in the United States to address the problem of sex discrimination in education, it is necessary to take into account the pertinent legislation that was already on the books prior to the Beijing Conference.

Until 1970 there were no laws prohibiting sex discrimination in education. Under the pressure of the growing women's movement a number of Federal laws and regulations were passed in the early 1970s that were directed toward equalizing opportunities for women in education. Title VII of the Civil Rights Act was extended in 1972 to include all educational institutions. The Equal Pay Act of 1963 was extended to cover executive, administrative and professional employment. More far-reaching in impact was Title IX of the Education Amendments of 1972 which was enacted to prohibit discrimination against girls and women in all federally assisted education programs. Also in 1972, guidelines were issued for implementing Executive Orders 11246 and 11375 requiring Federal contractors, including educational institutions, to institute affirmative action plans to ensure equal treatment of all employees. Responsibility for the enforcement of the Executive Orders as applied to educational institutions is assigned to the Office of Civil Rights of the Department of Education. The Office carries out contract compliance reviews and investigates complaints.

Since the 1970s, numerous cases of discrimination have been brought before the courts with successful results, often

with the litigation support of women's organizations like the National Women's Law Fund, the NOW Legal Defense and Education Fund, and the Legal Advocacy Fund of the American Association of University Women. Official policies and practices that were overtly discriminatory have been largely eliminated, and there is now a general awareness of what constitutes sex discrimination in education. Student services for women have in turn improved significantly. For example, counseling materials are no longer sex stereotyped. Under Title IX dramatic gains have been made in athletic opportunities for women and girls and in corresponding participation rates. Before Title IX, fewer than 300,000 high school girls played competitive sports. In 1999 there were 2.5 million girls playing sports at the high school level. In colleges, before Title IX, there were almost no women's athletic scholarships. Now 44 percent of athletic scholarships go to women. However, women's college athletic programs receive on average only 25 percent of college athletics' budgets. In addition, only 48 percent of women's teams are coached by women.¹

Like other industrialized countries, the U.S. provides universal access to education through the primary and secondary level to both girls and boys. Adult literacy rates are 99 percent for both women and men. In 1997, of those 25 years of age and older, 82 percent of men and 82.2 percent of women had completed high school or higher. The rate for white students was somewhat higher, 86.3 percent for both men and women. For blacks the attainment rate was 73.3 percent for men and 76.5 percent for women. For those of Hispanic origin the rate was considerably lower, 54.9 percent for men and 54.6 percent for women, the only case where attainment for women fell below that of men.

School teachers are, of course, predominantly women—97.3 percent of public school teachers and 75 percent of private school teachers. Principals, however, are predominantly male—only 35 percent of public school principals and 38 percent overall are women.

At the higher education level, the number of women enrolled has increased steadily, and since 1976 has surpassed that of men. In 1996 the proportion of women students reached 56 percent. In degree attainment women now represent 55 percent of bachelor's degrees and 59 percent of master's degrees awarded. Despite these successes, women have not yet attained full parity at the doctoral level although they are approaching it. Because the doctoral degree is the normal prerequisite for faculty and leadership positions in higher education, it is important to take a closer look at the figures and what they represent.

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EDUCATION

In 1996 U.S. institutions of higher education awarded a total of 42,415 doctorates. Women earned 40 percent of these. Approximately one-third of the doctorates awarded were earned by foreign students, itself an impressive figure. Of the 27,741 doctorates awarded to U.S. citizens, 12,048 or fully 47 percent were earned by women. Among the doctorates earned by women, 1,806 or 15 percent represented minority women, including 780 black, 462 Hispanic, 478 Asian, and 86 American Indian.

In some fields the number of women earning Ph.D.s now exceeds that of men, notably in education and some areas of the social sciences and humanities. In 1996 women earned 62 percent of the doctorates in education, 66 percent of the doctorates in psychology, 54 percent in anthropology, and 53 percent in sociology. Despite steady gains, they have not yet reached parity in other fields, particularly in the physical sciences, where they represent 20 percent of the doctorates earned. The disparity is almost as wide in economics, where the proportion of doctorates earned by women was 22 percent.

Women, including minority women, have also made substantial gains since the 1970s in college and university faculty positions. In 1998 they represented 33 percent of full-time faculty members, as against 22 percent in 1972. Among women faculty members, the proportion of minority women increased from 11 percent to 13 percent over the same period. Despite these gains, less than 20 percent of tenured professors in colleges and universities are women, and women of color are only 2 percent of full professors.²

Women have made notable gains in administrative positions in higher education. In the mid 1970s the proportion of women employed in executive, administrative and managerial positions in colleges and universities was 23 percent, of which 3 percent were minority women. By 1995 the proportion of women in these positions had increased to an astounding 45 percent, of which 7 percent were minority women. Women are scarcer in the top ranks of college and university administration, but here again substantial inroads have been made. In 1971 women college presidents were a rarity except for Catholic women's colleges. There were virtually no four-year coeducational institutions headed by a woman. By 1995 there were 453 women presidents, including 72 minority women, heading institutions of all types and sizes including some of the nation's most prestigious universities. Still, those figures represent only 16 percent of all college and university presidents.

Recommendations

The trends described above are ongoing and are expected to continue. There are, however, specific problem areas in edu-

cation that require special attention and further action. These are the following:

- **Sexual harassment.** The sexual harassment of girls in schools is a severe obstacle to their ability to learn and to their personal development. A survey commissioned by the American Association of University Women in 1993 concluded that sexual harassment was widespread, particularly among 8th to 11th grade students. (*Hostile Hallways: The AAUW Survey on Sexual Harassment in American Schools*, 1993). Four out of five students reported that they had been the target of some kind of harassment. Of these most were girls, though there were also a surprising number of boys. While there has been some harassment by school employees, the overwhelming number of cases reported were peer to peer harassment. The issue of Teen-on-Teen Sexual Harassment was also the subject of a special report of the National Council for Research on Women in 1994.³

Schools are expected to ensure an environment that is free of sexual harassment and to take remedial action when a problem is reported. If they fail to do so, they are subject to suit under Title IX. In *Davis v. Monroe County Board of Education*, the Supreme Court ruled in 1999 that schools are required to take remedial steps when officials are informed about students harassing other students. Sexual harassment in schools is coming under growing scrutiny and will require further action in the year 2000 and beyond.

- **Women and Girls in Math, Science and Engineering.** As shown above, although some gains have been made, women continue to lag behind men in degree attainment in Mathematics and in the Sciences. A forthcoming report of the National Council for Research on Women describes the obstacles that confront women and girls in science and continue to limit their representation in this field. Widespread efforts have been undertaken, particularly since the 1970s, to recruit more girls and women into the scientific fields. These efforts have met with some success—but clearly more government action is needed. In particular, targeted enforcement of Title IX to address discriminatory practices that discourage women from pursuing careers in math and science is required.

The National Science Foundation is at the forefront of overall efforts to increase the representation of women in the sciences, yet there is no mention of NSF programs in the U.S. government response to the DAW questionnaire.

- **Gender Bias in the Curriculum.** As part of the objective to develop non-discriminatory education and training, the Beijing Platform for Action advocates the development of curricula, textbooks and other material free of gender-based

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stereotypes for all levels of education, including teacher training. These issues have been addressed in the U.S. through women's studies programs, which were initiated in 1969 and have grown steadily since then. In addition to philanthropic foundations, these programs have been funded in part by the government through the Fund for Improvement of Postsecondary Education of the U.S. Department of Education, through the Women's Educational Equity Act, which applies to K-12 programs, and to some extent by the National Endowment for the Humanities.

Most institutions of higher education in the United States now offer women's studies courses, but they tend to be taken mostly by women. There have been numerous programs since the late 1970s to integrate gender issues into the mainstream curriculum but progress has been slow and further efforts are needed. There has also been a limited amount of program activity directed toward eliminating sex stereotyping in pre-college texts and counseling material. More systematic efforts are needed.

• **Allocation of Resources.** One major area of retrenchment that has had a devastating effect on poor women's access to education is the 1996 Welfare Law. The law prohibits women on welfare from meeting their work requirements by attending post-secondary educational institutions. Many are thus left with no choice but to drop out of school. Congress should immediately amend this law to allow college study and work study to count as a work requirement.

The U.S. reports on the implementation of the Beijing Platform for Action do not provide any overall data with regard to government financial resources devoted to gender equality and the advancement of women. A few illustrative highlights relating to budgetary allocations are given in the response to the DAW Questionnaire, but none relate to education. In 1979 the Ford Foundation conducted a study of financial support of women's programs, which included a review of government as well as private funding.⁴ In 1985 the National Council for Research on Women conducted a survey of funding for research about women provided by government agencies.⁵ There are no such inter-agency surveys in 1992. It should be part of the U.S. government agenda for further action to implement the Beijing Platform for Action to support a comprehensive survey of all Federal programs that are designed to promote educational equity.

3. "Sexual Harassment: A Look at a Disturbing Trend Among Teens." *Issues Quarterly*, Volume I, Number One. National Council for Research on Women, 1994.
4. "Financial Support of Women's Programs in the 1970s." The Ford Foundation, 1979.
5. "A Declining Federal Commitment to Research About Women, 1980-1984." The National Council for Research on Women, 1985.

ACKNOWLEDGEMENTS

This paper was prepared by Mariam Chamberlain, Founding President and Resident Scholar of the National Council for Research on Women.

NOTES

1. Title IX at 25, "Report Card on Gender Equity, A Report of the National Coalition for Women and Girls in Education." June 23, 1997.
2. Ibid.

Women and Health

THE PLATFORM FOR ACTION SAYS

- C.1. Increase women's access throughout the life cycle to appropriate, affordable and quality health care, information and related services.**
- C.2. Strengthen preventive programs that promote women's health.**
- C.3. Undertake gender-sensitive initiatives that address sexually transmitted diseases, HIV/AIDS and sexual and reproductive health issues.**
- C.4. Promote research and disseminate information on women's health.**
- C.5. Increase resources and monitor follow-up for women's health.**

WOMEN'S ASSESSMENT AND RECOMMENDATIONS

Some of the most critical issues in women's health in the United States are reproductive health, cancer, HIV/AIDS, mental health, occupational and environmental hazards, maternal mortality and morbidity, and structural changes in the health care system. Each of these issues affects women disproportionately to men, as well as racial and ethnic minorities and the lower classes disproportionately to whites and the upper class. Among the most pressing concerns is the state of health insurance and welfare reform. Forty-one million Americans do not have health insurance, and many that do are not provided the health services they need. Likewise, welfare reform has decreased benefits to many women in need (see Poverty section, page 8).

On a positive note, however, the government has adopted legislation to improve the quality of breast cancer detection and care, and to ensure health coverage of contraception under federal employer plans. The State Children's Health Insurance Program was also enacted in 1997, which allocates funding to states to improve access to health care for uninsured children. Other funding has been granted to further research, prevention and treatment of breast and cervical cancer and HIV/AIDS. Also, the National Breast and Cervical Cancer Early Detection Program makes breast and cervical cancer screenings available to low-income women.

While the U.S. has made significant strides in many realms, it has fallen short in protecting the reproductive rights of women and girls as set out in the Beijing Platform for Action. When a woman does not have the ability to fully determine when, how, and if she will bear children, she cannot truly determine her future. The U.S. has neither ensured access to nor appropriate delivery of reproductive healthcare serv-

es, and while this affects all women, poor women and women of color are disproportionately impacted.

The United States has much work to do to meet the critical goals of ensuring that reproductive health services are universally available and accessible, and that the U.S. population has the information and opportunities needed to take advantage of such services. Existing government health programs provide an infrastructure for meeting the Platform's goals of universal access to reproductive health services. However, congressional action with respect to these programs illustrates that lawmakers are not considering the reproductive health and rights paradigm in the formulation of policies.

HEALTH INSURANCE COVERAGE OF REPRODUCTIVE HEALTH SERVICES

While reproductive health does not represent the totality of women's health issues, it is most certainly a central issue. Women's overall health, as well as their reproductive health, are rightfully emerging as primary topics on the nation's health agenda.

Given the fact that there are approximately 63 million women in the United States of reproductive age,¹ access to comprehensive reproductive health services through a broad range of professional and clinical settings is important. Women visit their doctors more often than men, particularly in their reproductive years, and rely on both general practice primary care providers and obstetricians/gynecologists (ob/gyns) for their care.² For many of the health needs of women, there is no clear distinction between primary care and the gynecologic specialty. In fact, women who visit ob/gyns are more likely to receive pelvic exams and pap smears than women who visit other types of primary care providers. In addition, ob/gyns provide more extensive counseling about family planning and sexually transmitted diseases (STDs), including HIV/AIDS. Since 1995, thirty-five states and the District of Columbia have adopted policies giving women who are enrolled in managed care greater access to ob/gyns.³ Overall, nearly two-thirds of employees and their dependents enrolled in their firms' largest HMO plans are able to have direct access to their ob/gyns.⁴

Activities on both the state and federal level indicate slow but progressive advancements in requiring equitable coverage of women's health services. Fifty-four million women ages 18-64 have employer-based insurance, and while most employer-based plans require coverage for prescription contraceptives, many do not.⁵ In other words, even for

women who do have insurance, the spectrum of services can vary greatly.

Women need guaranteed access to services and information related to reproductive health and family planning. The Equity in Prescription Insurance and Contraceptive Coverage Act of 1999 (EPICC) is model federal legislation which guarantees equitable access to contraceptive coverage. This measure would require all employers, including multi-state and self-insured companies, to provide coverage for contraceptive drugs and devices if they already provide prescription benefits. Unfortunately, to date, Congress has not taken action on this measure. However, ten states, along with the federal government, in the case of federal employees, have passed laws requiring private insurers to cover contraceptive services.

The Family Planning State Flexibility Act of 1999 allows states to extend family planning services to women who had been receiving Medicaid services but were made ineligible due to changes in their income or number of hours worked. In addition, it also extends post-pregnancy family planning to women who were on Medicaid during their pregnancy. To date, nearly a dozen states have taken action to expand their Medicaid programs to provide low-income, uninsured women access to family planning.

THE UNINSURED

For women who lack insurance, access to health care can be difficult. In 1994, 16 percent of the population, 38 million women, men and children were without health insurance. Today, over 41 million women, men and children are uninsured.⁶ A substantial portion of this group are women—more than ever before. One in five, or 21 million women, are currently uninsured, or were uninsured at some time during the past year.⁷ Women at the highest risk for being uninsured are low- and modest-wage earners, women under age 65, and women with health problems. Additionally, women of color are at high risk of being uninsured. Nearly half of Hispanic women and a third of African American women reported being uninsured within the last year, compared to 21 percent of white women⁸.

Lack of health insurance affects access to health care and, therefore, an individual's mental, physical, and emotional well-being, as well as their health outcome and financial status. It is primary in the constellation of factors that impact individual, family, and ultimately, community health. Lack of appropriate insurance coverage must be considered and addressed as a public health issue. Women without health coverage are more likely to have difficulties in accessing care, and less likely to participate in routine preventive services such as regular check-ups, pap smears, and mammograms.⁹

They are less likely to have access to necessary specialists or to fill prescriptions because of cost, and are more likely to report not having a regular physician, and to rely on emergency departments or hospital clinics. Physicians may also tend to order less or different treatment when a patient has no health coverage. These conditions ultimately lead to poorer health outcomes. Medical bills are also an important factor contributing to health decisions, as uninsured individuals, fearing debt, may go without necessary care.¹⁰ In order to significantly impact the health of women and all citizens, the issue of universal health care coverage must be addressed.

MENTAL HEALTH

Inadequate health insurance is a major factor affecting the state of mental health in the United States today. Mental and addictive disorders are real and disabling illnesses that cross race, sex and socio-economic lines. Some forms, however, affect women disproportionately. Depression affects 17 million Americans, twice as many women as men. Young women are most prone to depression. A recent survey by The Commonwealth Fund shows that 30 percent of adolescent girls reported suicidal thoughts. Panic disorder is also twice as common in women as in men, striking between 3 and 6 million Americans.¹¹ Despite these disproportionate impacts on women, few if any of the nation's largest managed care organizations have gender-specific guidelines for the treatment of depression.

In addition, 5.5 million Americans require substance abuse treatment each year, including 100,000 pregnant women. A recent National Institute of Drug Abuse-funded study showed that post-traumatic stress disorder preceded cocaine dependence in 77 percent of women compared with 38 percent of men, and that much of women's PTSD appeared closely related to sexual and physical victimization.¹²

Poor women and children with behavioral health problems are especially disadvantaged as they have even less access to medical coverage, comprehensive treatment, supportive case management, specialty care and wrap-around services, further compromising what are already life-threatening conditions. In 1996, the federal government passed legislation that stated that insurance could no longer impose dollar limitations on mental health patients if the same limits were not imposed on those with physical ailments. While this legislation was a step in the positive direction, insurance companies have avoided this law by placing restrictions on the number of visits that are covered. For example, many health insurance plans only cover thirty mental health visits per year. It is vital that health coverage in the United States be provided to all. In addition, it should be comprehensive and accessible to all people with special needs.

WELFARE REFORM

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996,¹³ one of the most detrimental pieces of social policy legislation adopted since 1994, enacted major changes to the welfare program that provides public support, including medical care and other services, to eligible low-income families. The majority of recipients have traditionally been women and children in single-parent households.¹⁴ The Act provides perhaps the clearest illustration that the U.S. government is not applying the principles of Beijing to internal policies. It fails to look holistically at the underlying causes of welfare reliance and at the complex socioeconomic factors that force women to seek public assistance.¹⁵ At least three provisions of the Act—the illegitimacy bonus, the abstinence-only sexuality education fund, and the option to punish poor families for having more children—run counter to the goals of the Platform of Action by seeking to inappropriately influence individual sexual and reproductive health behavior.

The illegitimacy bonus provides large cash rewards of \$20 to \$25 million to the five states that reduce out-of-wedlock birth rates the most, while decreasing abortion rates below their own 1995 levels. Moreover, states must count all out-of-wedlock births and abortions, not just those of women receiving public assistance.¹⁶ Although it is too soon to document the actions of states seeking the bonus, concerns have been raised that the provision may result in pressure on welfare recipients to marry or to travel out of state to obtain abortions.¹⁷

Another provision of the Act permits states to deny increases in monthly benefits for additional children born into families receiving assistance.¹⁸ Today, 23 states implement some form of the family cap. In these states, assuming they meet state eligibility requirements, children born into welfare families can still receive Medicaid, food stamps, and Women, Infants, and Children (WIC) benefits. However, there is great variation between the states. Some now provide ‘flat grants,’ wherein the same cash assistance is provided to every family regardless of size, and food and clothing vouchers in lieu of cash increases. Eighteen states hold children conceived as a result of rape or incest exempt from the family cap. To date, only seven states have conducted or completed evaluations on the impact of the family cap, and current findings are limited and inconclusive.¹⁹ Advocates continue to voice concerns that this policy may drive some families deeper into poverty or financially coerce women into having abortions. Future evaluations are needed to truly understand the impact of the family cap on familial poverty, child well-being, and women’s reproductive autonomy.

The third provision of the Act created a five-year, abstinence education program that gives states matching money

to develop programs that teach abstinence from sexual activity except within a monogamous marriage.²⁰ Taken together, federal and state funding for abstinence education will reach nearly \$440 million over five years.²¹ In fiscal year 1998 all 50 states, the District of Columbia, Guam, the Virgin Islands, and Puerto Rico were awarded federal grants, and only California and New Hampshire decided ultimately not to participate. According to the Maternal Child Health Bureau, a total of 52 states and U.S. jurisdictions have been awarded fiscal year 1999 grants.²² Initial survey findings by the Sexuality Education and Information Council of the United States (SEICUS) indicate that, one year into the federal initiative, existing sexuality education efforts have not, for the most part, been dismantled. However, 22 states reportedly introduced new school-based abstinence-only programs, while 21 states chose to continue classroom abstinence-only instruction already in place. To date, the impact of the new programs on students’ knowledge and behaviors has not been assessed. Current data on abstinence education is scarce. However, a recent study commissioned by the National Campaign to Prevent Teen Pregnancy reviewed six published studies of programs that focused on the importance of abstinence, typically until marriage. The authors concluded that there are no data showing that these types of abstinence efforts delay or reduce sexual activity. A 1998 survey found that 83 percent of adults believe that teens should be given information to protect themselves from unplanned pregnancies and sexually transmitted diseases (STDs) regardless of whether they are sexually active. Only 14 percent of those surveyed believed providing this information encouraged them to have sex.

While the Act made no provision for the evaluation of the federal abstinence program, \$6 million was set aside in the Balance Budget Act of 1997 for a nationwide assessment. Preliminary findings are scheduled to be issued by August 2000 with a final report 12 months later. In addition, the vast majority of state governments—39 states and jurisdictions—plan to undertake their own evaluations of the federal initiative. Federal and state evaluations will be critical in helping to determine whether funding restrictions initiated by this abstinence-only program reduce the number of medically accurate factual programs that reflect the reality of youthful sexuality and teach adolescents how to avoid HIV/AIDS and other sexually transmitted diseases.²³

In addition, welfare reform denies Temporary Assistance for Needy Families (TANF) and Medicaid benefits to illegal immigrants and even to most legal immigrants who arrived in the United States after August 22, 1996. As a result many immigrant women will not have access to family planning and prenatal and postpartum services covered by Medicaid. Forty-nine states, the District of Columbia, Puerto Rico, and

the Virgin Islands have submitted plans to allow qualified immigrants residing in the U.S. before August 22, 1996, to receive TANF benefits.²⁴

ABORTION SERVICES

Since the 1973 Supreme Court decision in *Roe vs. Wade* guaranteed a woman's right to choose whether or not to have an abortion, the conservative parties have been chipping away at this right from every angle. "Partial-Birth Abortion" laws have been passed in 28 states and Congress. These laws claim to ban one particular method of abortion performed "late" in pregnancy, but in fact can be used to prohibit even the most common forms of abortion. President Bill Clinton vetoed the federal legislation in 1996 and 1998. Both times, Senate efforts to override the veto fell short by three votes.

Other ways abortion rights are restricted are through mandatory delay and biased counseling laws which require a woman to wait hours or days before having an abortion after first being made to sit through a lecture intended to discourage her decision. Since 86 percent of counties in the United States do not have abortion providers, the waiting period is particularly problematic for women who must travel long distances for the procedure. Parental consent laws, which require minors to notify or obtain the consent of one or both parents before having an abortion, are implemented in over half of the states within the U.S. and serve as yet another barrier to women's access to abortion.²⁵

Clinic violence is a serious issue in the United States. Since 1993, there have been seven murders of doctors and other clinic workers along with 14 attempted murders. In the last 20 years, there have been more than 1,700 violent attacks against clinics, including 99 acid attacks, 154 arson incidents, and 39 bombings, presumably to protect the "right to life" while killing and maiming women and men. In 1997 alone, nearly 25 percent of abortion clinics were targets of violence or threats. They were plagued by blockades, invasions, bombings, arson, chemical attacks, death threats and stalking.²⁶

Anti-choice legislators annually use the appropriations process to prohibit virtually all funding for abortion services for millions of women whose health care programs are subject to federal control. These programs include federal employees and their dependents, residents of the District of Columbia, Medicaid-eligible women, Medicare beneficiaries, women receiving medical care at Title X family planning clinics, military personnel and their dependents, Peace Corps volunteers, Native American women, and women in federal prisons.²⁷ Singling out and excluding abortion from health care plans that cover other pregnancy-related care is harmful to women's health, discriminates against those women who are

most vulnerable, particularly poor women, and imposes significant and often insurmountable obstacles to reproductive choice. Prohibitions on public funding disproportionately harm women of color because a disproportionate number of women of color are poor.²⁸

While the Department of Health and Human Services has traditionally supported reproductive health care, Medicaid (Title XIX) is the major source of government support for reproductive health and family planning and provides very limited coverage for abortion services. Since 1976, the Hyde Amendment has provided extremely limited Medicaid funding for abortion, and has never extended such funding beyond cases of pregnancy resulting from rape or incest, or for life-endangering pregnancies.²⁹

In 1998, Congress applied the Hyde Amendment to Medicare (Title XVIII), banning publicly funded abortions for disabled women except in cases of life endangerment, rape, or incest. Although Medicare primarily provides health services for the elderly, it also funds care for certain disabled persons. Currently, 627,000 women under age 45 depend on Medicare for their health care because they are disabled.³⁰ Many of these women face unintended pregnancies and need abortions.

CATHOLIC HOSPITAL MERGERS

Catholic hospital mergers also continue to be a threat to women's access to reproductive health care. The mergers are often done to keep financially struggling hospitals open. Secular hospitals, which provide access to AIDS prevention counseling, birth control, abortions or sterilizations, are required to cut off reproductive health services as a condition of the merger with the Catholic hospital. In 1998, 82 percent of the merged hospitals were found to deny rape victims emergency contraception. Between 1990 and 1998, 34 states had experienced a Catholic/non-Catholic merger or affiliation. The chance that a consolidation has eliminated all or some reproductive health services is 50 percent.³¹

In 1998, the number of struggling hospitals has decreased and the rate of mergers slowed. However, the Catholic health care industry is now engaged in internal consolidation and restructuring. Therefore, the compromises that were made as a result of organized community opposition to the mergers are now being reevaluated.

SAFE MOTHERHOOD

Maternal and infant mortality are basic health indicators that reflect a nation's health status. In the United States, infant mortality has declined steadily; however, this is not true for the

annual maternal mortality ratio, which remained at approximately 7.5 maternal deaths per 100,000 live births during the 1982-1996 period. To date, the United States has not reached an irreducible minimum in maternal morbidity even though more than half of all maternal deaths can be prevented through early diagnosis and appropriate medical care of pregnancy complications. The United States is ranked 25th out of 37 industrialized countries in low infant mortality rates³²

These statistics are even more appalling when broken down by race. When compared with white women, black women continue to be at four times the risk of dying from complications during pregnancy and childbirth, although their risk for developing maternal complications is less than twice that of white women. Moreover, the risk of maternal deaths is higher for African American women no matter what level of prenatal care they receive. Hispanic women are almost twice as likely as non-Hispanic white women to die from pregnancy-related conditions and three times as likely to die from complications of pregnancy-induced hypertension.³³

In 1998, the World Health Organization designated Safe Motherhood as the focus for World Health Day (April 7) to make it a global priority. The following year a bipartisan coalition of legislators introduced the Safe Motherhood Monitoring and Prevention Research Act of 1999. This measure seeks to address maternal health issues using a three-prong approach of pregnancy monitoring, prevention research and public education.

In that same year the House Appropriations Committee added language to the Labor, Health and Human Services, and Education Appropriations Report encouraging the Centers for Disease Control and Prevention (CDC) to enhance its activities related to Safe Motherhood, including research on risk factors, prevention strategies, and the role of the family, health care providers, and community in safe maternal outcomes. However, no additional funds were allocated. Subsequently a request was made to the House and Senate Conference Committee to increase the allocation to CDC's epidemic services activities by \$5 million to ensure that Safe Motherhood was a national priority and that this critical work could begin. Unfortunately, there were no increases, and allocations were level funded.

THE CHILD HEALTH INSURANCE PROGRAM (CHIP)

In 1997, Congress created an important new public health program: the State Children's Health Insurance Program (CHIP). The purpose of CHIP "is to provide funds to states to enable them to initiate and expand the provision of child health assistance to uninsured, low-income children."³⁴ Under the law, states are given significant discretion to determine

the structure and scope of their CHIP programs. Coverage may include inpatient and medical services provided by physicians, prescription drugs, and "prenatal and pre-pregnancy family planning services and supplies."³⁵ While CHIP is a significant policy initiative that should advance the health of low-income children in this country, it unfortunately does not mandate comprehensive reproductive health care for adolescents, leaving it to the discretion of each state as to whether these vital services will be provided.³⁶ Moreover, because the services are not mandated, states may impose barriers to this care, such as parental consent or notification before teens may receive contraception. In addition, the CHIP statute expressly prohibits insurance coverage for abortion services, except "if necessary to save the life of the mother or if the pregnancy is the result of an act of rape or incest."

TITLE X

Title X (Ten) is the only federal program focused specifically on reproductive health and family planning. Title X clinics provide medical care related to contraception, infertility and sexually transmitted diseases, as well as general reproductive health, and a variety of educational, counseling and referral services. The program primarily serves low-income families and adolescents, and services are provided either free or on a sliding scale. It is estimated that almost one out of every four of the 21 million women in the U.S. who use some form of reversible birth control rely on public funds for their contraceptive care.³⁷ According to one study, an estimated 1.3 million women a year are able to avoid unintended pregnancy due to publicly funded family planning services.³⁸

Title X clinics serve 4.5 million people annually and for some patients may be their only source of health care. Yet, in spite of this dependence on publicly funded family planning services, and despite the high rate of unintended pregnancy in the U.S., funding for the Title X program is inadequate to meet current need. In fact, over the past three years Congress has attempted to eliminate funding entirely, shift family planning dollars to other programs, and restrict adolescents from receiving these services. So far, these efforts have not been successful. However, it is important to note that in spite of rhetoric from both Congress and the Clinton Administration regarding the need to reduce unintended pregnancy, Title X funding remains woefully inadequate. Public family planning funding is very important. Fifty-seven percent of people using public services have incomes below the poverty level. Almost 60 percent of some 7,100 clinics nationwide provide care funded, at least in part, by Title X. About two-thirds of women receiving subsidized family planning use Title X clinics.³⁹

INTERNATIONAL FAMILY PLANNING

In 1973 Congress passed the Helms Amendment, which is interpreted by the U.S. government as a restriction on U.S. funding of most legal abortion services overseas. Nonetheless, Congressional opponents of reproductive rights have threatened and imposed additional debilitating restrictions and cuts on U.S. population assistance with the purported aim of discouraging overseas abortions. In each of the last five appropriation cycles (from fiscal year 95 to fiscal year 2000) there have been attempts to reinstitute a harsher version of the Reagan-era anti-abortion “Mexico City Policy,” repudiated by President Clinton in 1993.⁴⁰

Sadly, the latest reincarnation of the Mexico City Policy, termed the “Global Gag Rule” by women’s advocates, was passed in fiscal year 2000 as part of the Omnibus Appropriations Bill. The provision would ban foreign non-governmental organizations from using their own, non-U.S. funds for the performance of abortions or for lobbying their own government to alter abortion laws. The President is allowed to waive these provisions, but the penalty for doing so is a \$12.5 million reduction in international family planning funding. Moreover, there is a \$15 million aggregate cap on U.S. funding for organizations that use their own funds to perform abortions or lobby on abortion. The Global Gag Rule is antithetical to the principles of the Beijing Platform for Action in that it will result in a significant decrease in health and life-saving family planning services to women around the world. Moreover, the Global Gag Rule threatens free speech, limits access to information, conflicts with constitutional principles, and limits democratic participation. While this provision is part of an appropriations measure and, therefore, must be renewed yearly, its passage is a setback to efforts to ensure all women greater access to family planning services.

In 1996 Congress slashed funding for population programs by 35 percent to \$356 million. In 1997 funding levels increased very slightly to \$385 million and have stagnated ever since. Also in 1996, Congress delayed release of appropriated funds for nine months, and when the funds were finally released, they were available only on a month-to-month basis at a rate of 6.7 percent. This type of onerous restriction has become known as metering. The same formula continued into 1997, 1998 and 1999. In 1999, Congress eliminated the U.S. annual contribution to the United Nations Population Fund (UNFPA), purportedly because of a new UNFPA program in several areas of China. It was estimated that 870,000 women were left without effective contraception resulting in approximately 500,000 unwanted pregnancies and 12,000 maternal deaths. U.S. funding to UNFPA was resumed for fiscal year 2000.

In December 1999, President Clinton and Congress came to a compromise, which allowed the United States govern-

ment to release more than \$900 million in dues owed to the United Nations. Under the agreement, Congress will pay the dues only if no more than \$15 million, or 4 percent of the \$385 million allocated to women’s health groups abroad, will go to groups that perform abortions or lobby for changes in abortion laws in other countries.

THE FEDERAL GOVERNMENT AS EMPLOYER

For the first time, in fiscal year 1999 and again in fiscal year 2000, Congress required future Federal Employees Health Benefits Program (FEHBP) contracts that included prescription drug coverage to include contraceptive coverage.⁴¹ Moreover, the measure also provides an exemption for “any... existing or future plan, if the plan objects to such coverage on the basis of religious beliefs.”⁴² Although this provision is part of an appropriations measure and therefore must be renewed by Congress each fiscal year, adoption of this policy represents a significant step toward eliminating current inequities in contraceptive coverage by private insurance.

URBAN HEALTH IMPACTS

In the United States, women in urban environments are subject to serious environmental threats which impact their health. Exhausts from vehicles and industrial pollutants can exceed standards—nearly 100 million persons live in areas regularly out of compliance with EPA standards for particulate air pollution of the ozone. Rates of chronic illnesses are elevated in urban areas, including respiratory illnesses, breast cancer, lung cancer in non-smokers and other ailments. Asthma death rates increased 40 percent from 1982 to 1991, with urban areas hit particularly hard. Women are disproportionately affected, since increases were 59 percent in women and only 34 percent for men. Reasons for the urban excess in most of these diseases are not well understood, but are likely due to synergistic effects of many factors.

CANCER, OCCUPATIONAL AND ENVIRONMENTAL HEALTH

One in three women in the country will be diagnosed with cancer sometime during her life. In the last twenty years major increases in female cancers have taken place, including breast and lung, non-Hodgkin’s lymphoma’s and skin melanomas. Female lung cancer death rates increased by more than 550 percent between 1950 and 1991. While the lung cancer epidemic is primarily attributable to cigarette smoking, other environmental links to cancer need attention.

Occupational hazards also pose a threat to women’s health. Today, nearly half of the U.S. workforce is female. The U.S.

Bureau of National Affairs has surveyed hazards thought to affect female workers. These studies have shown that stress, repetitive motions, AIDS, violence, indoor air pollution, hepatitis, injury on the job, reproductive hazards, tuberculosis, and other infectious diseases are problematic.

The federal government has sponsored recent conferences on the risks of work to women's health, launched a women's health office at the U.S. Department of Health and Human Services and all related departments, created interagency cooperative groups, and produced a number of public events on the topic. New federally funded initiatives have been launched including the Long Island Breast Cancer Study to analyze women's environmental exposures, and many studies within the Department of Defense Breast Cancer Research Program. Also, the National Breast and Cervical Cancer Early Detection Program brings critical breast and cervical cancer screening to low-income women.

HIV/AIDS

HIV continues to infect, and affect, women in the U.S. in dramatic ways. The number of women living with HIV or AIDS has steadily increased since the conference in Beijing. In 1985, seven percent of reported AIDS cases in the U.S. occurred in women. By 1995, that number had risen to 19 percent, and in 1998, women constituted 23 percent of all new AIDS cases reported. The HIV epidemic among women has had the most devastating impact in communities that are poor or socially marginalized and that do not have adequate access to appropriate health care—these communities are overwhelmingly communities of color. An appalling 82 percent of the total number of AIDS cases reported among women in 1998 were diagnosed in women of color, with African American women alone accounting for 62 percent of the cases, and Latinas accounting for 19 percent.⁴³ These two groups of women comprise only 25 percent of the women in the U.S. A 1999 study that compared health care patterns for HIV-positive people in the U.S. stated, "Inferior patterns of care were seen...in blacks and Latinos compared with whites, the uninsured and Medicaid-insured compared with the privately insured, women compared with men...."⁴⁴ As the U.S. persists in being the only industrialized country in the world without universal health care, this disparity of care will continue.

The United States, as reflected in the growing statistics of women with HIV/AIDS, has not met the challenge of Beijing. Clearly, it would appear that our HIV prevention messages are not being properly targeted to women, particularly younger women. Nearly half the HIV diagnoses for young adults aged 13 to 24 are among women. The U.S. must grapple with its inability—like many other countries—to "support and enable

women (particularly adolescents) to develop self-esteem, acquire knowledge, make decisions on and take responsibility for their own health, achieve mutual respect in matters concerning sexuality and fertility and educate men regarding the importance of women's health and well-being...."

Instead of amending laws and combating practices that contribute to women's susceptibility to HIV infection, some in the United States Congress, state legislatures or other governmental bodies insist on proposing laws or public policies that discriminate against or stigmatize those with HIV/AIDS, that criminalize or further marginalize certain populations with HIV/AIDS, or that focus on a punitive or oppressive approach to HIV. Currently, proposals are being discussed at the federal level—some have already been enacted into law at the state level—that would mandate the reporting by name of all those with HIV to the government, and to all identified partners, along with proposals to mandate HIV testing and reporting of all pregnant women and/or their newborns.

It is tragically true that the U.S. has generally not met Strategic Objective C.3 under the Women and Health FWCW Platform for Action. Without the adoption of a national public policy agenda—and attendant funding—for women and HIV, this situation will continue unabated. Arguably most significantly in this regard, because it is a critical component of the needed response to the global epidemic, is the lack of any affordable, accessible, woman-controlled method of protection against HIV, such as a microbicide. The Microbicide Development Act of 2000, which would authorize increases in microbicide research at the National Institutes of Health, is once again currently being proposed in Congress.

The Congressional Black Caucus, working with healthcare professionals, activists and community leaders, has built political support to convince the government to designate as a public health emergency the HIV/AIDS crisis in the African American community. As a result, President Clinton announced, in October 1998, a comprehensive new initiative designating \$156 million for improving research, prevention and treatment of HIV/AIDS in racial and minority communities during 1999. It is a crisis that "has been kept underground for far too long," according to Donna E. Shalala, Secretary of Health and Human Services. This drive was spearheaded by Representative Maxine Waters, then chair of the Congressional Black Caucus (CBC) and a WEDO board member.

The data show that HIV/AIDS is the second largest killer of African American women age 25 to 44. Among African American men in this age group, it is the number one cause of death. Forty-five percent of all new HIV/AIDS cases are among African Americans.

The CBC made HIV/AIDS a top priority of its 1998 agenda in Congress, and held meetings with activists, health care

workers and community leaders to hear first-hand about the impact of the disease. They worked with the Department of Health and Human Services to officially label the epidemic a public health emergency, and to develop a package of initiatives to address it.

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Violence Against Women

THE PLATFORM FOR ACTION SAYS

- D.1. Take integrated measures to prevent and eliminate violence against women.**
- D.2. Study the causes and consequences of violence against women and the effectiveness of preventive measures.**
- D.3. Eliminate trafficking in women and assist victims of violence due to prostitution and trafficking.**

WOMEN'S ASSESSMENT AND RECOMMENDATIONS

The U.S. government has made extensive progress in the area of violence against women, passing unprecedented new laws, appropriating over \$1.6 billion in funding and carrying out special federal projects and initiatives—all directed toward ending violence against women. This “honor roll” of what has happened, both by federal legislative enactment and by executive fiat is nothing short of remarkable. But in order to ensure that current political support for these issues deepen and go beyond mere political motivations, the recent events should be seen as first steps only. Further action is required to keep moving ahead in order to overcome the remaining obstacles.

There are four main concerns that must be addressed by the U.S. government. First, there is a great risk of complacency, and many will be tempted to “rest on the laurels” of the Violence Against Women Act (VAWA or the Act). This is dangerous, particularly considering that we are far from ending violence against women. Moreover, the support for violence against women issues has not been embedded into the foundations of our institutions, nor has progress over the last five years spawned a new generation of leaders on violence against women issues. Recent successes, then, are at risk if the leaders and the public remain complacent.

Second, advances since 1995 represent the easy work. Now the tougher, more controversial economic work must begin if we are to eliminate violence against women, particularly those who are poor and marginalized. This means working to improve battered women’s access to welfare benefits, legal services, health care, insurance, childcare, education and housing. Third, sexual violence must be specifically addressed and brought on par with issues of domestic violence in terms of community awareness.

Last, but not least, is the need to change longstanding societal and cultural attitudes that condone violence against women and strategizing more specifically on how to end violence against women in the long term, including prevention efforts.

REAUTHORIZE AND INSTITUTIONALIZE VIOLENCE AGAINST WOMEN ACT REFORMS

Reauthorize VAWA

The passage of the Violence Against Women Act was a watershed moment in U.S. history, and an important moment for women’s rights. The grant programs and projects VAWA has authorized and inspired, such as the national hotline, are at the center of the U.S. government’s response to the UN Division for the Advancement of Women (DAW) questionnaire.¹

The government discusses the importance of VAWA funding, but it does not openly state that, despite the overwhelming need to continue and expand this funding, Congress has not reauthorized the Act, and that it is set to expire after fiscal year 2000. Congress also has chosen not to pass any of the substantive reforms in areas of full faith and credit enforcement of protection orders, immigration, workplace violence, unemployment compensation benefits, health care, insurance discrimination and a host of other issues in legislation known as VAWA II. While NGOs are pleased that funding was not reduced or cut, they see a growing need for funding each year and call for both the reauthorization of VAWA and an increase in funding. In fact, the failure of the Congress to increase funding to programs combatting violence against women, and the lack of President Clinton’s strong support in lobbying for passage of VAWA II, are seen as evidence of complacency in the fight to guarantee safety for women.

Create a Violence Against Women Office in Law and Institutionalize the President’s Interagency Council on Women

Congress has placed great emphasis on violence against women as evidenced by the passage of VAWA. Similarly, the President also has supported reforms, has appointed a Director of the Violence Against Women Office and has signed executive orders ranging from educating federal employees about violence in the workplace to declaring October as domestic violence awareness month. Staff and appointees in the executive agencies responsible for administration and implementation of the Act have experience in the field of violence against women, are responsive in addressing Congressional mandates and, very importantly, often incorporate the work and voices of NGOs into the implementation of policies. These are significant milestones and generate both progress and public awareness, but they depend on the administration in power and the political priorities of the president and presidential advisors. Violence against women

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should not be an issue that is dependent on partisan politics. Rather, it should be addressed from within established and stable institutions, and through the enforcement of the laws passed in the Act.

Moreover, the Department of Justice recently presented a plan to Congress, which would dilute the authority of the Violence Against Women Office (VAWO) and remove the high-level, presidentially appointed position currently held by Bonnie Campbell.² This diminution of authority, and the lack of a high-level office for the administration of VAWA, is serious and must be stopped. Strong steps must be taken by the administration and Congress to establish an office on Violence Against Women, much as Congress established an Office of Civil Rights Enforcement when it passed the Civil Rights Act. Failure to do so could imperil past gains and subsume work on the violence against women issue into a bureaucracy within the Department of Justice.

Other progress that has been cited by the government is the establishment of a National Advisory Council on Violence Against Women (NAC), which is now writing an Agenda for the nation on violence against women. However, the NAC is not created by law, but rather is a joint council appointed by the Attorney General and Secretary of HHS.

Recommendations

- Create, by law, a Violence Against Women Office within the Department of Justice, so that it would be much harder to abolish later if the political winds change;
- Charge the VAWO with implementing the Violence Against Women Act and its progeny, and with pushing the development of more and better programming and laws on violence against women;
- Mandate that other agencies such as the Department of Health and Human Services, the Department of Defense, the State Department, and the Department of Labor designate a lead office on violence against women issues;
- Expand and continue current administration efforts to coordinate federal agency work, now undertaken in the Violence Against Women Office;
- Create the National Advisory Council on Violence Against Women in law and support its work in creating and implementing a national agenda. Vest the NAC with authority to speak for and to the administration and Congress on violence against women issues;
- Pass laws to create a permanent President's Interagency Council on Women and vest it with visibility and authority to continue work on the Platform for Action and other appropriate projects;
- Federally prosecute Internet and technology crimes such as child pornography, cyber-stalking and other privacy issues;

- Make the work of the national resource centers on domestic violence and sexual assault more effective by providing concrete training on how to carry out their work within local communities;³
- Acknowledge the work of the NGOs as they have been in the forefront of advocacy for the Violence Against Women Act, and work closely with them on passage of additional reforms in VAWA II;⁴ and
- Maintain and work to strengthen current mandatory collaboration among the key players in the justice system who receive VAWA grant funds (law enforcement, prosecution, NGOs and victims services).⁵

REACH UNDERSERVED COMMUNITIES

One of the most important goals of the Platform for Action is to support an integrative approach to meeting women's needs.⁶ This integration is crucial in the area of violence against women—not only does the victim have needs for safety, but her safety is inextricably interwoven with her ability to be economically independent from her abuser, to secure safe housing, to care for her child, to obtain full citizenship and to have an opportunity to thrive.

The U.S. government acknowledges the continued prevalence of violence against women, but it should do more to recognize and respond to those women for whom violence is especially severe, and for whom help is not accessible or is limited. There are legions of women who have yet to feel the benefits of the Act, despite early and constant efforts by the government to direct grants and program funding to these areas. These women include elderly persons, victims of child abuse and dating violence, immigrant and migrant women, incarcerated and prostituted women, rural women, disabled women and women in mental institutions. These populations are in great need of assistance both in the areas of domestic violence and sexual assault. For example, culturally and linguistically appropriate services need to be made available and accessible to battered immigrant women who face numerous barriers stemming from their race, nationality and immigration status.

Poor Women and Women on Welfare

Many abused poor women, particularly women on welfare, have not seen their lives improve over the past five years. There is increasing evidence that a woman's ability to make the transition from welfare to work may be severely impeded when she is in a relationship with a violent or abusive partner. Abusive partners, threatened by a woman's financial independence, find ways to sabotage her ability to succeed in a new job or a job-training program. Since passage of the

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landmark legislation, Temporary Aid to Needy Families (TANF), which changed the way the federal government dispenses welfare benefits, advocates have seen women who are victims of violence become more vulnerable. The failure of Congress to mandate exemption for women who are victims of violence from onerous welfare regulations, especially when their violent partner or the effects of past violence has made it impossible for them to perform under the new strict laws, has endangered these women and their children. The “Family Violence Option,” a regulation that allows states, if they so choose, to help victims of violence, is not discussed in any of the U.S. documents, and yet it has had a major impact on women’s safety and a host of policy responses at state and local levels.

Victims of Trafficking

Since 1995, the government has stepped up its efforts to eradicate trafficking in women and children and to provide assistance to victims living in the U.S. The President’s Interagency Council on Women hosts a Working Group on Trafficking in Women and Girls which addresses the issue through a three-fold strategy of prevention, protection and assistance for victims, and prosecution and enforcement of violaters.

In addition, the International Trafficking of Women and Children Victim Protection Act of 1999 was introduced into Congress last year. Its strategies include, among others: setting up a task force to monitor international sex trafficking and the governments that participate in it and providing victims of trafficking in the United States with humanitarian assistance and temporary nonimmigrant status. The government should work closely with NGOs to ensure that effective responses are enacted.

Recommendations

- Evaluate the effects of TANF on women who are victims of violence, and take steps to remedy the problems;
- Ensure that all states adopt the Family Violence Option and make it readily accessible for women to secure safety and independence from abusive spouses;
- Address, with additional funding and laws, the economic needs of women who are victims of violence, particularly poor and underserved women, who need housing, jobs, health care, childcare and other supports so that they can leave abusive situations and remain free from violence;
- Pass laws across the board, as well as in specific areas (such as health care) to protect women’s privacy and keep information about them confidential;
- Develop programs that reach women who are college-aged but who are not attending college and are therefore not benefiting from the recent Campus Security Act;

- Fund programs to reach girls of middle and high school age; and
- Coordinate efforts with NGOs on the Trafficking Bill to ensure effective intervention and its enforcement.

MAKE ENDING SEXUAL VIOLENCE AN EQUAL PRIORITY

Although many programs have been created to deal with sexual harassment, and have met with a degree of success, much needs to be done to raise awareness of the prevalence of sexual assault. At the onset, there should be equal allocation of funds for direct services for victims and for technical assistance to help build the capacity for sexual violence prevention. Equal priority should be given to general program support on local, state and national levels to address sexual violence. However, there are many challenges that remain and must be noted here. Primarily, funding and program attention on violence against women issues has focused more on domestic violence than on sexual assault. This has resulted in increased funding for legal assistance for victims as well as greater focus by prosecutors, police, and researchers on domestic violence, as opposed to sexual assault. This has, in turn, impacted litigation which will challenge the application of current laws that neglect or harm women.

Women Incarcerated in United States Prisons

An issue of growing concern is the treatment of female prisoners incarcerated in U.S. prisons. Studies show that male officers have engaged in rape, sexual assault, inappropriate sexual contact, verbal degradation and unwarranted visual surveillance of female prisoners. Often, male officers are put into positions of contact with female prisoners without clearly defined rules and procedures regarding sexual misconduct and without adequate professional training.⁷

The Eighth Amendment of the United States Constitution prohibits cruel and unusual punishment, and the Platform for Action (paras. 124. b, l, o) calls for governments to take specific steps to remedy violence against women perpetrated by state agents. Yet most states within the U.S. are failing to take adequate punitive and administrative measures to alleviate this serious problem, and the federal government continues to grossly underestimate and ignore the problem of sexual violence and misconduct in addition to other abuses of women in prison.

Recommendations

- Fund and support national and state sexual assault coalitions;
- Fund research of physical and sexual child abuse and how it affects such children as they enter into adulthood; identify

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effective interventions in stopping, and subsequently treating, victims of childhood trauma;

- Support efforts (through funding and other steps) to link and encourage greater cooperation between domestic violence and the sexual assault activists in order to build on each other's strengths, rather than act in competition;
- Make it easier for women, including victims of violence, to obtain and keep housing by increasing funding for low-income housing across the board;
- Change the federal law that leaves the decision to individual states as to whether women who are victims of violence are prioritized to receive housing benefits;⁸
- Ensure that state and federal laws and institutional rules and procedures that govern the treatment of prisoners adheres to international standards, including the UN Standard Minimum Rules for Treatment of Prisoners, and that these statutes and rules are clearly defined and enforced; and
- Ensure the safety of female prisoners through serious investigation and unbiased follow-up of sexual misconduct charges. In addition, provide mandatory professional training to state officials, and educate female prisoners about their rights and remedies in regard to sexual misconduct.

LONG-TERM CHALLENGES

The U.S. government is strong on acknowledging the various systems' responses and the need to fund and support organized efforts, such as prosecutors offices, courts, legal services for battered women, victims services, data gathering systems and other institutions. However, in order to realistically appreciate these advances, to understand the challenges that remain, and to assess the next steps, these responses must be considered in the context of our society and current systems. These accomplishments are very recent and it would be naive to assume that hundreds of years of violence against women could be successfully addressed in the five years since Beijing. In order for violence against women to end, there must be a fundamental shift in attitudes and beliefs that underscore and support the legitimacy of violence against women. All of us, whether we are political leaders, local activists or community members, must take a long-term view and demand change. Violence against women can end only if all of us champion and defend the human rights of women to be free from violence, and if government and institutions marshal critical resources to that end.

Recommendations

- Hold our male peers who are violent accountable, and express outrage at the continual and accepted acts of violence perpetrated against women and girls in our communi-

ties and in the media;

- Evaluate how federal violence against women programs are working from state-to-state and in local communities to ascertain different levels of commitment. The administration and Congress must acknowledge the lack of uniformity and play a greater role in bringing states, at the very least, to a performance baseline;
- Address societal attitudes towards violence against women and assess whether and to what degree the new laws are making a difference, and conduct gender-based analyses of specific problems, such as school violence;
- Mobilize the public through media and organizing campaigns to prevent violence against women;
- Recognize the needs women have for housing, welfare, employment, business, health care and child-care, and act to adjust policy and funding according to these needs;
- Educate our leaders. Most see the recent response to the issue as important, but do they appreciate its importance? How can we inspire greater depth of understanding? How can we get them to feel the outrage?
- Incorporate more men into the anti-violence against women movement;
- Challenge and hold accountable those persons, especially men in power, who are perpetrators or who act in official capacities in opposition to women's interests such as judges, other authority figures, celebrities and sports "heroes";
- Acknowledge the infancy of current programs and develop a stronger vision for the future;⁹
- Continue to build on the dialogue that has begun between the President's Interagency Council on Women and the NGOs on violence against women issues; and
- Challenge the "backlash" against the recent advancements by the far right—conservative Christian groups, initiatives such as Promise Keepers and right-wing women's groups—whose aim is to undo past legislative and policy advancements on violence against women.

ACKNOWLEDGEMENTS

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NOTES

1. Other legislation such as The Freedom to Access to Clinic Entrances Act also

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represents important steps taken to protect women. However, because of its centrality to the U.S. Response, this report will focus on VAWA.

2. This is part of an overall restructuring effort of the Office of Justice Programs within the Department of Justice.
3. One example is the need to go beyond the description of the problems faced by communities of color, and to show how those problems can be solved at the local level with protocols, team building or other means.
4. The advocacy community does change over time, and its presence is not dictated by the election cycles; it consists of private non-profit organizations that remain in place regardless of who is in power.
5. This mandate to collaborate, and specifically require that the justice system make a seat at the table for victim's services, is seen as one of the major successes of U.S. policy under the Act.
6. As described in the Platform, "Violence against women is an obstacle to the achievement of the objectives of quality, development and peace." (Section D., Item 112.)
7. "Nowhere to Hide: Retaliation Against Women in Michigan State Prisons." Human Rights Watch, September 1998.
8. Congress "devolved" that decision to the states under the current administration, so that states may or may not act to meet the needs of women who are escaping violent situations.
9. For instance, the criminal justice response to violence against women has been strengthened by the STOP grants to the states; however, the other side of the justice system, the civil court, has not received similar supports. This results in the victim of violence being conflicted, e.g., as she fears she will lose custody of her children in a civil court, if she testifies against her abuser in a criminal action.

Women and Armed Conflict

THE PLATFORM FOR ACTION SAYS

- E.1. Increase the participation of women in conflict resolution at decision-making levels and protect women living in situations of armed and other conflicts or under foreign occupation.**
- E.2. Reduce excessive military expenditures and control the availability of armaments.**
- E.3. Promote non-violent forms of conflict resolution and reduce the incidence of human rights abuses in conflict situations.**
- E.4. Promote women's contribution to fostering a culture of peace.**
- E.5. Provide protection, assistance and training to refugee women, other displaced women in need of international protection and internally displaced women.**
- E.6. Provide assistance to women of the colonies and non-self-governing territories.**

WOMEN'S ASSESSMENT AND RECOMMENDATIONS

GLOBAL OVERVIEW

Worldwide, there is now a greater recognition that armed conflict impacts women and men in different ways. Through national and international advocacy, women's potential contribution to peace-building, peace-making and conflict resolution is also more widely recognized. Guidelines for the protection of refugee women have been adopted, and gender-based persecution has been accepted as a basis for refugee status in some countries, including the U.S.

However, serious obstacles to achieving the objectives of the Beijing Platform remain. Most significant is the absence of women from decision-making positions at all levels, related to peace-keeping, peace-building, post-conflict reconciliation and reconstruction. The changing pattern of conflict, marked by the targeting of civilians, has had a particularly adverse impact on women and girls.

Since the Beijing Conference, there has been an increase in violent conflict, particularly intrastate armed conflict which is often rooted in a political transition, an economic dislocation, a fragile civil society, and a weakening of the state. Wide access to weapons, facilitated by the proliferation of and trade in arms, particularly small arms, has further aggravated armed conflicts. Various forces, such as arms, drug dealers and organized crime syndicates, capitalize on existing tensions. The majority of the casualties in these conflicts are women and children. There has also been an increase in

gender-based violence, including rape, and the intentional spread of the HIV/AIDS virus as a deliberate weapon of war to annihilate the enemy.

Recommendations

- Pay all back dues owed by the U.S. to the United Nations general and peace-keeping budgets;
- Ensure women's equal participation in decision-making at all levels, in conflict prevention, management and resolution, as well as post-conflict reconstruction and peace-building processes;
- Increase funding and evaluate humanitarian assistance programs for gender equity and for the provision of gender-sensitive legal, social, psychological and medical services; and
- Support women's organizations in strengthening and developing their peace-building efforts.

MILITARY EXPENDITURES VERSUS SOCIAL SERVICES

U.S. military expenditure declined through the 1990s from a high of \$338.8 billion in 1989 to \$238 billion in 1998.¹ Since 1998, expenditure has once again been increasing. For fiscal year 2000, President Clinton requested \$281 billion—\$12.6 billion more than had been projected for 2000 just a year earlier.² Congress approved even more: \$289 billion. For fiscal year 2001, the administration's request has jumped to \$305.4 billion, \$4.9 billion more than the estimated request a year ago. Projected military spending through 2005 now totals almost \$1.6 trillion, \$114 billion more than the multi-year costs projected two years ago.³ These figures do not include all expenditures on foreign military aid, the share of the space program designated for military uses, veteran's benefits, or interest on the national debt incurred from past wars.⁴

But there is still more: in the weapons export market, government loans and subsidies support the corporate marketing efforts of private industry. In fact, the U.S. commanded a 48 percent "market share" of legally-sanctioned government and industry arms sales around the globe in 1996.⁵

The National Priorities Project, a non-profit research and education organization, calculates that 51 percent of the fiscal year 2000 budget will be spent on defense costs, and as much as 56 percent by fiscal year 2004.⁶

U.S. government budget analyses are devoid of figures or classifications that compare expenditures on programs benefiting women to military expenditures. However, the proportion of dollars spent on housing, health, education, employment training, social services and income security may be useful proxy categories to examine. In the \$547.3 billion

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discretionary budget for fiscal year 1998, \$112.3 billion (or 20%) was allocated to these social spending categories.⁷ For fiscal year 2000, only \$6.7 billion more was requested for these categories, compared with the \$12.6 billion added in military spending.⁸ For fiscal year 2001, the administration's budget request for these categories has risen to \$143 billion out of \$622 billion (22.9%). But Congress is likely to cut this figure substantially and authorize further increases in defense spending.⁹

These national spending priorities contrast starkly with the Beijing Platform's vision of human security based on the equality of women, and the well-being of their families and communities. The U.S., with its massive expenditure on arms, also risks triggering another wasteful and dangerous nuclear arms race. The new National Missile Defense program, which challenges the arms-control regime that has been in place for decades, accounts for \$10.4 billion in the 2001-2005 fiscal plan. Another \$4.6 billion in fiscal year 2001 alone will be spent for lab-based nuclear weapons enhancement under the Stockpile Stewardship program. Only \$408 million of the \$4.6 billion is sought for legitimate stockpile maintenance activities.¹⁰ The program is widely seen as a violation of the terms and spirit of the Comprehensive Test Ban Treaty which the U.S. is obligated to observe as a signatory, even though the Senate failed to ratify it in October, 1999.

Recommendations

- Reduce defense spending by 15 percent (or \$40 billion) annually, while increasing federal spending on social needs by the same amount. This goal is consistent both with national security and with the human security needs fundamental to women and peace. It has been recommended and is supported by a wide coalition of national non-governmental policy, advocacy and faith-based organizations.¹¹

DECISION-MAKING

Information on baselines and benchmarks to measure performance in promoting women's participation in conflict resolution at decision-making levels as well as women's contribution to fostering a culture of peace, has not been collected or published by any governmental source. The President's Interagency Council on Women states that it has established a working group on Women and Armed Conflict to promote and coordinate implementation of this critical area of concern. But as of March 2000, it was not listed among the working groups on the Interagency Council's webpage.

The U.S. has failed to ratify CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women) which proposes quota or reservation systems to increase the number of women in decision-making positions. In coun-

tries emerging from conflict, CEDAW recommendations have proven particularly effective in establishing new mechanisms to promote gender equality. Women worldwide have drawn on CEDAW to press their case for participation in peace processes.

Recommendations

- Activate the nascent Interagency Council working group on Women and Armed Conflict with the participation of non-governmental organizations immediately;
- Collect data, develop strategies and establish a timeline for meeting objectives by the end of 2001; and
- Ratify CEDAW immediately.

THE INTERNATIONAL CRIMINAL COURT

In Rome, in 1998, 120 countries voted in favor of adopting the historic treaty creating what will be the world's first permanent international criminal court. As a result of mobilization and advocacy by women all over the world, the ICC Statute now stands as a codification of international law with an unprecedented level of gender integration for a document of its kind. Awareness of gender issues is woven throughout—in the substance and procedure, as well as structure, of the Court. Some examples:

- Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization and other grave forms of sexual violence are recognized as war crimes;
- For the first time, it is recognized that gender is often a basis of persecution;
- Gender is included among the factors to be taken into account in the protection of witnesses;¹² and
- The statute requires fair female/male representation among judges, prosecutors and staff in all organs of the Court. Judges, prosecutors and all Court staff are required to have legal experience on violence against women or children. The Prosecutor is required to appoint advisers on sexual and gender violence.

The creation of the Court has far-reaching implications for women that go beyond the potential for redressing violations of women's human rights at the international level. The process of ratification will require states to bring national laws and procedures into conformity with the statute, presenting women with an additional rallying point around which to mobilize and advocate for reform of discriminatory domestic laws.

The U.S., along with only six other countries, including China and Israel, voted against the Court. The vote by the U.S. against the establishment of the ICC appears to be at odds with its position as a leader among nations calling for ad hoc tribunals in the Former Yugoslavia, Rwanda and, more recently, Cambodia. The difference is that these tribunals are

established by resolutions of the UN Security Council, of which the U.S. is one of five permanent members. The U.S. lost a bitter fight in the ICC negotiations for the Security Council to hold veto power over cases brought before the Court. The overwhelming majority of delegations in Rome held out for a more independent court.

Since the Rome meeting, it appears that some elements in the U.S. government are seeking to undermine the effectiveness of the Court even before it gets off the ground. According to Republican Senator Jesse Helms, the Chairman of the Senate Foreign Relations Committee, "The ICC is indeed a monster and it is our responsibility to slay it before it grows to devour us."¹³

An October 1999 hearing before the Senate Foreign Relations committee revealed some of the strategies being pursued to "slay" the ICC. These include bilateral agreements to prevent extradition of U.S. nationals to the Court, and threats to pull U.S. forces from future peace-keeping operations from countries that support the court.¹⁴

Recommendations

- Sign the Rome Statute before December 2000 and ratify the Rome Statute establishing the ICC by 2005; and
- Support the work of the Ad Hoc International Criminal Tribunals, particularly with regard to gender sensitivity.

ACKNOWLEDGMENTS

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Women and the Economy

THE PLATFORM FOR ACTION SAYS

- F.1. Promote women's economic rights and independence, including access to employment, appropriate working conditions, and control over economic resources.**
- F.2. Facilitate women's equal access to resources, employment, markets and trade.**
- F.3. Provide business services, training and access to markets, information and technology, particularly to low-income women.**
- F.4. Strengthen women's economic capacity and commercial networks.**
- F.5. Eliminate occupational segregation and all forms of employment discrimination.**
- F.6. Promote harmonization of work and family responsibilities for women and men.**

WOMEN'S ASSESSMENT AND RECOMMENDATIONS

PROMOTING WOMEN'S ECONOMIC RIGHTS AND INDEPENDENCE

In its report to the UN on implementation of the Platform for Action, the U.S. government notes that women constitute a growing percentage of the workforce—currently 48 percent. They are responsible for 80 percent of consumer purchasing decisions in the U.S., making them an important force in the market.¹ However, women continue to occupy the majority of minimum-wage and part-time positions (70%)² leaving them and their families dangerously vulnerable. In addition, the shift to a service-based economy, where women dominate, has left even more workers in positions without job security or benefits. The need for part-time, minimum-wage and service-based workers should not come at the price of economic security for women and their families.

There needs to be a reassessment of how economic security is defined. A different equation is needed that takes into account the real costs of providing for oneself and one's family in today's economy, where real wages for the workers in the lower income levels have dropped, and nearly 1 in 3 U.S. households possess zero or negative assets. Working full-time, a woman with a family of three who is earning minimum wage is only at 81 percent of the poverty level. With a family of four, that percentage decreases to 63 percent. Steps must be taken to ensure that the minimum wage responds to today's economy and enables full-time workers to live with dignity.

Women are much more likely than men to be poor in old

age. In 1998, about 13 percent of women age 65 and older had incomes below the poverty line, compared with seven percent of men of the same age. Women of color are particularly at risk in their old age. Almost 30 percent of black women aged 65 and older were poor in 1996, compared with 28 percent of Hispanic women and 12 percent of white women. And as the elderly continue to age, their poverty is likely to increase. Of women aged 75 and older, 15 percent had incomes below the poverty line, while 11 percent of all women between the ages of 65 and 74 were poor in 1998. Older women are also less likely to be married than older men, another important risk factor for poverty.³

It is often assumed that the problem of poverty among elderly women will improve in the future because more women are working in the paid labor force and therefore will receive pensions and Social Security benefits based on their own work records. However, most women still have very different working lives than men. Shorter and less lucrative careers result in lower retirement incomes for women. Moreover, because more women will be divorced, separated or never married in later generations, researchers predict that poverty among elderly women will be as high in the 2020s as it is today.

Recent attacks on Social Security threaten to greatly exacerbate poverty among elders. Without Social Security, more than half of women aged 65 or older would be poor. For a quarter of unmarried elderly women (those who are widowed, divorced, separated or never married), Social Security is their only source of income.

Social Security "reform" is under serious consideration in the U.S. government. While the program is fully solvent for the next three decades, the Social Security Trustees predict that a shortfall will occur in the year 2034 if no measures are taken. While some commentators believe the possibility of a future shortfall warrants dramatic action now, others believe that continued economic growth together with modest changes will generate sufficient revenues to keep the program solvent. How this issue is resolved will have enormous implications for women and their families. For example, if all wages were subject to the payroll tax (including income over \$72,400), an estimated three-quarters of the solvency problem could be solved. Other solutions, particularly those that involve lowering benefits, are much less attractive to women because women's benefits are a key part of the foundation of their family's well-being.

Part-time workers need health insurance and pension coverage, unemployment insurance, family and sick leave, and vacation time pro-rated for the hours they work. In addition,

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employees in small businesses, one of the fastest growing sectors of the U.S. economy, are often not covered. Expanding the Family Medical Leave Act to include paid leave, so that workers across the economic spectrum can afford to take the time to meet their family care demands, is one important step the government could take.

Recommendations

- Adopt an economic standard for calculating how much money working adults need to meet their basic needs without subsidies of any kind such as the Economic Self-Sufficiency Standard developed by Wider Opportunities for Women. This Standard accounts for the costs of living and working as they vary by family size, composition and geographic location. The Standard provides important guidance for policy makers regarding how to target their education, job training and welfare-to-work resources, and it shows them how subsidizing childcare, transportation or health care impacts the wages necessary for working families to make ends meet;
- Develop a benefits fund such as the Portable Benefits Fund, a model piloted by the national non-profit group Working Today. This Fund will deliver affordable health insurance and pre-tax retirement plans, including an annuity product with an initial contribution of only \$25 that allows workers at all income levels to start saving right away. The Fund provides independent contractors with access to group rates and allows them to carry benefits from job to job;
- Increase the minimum wage to \$6.50 per hour which would enable full-time minimum wage workers to earn \$13,520 a year and pull a three-person family above the threshold for poverty; and
- To maintain Social Security, raise additional revenue by adjusting the maximum-wage-base to make all earnings subject to the payroll tax, and provide appropriate credits in the calculation of benefits. For example: increase the widow's benefit under Social Security to 75 percent of the couple's joint benefits, capped at the Maximum Earner's benefit; increase social security benefits for low-wage earners; increase divorced women's spousal benefit to 75 percent and create a Social Security "Family Service Credit" for women who combine low-wage work with family-care responsibilities.

FACILITATING WOMEN'S EQUAL ACCESS TO RESOURCES, EMPLOYMENT, MARKETS AND TRADE

As affirmative-action legislation is being rolled back, equal access to employment for women and people of color is being set-back nationwide. While women-owned businesses are the fastest growing segment of the U.S. economy, comprising 38 percent of all businesses, they generate only 16 percent of

business revenue annually. This speaks strongly to the fact that, while the economic power and potential of women's contributions to the economy are tremendous, women still face obstacles in realizing their full economic power.

Access to financing options for women to start and build their businesses are limited. Seventy percent of women-owned businesses are in the service industry and lack the collateral in equipment and other property that lenders look for when making loans. For many women trying to move up the economic ladder, securing financing in the \$500,000-\$2 million range is disproportionately difficult. Not only do women often receive lower amounts of credit than their male counterparts in debt financing, but they also have limited access to equity financing—including venture capital. Only two percent of the \$16 billion invested by venture capitalists went to women-owned businesses in 1998.

Women-owned businesses are the fastest growing segment of the U.S. economy, employing one in four U.S. company workers. However, they receive less than five percent of public and private contracts, which are vital to their sustainability and growth. Four out of every ten women-owned businesses (42%) sell products or services to government agencies or large corporations.

Government agencies in particular are key markets for businesses, but they need to have sound procedures in place to ensure that they are marketing to women-owned businesses. The U.S. Air Force's Office of Small and Disadvantaged Business Utilization is one such proactive program that is visibly supported. It is marketed to women-owned businesses and includes internal buyer training and targets with merit pay. During its first two years of operation, the program resulted in a 25 percent growth in the use of goods and services provided by women-owned businesses, and its director is committed to expanding the program. More programs of this type should be instituted throughout the government.

In 1994, under the Federal Acquisition Streamlining Act (FASA), the U.S. Congress established "government wide goals for participation by small businesses owned and controlled by women at not less than five percent of the total value of all prime contract and subcontract awards for each fiscal year." But although the intent was to create greater opportunities for women to compete for Federal contracts, women-owned businesses capture only 2.8 percent of government procurement dollars. And this figure could fall if the World Trade Organization (WTO) Agreement on Government Procurement (AGP), which currently covers 26 countries, including the U.S., becomes compulsory for all WTO members. This will prevent governments from considering social, environmental, or other concerns when deciding who to buy from. Programs like FASA could therefore be viewed as a barrier to

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“free” trade and ruled illegal by the WTO. It is important that the U.S. lobby against this move.

Trade policies are not gender neutral. Therefore it is crucial that a gender perspective be integrated into the WTO and that more work be done to assess how trade liberalization affects women’s employment, earnings, micro-enterprise ventures and opportunities for promotion in industrial production in the U.S. The effects of trade liberalization should also be examined for their impact on women in home-based production, agriculture and the service sector, while particular attention should be paid to the impact of the WTO and trade policies on indigenous women and women of different ethnic or racial backgrounds.

Women and girls in the poorest countries of the world need U.S. aid. Of the 125 million school-aged children not in school, two-thirds are girls. Education is a key component to economic security and well-being. Despite the odds, women are not hapless victims—they are fueling economic growth in their nations. They make up 75 percent of workers in the informal economy and constitute an ever-greater share of the workforce in developing countries. In addition, a number of studies have indicated that women’s earnings are directly invested in the education, health and welfare of their children.

In its rhetoric about aid, the government places women at the center of development, but resource allocations have not paralleled this sentiment. Of the \$1.2 billion the U.S. spent on international development assistance last year, less than one-tenth of one percent (\$10 million) was allocated to the office representing women’s issues, and about the same fraction to education for girls.

The U.S. government should also provide technical and development assistance that promotes education, technology training, capacity building and skills development for women, particularly those who are displaced or lose their livelihoods as a result of trade liberalization. Funds should be allocated to education, health and labor programs that specifically include a gender component in a systematic and planned way. There should also be concerted efforts to ensure that women benefit from some of the positive effects of globalization, such as the ability to communicate through the internet, and that their access to computers, technology and training is increased.

The U.S. also should begin to “internalize” the value of women’s unpaid work, recognizing the value of this work as a crucial part of sustaining the economy, and incorporating these figures into the national accounts.

Recommendations

- The U.S. Government must undertake a gender and social

impact assessment of trade policy on women. Such an assessment could be conducted through Congressional Research Service or General Accounting Office. The U.S. Government should collect labor force data disaggregated between males and females to form a statistical baseline for future analyses. This assessment should be widely disseminated, so its findings and recommendations can be incorporated into trade agreements under negotiation. Additionally, a social assessment with a strong gender component should be conducted annually to assess changes as trade rules take effect;

- Ensure that women are participating in the trade commission of the U.S. Trade Representative and that government negotiators develop and implement formal mechanisms to meet with women’s groups about the impact of trade and WTO agreements on women’s lives;
- Establish an NGO commission that includes gender experts that the U.S. Trade Representative will consult on trade policies;
- Increase communication and collaboration among women’s bureaus, trade bureaus, labor bureaus, community groups and other relevant parties when drafting trade agreements;
- Include an analysis and assessment of how trade liberalization might affect women working in the informal sector;
- Include mechanisms that protect small businesses from the influx of cheap imports;
- Establish compensatory plans including retraining and capacity development to support displaced workers; and
- Through the U.S. Agency for International Development, the U.S. Government should: include criteria related to quality of living, health, education, poverty, and gender equality in assessing proposed trade policies; work to remove gender-specific barriers to economic growth and trade including those grounded in the gender division of labor (e.g., constraints on women’s time and mobility) as well as those grounded on systematic gender bias and discrimination (e.g., disparities in education and human capacity development and discrimination in hiring, training and promotion); encourage trade policies that contribute to gender equity for workers in the U.S. and abroad; compile gender-disaggregated baseline data on a country and regional basis to assess the impact of new trade rules; include the impact on women and on gender equity in monitoring trade policies at the country and regional level; address gender-based constraints to trade expansion, such as reform of land tenure policies or access to education for girls and women, and create programs to build the capacity of developing countries to participate in global trading systems; develop programs that allow women to develop independent economic resources, such as microenterprise programs, loan programs and training pro-

grams specifically directed toward women, recognizing the cultural context of each region.

ELIMINATE OCCUPATIONAL SEGREGATION AND ALL FORMS OF EMPLOYMENT DISCRIMINATION

Since 1989, wage earners in the lowest 20 percent of the earnings scale have experienced stagnating real wages, while the top 20 percent of earners enjoyed an increase of almost 15 percent. Women have felt that drop more harshly than men, as they are concentrated in lower-wage jobs. Caregivers, for example, make about \$6.12 an hour—an annual income of \$12,730,⁴ which is just below the poverty line.

On average, women in the U.S. earn \$0.76 for every dollar a man makes. The gap varies widely nationwide with women in Wyoming making only \$0.63 to the man's dollar and women in the District of Columbia making \$0.97.⁵ It also varies widely by race: Hispanic women make only \$0.58 and African American women only \$0.67 for each white male worker's dollar.

Occupational segregation is a major factor depressing women's earnings. Women and men working in occupations in which 70 percent or more of the workers are female, suffer lower earnings than those employed in mixed or male-dominated occupations. Implementing a pay equity program to bring women's wages up to those of men who have the same education and work the same number of hours, would have a significant impact on women's poverty, decreasing the poverty rate for single mothers from 25.3 percent to 12.6 percent.⁶

Some occupations that are traditionally male-dominated and higher paid than female-dominated jobs offer good opportunities for women. Construction trades, for instance, pay an average of \$517 a week, compared to the average receptionist salary of \$360.⁷ However, gender-role socialization, lack of social support and sexual harassment on the job may discourage women from entering such fields.

Women have much to gain from union membership. Collective bargaining can win fair treatment on the job, and the union wage advantage narrows the historic pay gap between men and women. Unionized women average 38 percent higher earnings than women who are not union members.⁸ Union workers are more likely than their non-union counterparts to receive health care and pension benefits, according to the U.S. Department of Labor. In 1995, 85 percent of union workers in medium and large establishments had medical care benefits, compared with only 74 percent of non-union workers. Union workers are also more likely to have retirement and short-term disability benefits.

Union membership is one avenue towards ensuring safe

and appropriate working conditions and fair pay for workers in the U.S. However, there are no international laws that require corporations to respect workers' rights, to ensure decent working conditions, or to pay a living wage. In fact, the current trade laws encourage companies to make their products in locations with the worst working conditions and the lowest wages or where workers are not in a position to stand up for their rights.

Immigrant women face some of these same issues in sweatshops operating in cities across the U.S., from New York to Los Angeles. The U.S. Government must ensure that safe and humane labor standards are in place and enforced domestically at the same time it uses its influence to protect workers abroad.

In addition, the U.S. Government has failed to ratify the Convention to Eliminate All Forms of Discrimination Against Women (CEDAW). This tool, which the government named as one of its highest priorities during the UN Fourth World Conference on Women in Beijing, would be useful in holding the government accountable on issues of discrimination and occupational segregation. It is being implemented in San Francisco, where it has been a key factor in promoting equal pay for equal work, enforcing fair hiring practices and challenging other discriminatory employment practices.

Recommendations

- Educate employers and workers about equal employment opportunity legislation, and increase funding for enforcement of these laws and executive orders;
- Enact anti-retaliation policies so workers can discuss their salaries with co-workers without fear of discipline or dismissal. This will allow women to discover whether their employers are practicing gender wage discrimination;
- Adopt and enforce comparable worth legislation to ensure that public and private-sector employers provide equal pay for work requiring comparable skill, effort and responsibility that is performed under similar working conditions;
- Support studies to determine where pay inequities exist in the public and private sector. These studies should examine the correlation between job content and earnings by sex, as well as lines of promotion and access to training that may impede women's progress into high-paying occupations;
- Increase funding for training women in non-traditional occupations;
- Institute gender equity and women's economic independence training programs for girls in elementary, middle and high schools, to encourage them to plan carefully for their economic futures and to expand the range of occupations and lifestyles they envision for themselves; and

- Enforce worker protections against sweatshop operators in the U.S.

PROMOTE HARMONIZATION OF WORK AND FAMILY RESPONSIBILITIES FOR WOMEN AND MEN

In 61 percent of American families, both adults work, and in 71 percent of families with children, both parents work. Yet even with so many women and men participating in the workforce, millions of Americans are not able to meet the basic needs for themselves and their families. For 34 percent of women, the biggest problem facing them at work today is combining family and work. Today, more households than ever are being shared by three or even four generations. Seventy-three percent of those who take on the dual responsibility of caring for children and elders are women, and the demands are intense. Seventeen percent give up work entirely or take a leave of absence.

In 1997, some 5.5 million families with children had incomes below the poverty line. Of these families, 73 percent (4 million) included at least one working parent. Recognizing and addressing the challenges facing families with children and those with elder relatives in need of care is critical. While the U.S. Government does provide some tax credits, it must ensure that those credits are publicized and targeted for the populations most in need of those services. As we move families from welfare to work, we must strive to make sure that they have the support and opportunities needed to succeed.

Access to quality care is limited, particularly for low-income families, who often have less workplace flexibility. The annual cost of full day care ranges from \$4,000 to \$10,000 per year. And for the elderly and their families, the reality is that both Medicare and private health insurance do not adequately cover their long-term care needs. This means that those age 85 or older join women and minorities in comprising a disproportionate share of those in poverty. Reform of Medicare to focus on preventative services instead of loss of health is an important step towards addressing the care needs of America's aging population, as well as easing the burden of work and family responsibilities on women.

For many parents, finding affordable, quality care is of great concern. The key ingredient to quality childcare is the caregiver. Yet most caregivers, the majority of whom are women, are underpaid, receive little professional training and have few benefits. The people who care for our children deserve an adequate salary that recognizes the number of years they have served and the education/professional training they have undertaken. Only 18 percent of childcare centers provide health coverage to their teaching staff. We must provide our caregivers with the benefits necessary to feel secure and

healthy in their workplace if we are to attract qualified caregivers, lower the high staff-turnover rates, and ensure that our children receive the quality care they need.

The landmark Family Medical Leave Act (FMLA) signed by President Clinton in 1993 was a first step in the right direction. However, expanding FMLA—to offer paid leave, so families across the economic spectrum can take advantage of leave options—is critical. Currently, nearly one in ten FMLA users is forced to use public assistance while on leave. Studies show that an overwhelming number of Americans support family leave insurance as one option to ensure that when a crisis strikes, workers can take essential time off.

Recommendations

- Make the child tax credit fully refundable;
- Expand coverage of FMLA to include the 45 percent of workers who are not covered or who are ineligible;⁹
- Modify the definition of “family” for family and medical leave purposes to include gay and lesbian couples, extended family members and significant persons not related by blood or marriage;
- Encourage employers to offer family-friendly policies such as flex-time, part-time work options, telecommuting, and leave to attend their children’s school-related functions;
- Make the Dependent Care Tax Credit refundable, so families that do not earn enough to pay taxes still have the benefit of the credit for their care costs. This tax credit helps families meet the financial strain of care for children and adult dependents. Without such help many individuals may be kept out of the job market due to caregiving costs. Dependent care tax provisions provide equitable tax treatment of families by recognizing that families that pay for dependent care should pay less tax than a family with the same income but no care expenses. As women bear the bulk of responsibility for children and adult dependents, this type of tax provision assists women in paying for care, and lessens the obstacles to women’s participation in the workforce;
- Publicize and conduct outreach around the Earned Income Tax Credit, a credit for low- and moderate-income workers, primarily those with children, which is designed to offset the burden of Social Security payroll taxes, supplement earnings, and help families make the transition from welfare to work;
- Provide funding for Child Care Wage Ladder Programs, such as the one developed by the Economic Opportunity Institute in Washington state. The ladder sets up wage increments based on experience, responsibility and education, creating an educational incentive program for childcare workers to further their education in early childhood education and excel in their careers. The program is then funded by a cost-sharing system between the childcare center and the state and

local governments. This system significantly increases the quality of the care given to children in the centers, alleviating one of the many worries facing working families; and

- Expand the Family and Medical Leave Act to offer paid leave, so families across the economic spectrum can afford to take the time they need to care for their families.

ACKNOWLEDGEMENTS

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Women in Power and Decision-Making

THE PLATFORM FOR ACTION SAYS

- G.1. Take measures to ensure women's equal access to and full participation in power structures and decision-making.**
- G.2. Increase women's capacity to participate in decision-making and leadership.**

WOMEN'S ASSESSMENT AND RECOMMENDATIONS

The Platform for Action defined two strategic objectives for the issue of women in power and decision-making: to ensure women's equal access to and full participation in power structures and decision-making, and to increase women's capacity to participate in decision-making and leadership. Specifically for the first objective, the Platform recommended that governments commit themselves to "establish the goal of gender balance in governmental bodies and committees, as well as in public administrative entities, and in the judiciary, including *inter alia* setting specific targets and implementing measures to substantially increase the number of women with a view to achieving equal representation of women and men, if necessary through positive action, in all governmental and public administrative positions."¹ The Platform also reaffirmed the target endorsed by the UN Economic and Social Council of having 30 percent women in positions at decision-making levels by 1995.

The U.S. government has made significant gains in the appointment of women to high level positions in the executive branch and in the judiciary. However, in the legislative branch—the U.S. Congress—women remain woefully under-represented.

GOVERNMENT APPOINTMENTS

Executive Branch

At the federal level, the Clinton administration should be recognized for appointing more women to senior positions in the cabinet and administration than any other U.S. president. Four of the 14 executive departments are headed by women including such first-ever positions as Attorney General (Janet Reno) and Secretary of State (Madeleine Albright). Other senior cabinet positions held by women are Secretary of Health and Human Services (Donna Shalala) and Secretary of Labor (Alexis Herman). The Clinton administration also shattered gender stereotypes in appointing women to the cabinet-level positions of Environmental Protection Agency Administrator

(Carol Browner), Small Business Administration Administrator (Aida Alvarez), U.S. Trade Representative (Charlene Barshefsky) and Council of Economic Advisers Chair (Laura Tyson and later, Janet Yellen). Other positions traditionally held by men to which women were appointed include Counsel to the President, Counselor to the President, Chair of the Federal Deposit Insurance Corporation and Administrator of the Federal Aviation Authority.²

In the federal civil service, the percentage of women at the highest career levels and in the Senior Executive Service has doubled, from 10.1 percent in 1989 to 19.5 percent in 1995.³ As of April 1999, women held 27 percent of the top positions requiring Senate confirmation, 34 percent of Presidential appointments to Boards and Commissions, 40 percent of non-career Senior Executive Service positions and 57 percent of policy and supporting positions. Increasing the number of women in decision-making positions within the government is a very positive step, but this alone will not necessarily advance the goals and agenda of the PFA.⁴

In statewide elective executive offices, women have made little progress. There are three women among the nation's 50 governors (.6%) and 18 (36%) among the 50 lieutenant governors. The same number served in 1997. Of the 323 statewide elective offices in the country, women hold 89 (26.7%) of the positions—a slight increase from the 1997 figure of 81 (25%). There are six women of color among them—one African American, one Asian-Pacific Islander, and four Latinas. Ten women serve as state attorneys general, 10 as state treasurers, and 14 as Secretaries of State.⁵

Overall, women hold 29.8 percent of gubernatorial appointments in statewide offices.⁶ This can be broken down into two categories: department heads of agencies, offices, boards, commissions and authorities (25.8%); and advisers in policy-making government offices (38.9%).⁷

As of May 1999, among the 100 largest cities in the U.S., 16 had women mayors. Of the 228 mayors of U.S. cities with populations over 100,000, 45 (19.7%) were women. Among the 978 mayors of U.S. cities with populations over 30,000, 192 (19.6%) were women. From 1973 to 1999, the number of women mayors in cities with populations over 30,000 increased from 35 to 192.⁸

The Legislature

Women comprise 12.9 percent of the 106th U.S. Congress, holding 56 of the 435 seats in the House of Representatives. Among them are 17 Republicans and 39 Democrats. In addition, two non-voting Democratic women delegates represent the District of Columbia and the Virgin Islands. This is a slight

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increase over the 105th Congress where 51 (11.7%) served as representatives: 16 Republicans and 35 Democrats.

In the Senate, nine of the 100 seats are occupied by women: three Republicans and six Democrats. The same number of women with the same party representation served as Senators in the 105th Congress. Prior to the 1992 elections, no more than two elected women had ever served in the U.S. Senate at the same time.

Eighteen of the 65 women serving in the present Congress are women of color—12 African American women, one Asian-American/Pacific Islander and five Latinas hold seats in the House of Representatives. The two women delegates from the District of Columbia and the Virgin Islands are both women of color.⁹

Women have made more progress in state legislatures, but even here progress has slowed considerably and varies widely, from 40.8 percent in Washington to 7.8 percent of the legislative seats in Alabama. Women held 1,661 of the 7,424 seats in 1999 (22.4%) compared to 1,596 (21.5%) who served in 1997. Among the 50 state legislatures, only eight (16%) have reached the 30 percent mark set by the United Nations Economic and Social Council: Washington (40.8%); Nevada (36.5%); Arizona (35.6%); Colorado (33%); Kansas (32.7%); New Hampshire (31.6%); Vermont (31.1%); and Oregon (30%). Women of color constitute 3.4 percent of all state legislators (249), including 171 African Americans, 17 Asia/Pacific islanders, 49 Latinas, and 12 Native Americans.

Judiciary

The Clinton administration increased the number of presidential judicial nominees and nominated the second woman, Ruth Bader Ginsburg, the foremost women's rights litigator, to serve on the Supreme Court. For the first time ever, 30 percent of the Clinton administration's overall judicial nominees have been women.¹⁰ Overall, women constitute 22 percent of the justices in the Supreme Court; 20.7 percent of the U.S. Circuit Court judges; 19.6 percent of the U.S. District Court judges; and 13.9 percent of all Federal Court judges.¹¹

Conclusions

As the Clinton administration has demonstrated, there should be no bar to immediately reaching a minimum of 30 percent representation of women appointed to top positions, and in seeking a goal of 50 percent representation at the state level. Every Governor in every state house should be held to this standard. In their "Contract With Women of the USA," developed by WEDO and the Center for Women Policy Studies, public officials pledged to "work for the empowerment of women in all their diversity through their equal participation in decision-making and equal access to shared power in gov-

ernment, in all spheres and at every level of society." The Contract was developed as a mechanism for bringing the promises of Beijing home to women in the U.S. The Center coordinates a network of more than 1000 women state legislators, almost half of whom have endorsed the Contract with Women of the U.S.A.

ELECTORAL SYSTEM AND POLITICAL PARTIES

Major structural barriers exist to the election of women to public office, particularly when compared to other countries: the U.S. ranks 42nd among 179 nations in terms of the number of women elected to national legislatures. Much more needs to be done in the electoral system and political parties, campaign finance, and introduction of targets and quotas.

The Beijing Platform for Action committed governments to "review the differential impact of electoral systems in the political representation of women in elected bodies and consider, where appropriate, the adjustment or reform of those systems."¹² Usually two factors are included here: the process of selection within political parties and the nature of the electoral system.

Part of the solution to the problem of increasing the low representation of women in the U.S. Congress should be sought within political parties. In the decentralized party system in the U.S., where the selection process is not controlled by any central party power, the parties at the state and county levels can act as gatekeepers. States should initiate measures that will make it easier for women to be nominated to seats that are winnable. Every effort should be made to encourage political parties to set rules and procedures "to remove all barriers that directly or indirectly discriminate against the participation of women."¹³ National, state and county party leaders should adopt policies committing them to the goal of an equal number of women and men in elective and appointive bodies and to implement this by recruiting, funding, training and assisting women candidates for open seats.

According to the Inter-Parliamentary Union Report of 1997, there is a strong correlation between the type of electoral system and the number of women in Parliament. All countries in Western Europe with a high level of women's participation have adopted the proportional representation system where the number of a party's seats is based on its proportionate share of votes. In Finland, for example, the recent electoral success of women has been attributed to the system of direct proportional voting. These are votes for parties, not individual candidates. To make sure women do not land at the bottom of the list, consequently giving them very little chance of winning, political parties in countries like Sweden have adopted the policy of "every other seat a woman."

POWER AND DECISION-MAKING

The present U.S. system of single-member districts with winner take all impedes the goal of equal representation. It favors male candidates who not only have a preponderant access to private funding, but who enjoy an edge in a society which applies different standards to women seeking office. Currently, 15 states have multi-member districts for election to their state legislatures. According to a study conducted by Professor Wilma Rule, an adjunct professor of political science at the University of Nevada and a leading authority on electoral systems, in 1989, the 35 single-member district states averaged 12.4 percent women in their legislatures, whereas the 15 states with multi-member districts averaged 21.6 percent—almost twice as many. Thus, one way for states to translate a commitment to gender equality into action is by passing electoral laws mandating multi-member constituencies.

Another aspect of the electoral system that works against women is the power of incumbency. Studies show that 95 percent of incumbents run for re-election and 95 percent of them succeed. The unprecedented number of women who won in the 1992 elections in both the Senate (five, including one incumbent) and the House (47, with 24 newcomers and 23 incumbents) can be attributed to a great extent to the large number of open seats available because of House and Senate male incumbents who retired or chose not to run again.¹⁴ In 1999, all six newly-elected members of the present House of Representatives ran in open seat races where no incumbent was running.¹⁵

CAMPAIGN FINANCE

For most women, the single biggest obstacle to running for public office is raising money for costly campaigns in which they are usually pitted against men who have greater access to corporate money and special interest groups. The failure of political parties to help women candidates adequately in financing their campaigns has led to the creation of Political Action Committees (PACs) like EMILY's (Early Money Is Like Yeast) List and the WISH (Women in the Senate and House) List which raise money for pro-choice women candidates in the Democratic and Republican parties, respectively. They fund those evaluated as electable (defined as those who can provide polling data and proof of a well-organized campaign) as an indication that they have a good chance of winning.

To show their support for women candidates, political parties can adopt an incentive approach that would link the allocation of party funds to increases in the number of women candidates. This positive step will encourage more women to run for office and increase their representation in both Congress and state legislatures.

Broader reforms in campaign financing to level the play-

ing field for women, as well as for women and men of color including public financing of campaigns and new controls on spending limits should be pursued.

INTRODUCTION OF TARGETS AND QUOTAS: TEMPORARY SPECIAL MEASURES

Article 4 of the UN Convention on the Elimination of All Forms of Discrimination Against Women¹⁶ encourages the adoption of temporary special measures aimed at bringing about de facto equality between men and women. The Beijing Platform for Action similarly recommends “setting specific targets and, if necessary through positive action” to provide women with equal access and full participation in decision-making structures.

In the U.S., critics of the introduction of goals and timetables argue that they run counter to the democratic principle of equality. Countering that claim, a women's rights advocate observed: “We are the greatest democracy on earth, yet we rank 42nd in the world in terms of women in our government!”¹⁷ In contrast to the terms in which the debate is framed in the U.S., by the concept of “positive action”—setting specific goals, timetables and numbers to assure genuine equality between men and women in government and policy-making and, in some instances, allowing for special mechanisms such as numerical quotas to speed up the process—is widely used with remarkable success from Western Europe to Africa.

Finland established a quota of 40-60 in governmental bodies; India successfully introduced a 33.3 percent quota for women at the local level; and both Italy and Austria established a quota of 20-40 percent in political parties. In South Africa, the African National Congress adopted a 30 percent quota for women which led to a dramatic increase in the number of women in parliament. South Africa now ranks eighth in the world in terms of the number of women in national parliaments with 120 women in the 400-member National Assembly, leaping from 141st position in 1994.¹⁸ In Peru, the Electoral Code requires that 25 percent of the candidates on the parliamentary list be women, and a new general law for municipal elections establishes a quota of 25 percent women candidates on the municipal election lists. Fifty-six political parties in 34 countries around the world use such quotas!

While the word “quotas” continue to evoke a reflex negative reaction in American political discourse, the concept of gender balance at the state level, in appointments to executive positions, boards, commissions and committees has quietly been gaining approval in some states since 1986. The Iowa state legislature has passed a law stating that “all appointive boards, commissions, committees and councils of

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the state established by the Code if not otherwise provided by law shall be gender-balanced.” It also prohibited any appointment or reappointment that would cause the number of members of the board of one gender to be greater than one half the membership. Judicial nominating commissions are also included in the gender balance law. Since the 1987 Iowa law was adopted, North Dakota has passed a similar gender-balance law. Five more states, Hawaii, Rhode Island, Montana, Illinois and Pennsylvania, the city of Tucson, Arizona and the city and county of Los Angeles, have passed gender-balance resolutions that are voluntary but are preliminary steps to adopting a gender balance law.¹⁹

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Institutional Mechanisms for the Advancement of Women

THE PLATFORM FOR ACTION SAYS

- H.1. Create or strengthen National mechanisms and other governmental bodies;**
- H.2. Integrate gender perspectives in legislation, public policies, programs, and projects;**
- H.3. Generate and disseminate gender-disaggregated data and information for planning and evaluation.**

WOMEN'S ASSESSMENT AND RECOMMENDATIONS

BACKGROUND

While the United States has never had a statutory governmental mechanism for advancing the status of women (apart from the Women's Bureau of the Department of Labor,) successive presidents, beginning with John F. Kennedy, have put in place various administrative mechanisms for advancing women's rights. In 1961, President Kennedy established the President's Commission on the Status of Women by executive order, with former First Lady Eleanor Roosevelt, a long-time champion of women's rights, as its chair.

In 1962, acting on a recommendation by the Commission, President Kennedy issued an order requiring federal employees to be hired and promoted without regard to sex. At the same time, the National Federation of Business and Professional Women adopted as its top priority the nationwide establishment of State Commissions on the Status of Women. Within two years, when the Federation held its first national conference, there were 24 commissions, and within a few months this number rose to 33.

President Kennedy established the Interdepartmental Commission on the Status of Women and a Citizen's Advisory Council on the Status of Women. The Commission and Council issued annual reports on issues affecting women, and made legislative and administrative recommendations.¹ In 1969, four Republican congresswomen held an unprecedented meeting with President Richard Nixon to discuss women's concerns, providing data on discrimination and calling for a federal program to meet women's needs. Their program became the agenda of the President's Task Force on Women's Rights and Responsibilities.

The Interstate Association of Commissions on the Status of Women was established in 1970 to provide a national voice and greater autonomy for the state commissions. That same year, Bella Abzug, a New York lawyer, feminist and Demo-

cratic Party reform activist,² was elected to the House of Representatives. Among Abzug's first women's rights legislative victories was adoption of a bill establishing August 26 as Women's Equality Day in honor of the 1920 suffrage victory. On January 30, 1974, President Nixon issued a proclamation calling upon the Congress and the people of the United States to observe International Women's Year as proclaimed by the United Nations for 1975.

After President Nixon's resignation in 1974, President Gerald Ford issued an executive order creating the National Commission on the Observance of International Women's Year (IWY) to promote equality between men and women. The President appointed 35 women and men to the Commission and directed it to deal with "those inequities that still linger as barriers to the full participation of women in our Nation's life." Americans, President Ford said, "must also support and strengthen the laws that prohibit discrimination based on sex." The Commission held a series of events throughout the year and also established 13 committees to investigate particular aspects of discrimination against women. The committees conducted research and surveys and produced 115 recommendations for remedial action. These were incorporated into the National Commission's formal report to the President in 1976.

President Ford also created an Interdepartmental Task Force for IWY consisting of two representatives, a man and a woman, from each federal department and agency. They were assigned to examine the impact of agency programs on women. Forty-eight agencies submitted reports that ranged from a single page letter, disclaiming responsibility, to 80 pages detailing plans for involving women and women's programs in their work.

When Jimmy Carter became president in 1976, he appropriated \$5 million for a federally funded National Women's Conference to be held under the auspices of the National Commission on the Observance of IWY. Two separate bills proposing the Conference had been introduced in 1975 by Congresswomen Bella Abzug and Patsy Mink (D.-Hawaii). Both women, along with other U.S. women leaders, legislators and grassroots activists, had attended the UN's first International Women's Year conference, held in Mexico City in 1975, at which the 1975-85 UN Decade of Women was proclaimed.

President Carter also expanded the National Commission to 41 members, including three men. Two male Senators, a Republican and a Democrat, and two female Representa-

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tives, a Republican and a Democrat, were selected as commissioners. First Lady Rosalynn Carter was named Honorary Commissioner. The commission was housed in a spacious facility provided by the State Department, with a large and well-paid staff, some on loan from other federal departments. Policy issues were discussed and approved by the national commissioners who met frequently to analyze recommendations from the states' meetings. The outcome was a proposal for a National Plan of Action with 26 planks that included the full range of women's national and international concerns.³

The National Women's Conference, held in Houston, was the largest and most representative assembly of women in U.S. history, with 1,403 delegates from state meetings and 370 delegates-at-large. Abzug, no longer in Congress after narrowly losing a party nomination for a U.S. Senate seat from New York, was appointed by President Carter as Presiding Officer of the Conference. Several thousand non-voting national and international guests and members of the general public participated in dozens of associated events, workshops and exhibit displays scheduled by the Commission.

The Conference discussed all 26 planks of the National Plan of Action. Twenty-five of these received overwhelming majority approval. Most delegates felt that women's concerns should be integrated into all departments of government. But as future events were to demonstrate, absence of a Congressionally-approved and financed department to initiate, oversee and coordinate programs for women and girls reduced the potential impact of the Houston blueprint.

After the Conference, commission members presented their official report, *The Spirit of Houston*, to President Carter, who announced that he was replacing the Commission with a 40-member National Advisory Committee for Women. The Committee was to be co-chaired by Abzug and Carmen Delgado Votaw, then president of the National Conference of Puerto Rican Women.

Free office space—three small rooms—was provided by the U.S. Women's Bureau in the Department of Labor building, with a small staff and occasional part-time consultants. The Advisory Committee members divided themselves into Task Forces to monitor how the National Action Plan was being implemented. In September of 1978, the women's task force analyses of budget plans showed that while Carter was seeking an increase in military spending, he was proposing a \$15 billion cut in major domestic programs that would seriously impact jobs programs, preventive health services, vocational and sex equity education programs, family planning and other programs of importance to women.

Unfortunately, the National Advisory Committee never materialized into what its visionaries had hoped for. After the committee criticized the President's spending priorities, Bella

Abzug was fired, and other members resigned in protest. Carter eventually issued a new executive order that reconstituted the group as the President's Advisory Committee on Women, severely restricting its functions. However this reconstituted Committee was not even allowed to lobby for women's programs on Capitol Hill, leaving the National Plan of Action without an official advocate.⁴ During the Reagan and Bush years of the 1980s, many federal women's programs already in place were drastically cut or eliminated. No new institutional mechanisms were developed. It was not until 1992, with the election of President Bill Clinton and the commensurate influence of First Lady Hillary Clinton, a strong feminist, that women's concerns were visibly back on the public agenda. Clinton established the President's Interagency Council on Women in August 1995 on the eve of the UN Fourth World Conference on Women in Beijing to "make sure," he said, "that all the effort and good ideas actually get implemented when we get back home."

PRESIDENT'S INTERAGENCY COUNCIL ON WOMEN

Structure

Based in the executive branch, the Interagency Council, which includes high-level representatives from executive branch departments and agencies, is charged with coordinating the implementation of the Platform for Action. The Council is headed by the First Lady as its Honorary Chair, Secretary of State Madeleine Albright as its chair and its Immediate Past Chair, Donna Shalala, Secretary of Health and Human Services. Its Director is Theresa Loar, the State Department's Senior Coordinator for International Women's Issues, and its staff includes Deputy Director Lidia Soto-Harmon and Associate Director Kathleen Hendrix, a former journalist and expert on women's issues.

The Interagency Council includes women officials in the Departments of the Treasury, Defense, Justice, Interior, Agriculture, Labor, particularly the Women's Bureau, Health and Human Services, Housing and Urban Development, Energy, Education, Veteran Affairs, Environmental Protection Agency, Office of Management and Budget, Council of Economic Advisers, U.S. Mission to the United Nations, U.S. Trade Representative, Small Business Association, Central Intelligence Agency, Domestic Policy Council, Office of Personnel Management, U.S. Information Agency, General Services Administration, Social Security Administration, Agency for International Development, Controller of the Currency, Peace Corps, and the World Bank.

Working groups, chaired by council representatives, have been set up to evaluate and make recommendations on:

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Women and the Global Economy, Women and Prisons, Rural Women, Trafficking in Women and Girls, Gender and Institutional Change, Micro-Enterprise Development, Vital Voices: Women in Democracy, Empowering Disabled Women and Girls, Women and Armed Conflict, and the Girl Child. All the working groups are in contact with women's organizations.

The Council utilizes the expertise of a number of women's desks and offices within the Executive branch which predate the Beijing Conference to help develop policies and programs for the advancement of women and girls. These include the Women's Bureau, Office of Women and Development at U.S. AID; Office of Women's Health in the Department of Health and Human Services; Violence Against Women Division in the Justice Department; the Women's Office in the Small Business Administration; the U.S. Representative to the UN Commission on the Status of Women; and the U.S. Representative on the Inter-American Commission on Women. Representatives also participate in working groups that report on departmental activities and new initiatives related to women's concerns.

Activities

Describing the Interagency Council's activities, Secretary of State Madeleine K. Albright, praised the U.S. as "a leader in efforts to advance the status of women" and expressed determination to ensure that all laws, policies and programs fully reflect the vision embodied in the Platform for Action.

"We are resolved," she said, "to do our part, as a nation and as individuals, to make the new century a time of unprecedented opportunity and accomplishment for women and girls in our own country and around the world."

The Council seeks to develop initiatives to further women's progress and engages in outreach and public education to support the successful implementation of the Beijing Platform. During its first year of operation, Council representatives established task forces in their individual agencies to analyze the government's projected policies and programs, measuring them against the goals of the PFA. In 1997, the Council published *America's Commitment: Federal Programs Benefiting Women and New Initiatives as follow-up to the UN Fourth World Conference on Women*. An update was released in 1999, and a 2000 edition is forthcoming.

The Council's major outreach effort during its first year was a national satellite conference on September 28, 1996, *America's Commitment: the UN Women's Conference One Year Later*. The broadcast featured the First Lady and other prominent women's rights leaders.

Local groups organized their own events at some 400 sites nationwide and linked to the Council's live satellite broadcast from Washington. These large and small gatherings of

women and men, in the tens of thousands, communicated their priorities and recommendations for action at the federal, state and local levels.

The Interagency Council staff compiled the recommendations in a report, *Building on Beijing: United States NGOs Shape a Women's National Action Agenda*. The Stanley Foundation, an Iowa group that supports women's empowerment, later published the report in cooperation with the American Association of University Women, Church Women United, National Association of Commissions for Women and WEDO. The White House Office of Women's Initiatives and outreach has since held more than 400 roundtable discussions with women across the country on topics including domestic violence, reproductive health and rights, affirmative action, education, health care, access to financing and childcare.

The Council holds quarterly briefings at the State Department to report to NGOs and discuss new government activities, challenges and solutions in relation to the PFA. In preparation for the UN Special Session to review progress made since 1995, the Council has had regional meetings and outreach events to share best practices and lessons learned with the public. Progress has also been made in the number of women presidential appointees in senior positions in the Clinton Administration. More women have been appointed to Cabinet and Administration positions than ever before (see Decision-making section, page 40).

Conclusion

Although the Council has made these and other efforts, it is limited by the lack of a legislative mandate and a specific funding commitment. There is no statutory basis for its existence and no guarantee that it will continue to function when the present Administration leaves office at the end of 2000. Neither does the Council have an independent or specific budget. Currently its costs are absorbed by the State Department and other departments and agencies. These limitations have severely hampered the Council's ability to carry out the objectives stated in Section H of the Platform for Action. Overall there has been a failure to systematically integrate a gender perspective in legislation and government policy and the approach remains piece-meal.

Another institutional mechanism to carry forward the Beijing Platform for Action is the bipartisan Congressional Caucus on Women's Issues. Formally constituted in 1977 by 15 of the then 18 women in Congress, the bipartisan Caucus has had a successful record of supporting and enacting many laws establishing and funding programs that respond to women's needs.

The Caucus, too, has been hampered by congressional action in early 1995. Along with 28 other legislative service

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organizations head-quartered on the Hill, the CCWI was stripped of funding, staff and office space, due to a change in rules as part of a reform plan initiated by the House Republican leadership. Funding was also withdrawn from the education arm of the Caucus, the Women's Research and Education Institute. WREI continues to operate as a self-constituted service, the Congressional Women's Caucus being among its clients. Although handicapped by the withdrawal of official congressional support, the Women's Caucus continues to play a self-empowering role.

RECOMMENDATIONS

- Steps must be taken to ensure the continuation of the Inter-agency Council on Women, and its mandate needs to be strengthened, while increasing coordination, funding and staffing;
- Members of the Council must work with NGOs to reach a consensus on the type of institutional mechanism required to more systematically advance women's rights;
- A gender perspective must be integrated into all government programs, policies and legislation with the active involvement of all agencies and departments;
- Gender impact studies must be conducted to assess the differential impact of programs and policies on women and men;⁵
- All government statistics must be disaggregated by sex to obtain complete statistics and data reflecting the status of women, in all their diversity, in the U.S.; and
- Frequent surveys at all levels of government, federal, state and local, should be conducted to better determine women's priorities, concerns and needs.⁶

ACKNOWLEDGEMENTS

This paper was prepared by Mim Kelber, WEDO co-founder and Secretary of the Board, with Anna Grossman, WEDO Communications Associate.

NOTES

1. The Council was terminated on August 22, 1977 by executive order and replaced by President Carter's National Commission on Observance of International Women's Year, with Bella Abzug as its Presiding Officer.
2. In 1990 Bella Abzug co-founded WEDO.
3. See official government report, *The Spirit of Houston, The First National Women's Conference*, 1978.
4. Gender Gap, p.74
5. Women's National Action Agenda.
6. Ibid.

Human Rights of Women

THE PLATFORM FOR ACTION SAYS

- 1.1. Promote and protect the human rights of women, through the full implementation of all human rights instruments, especially the Convention of the Elimination of All Forms of Discrimination Against Women.**
- 1.2. Ensure equality and non-discrimination under the law and in practice.**
- 1.3. Achieve legal literacy.**

WOMEN'S ASSESSMENT AND RECOMMENDATIONS

Internationally, the U.S. government has been vocal, speaking out on human-rights violations suffered by women around the world. Repressive systems such as the Taliban's in Afghanistan have been denounced, as well as practices like the rape of ethnic Chinese women in Indonesia. In 1999, the government allocated \$1.5 million for law-enforcement training programs on violence against women in Russia. Aid was also sent to Kosovar women refugees. The issue of trafficking in women and children has become a national point of concern, and the U.S. is a key actor in drafting both international and national legislation. However, the U.S. government has been much less critical of sex discrimination practiced in countries such as Mexico, its second largest trading partner.

On the domestic front, the President's Interagency Council on Women has set up working groups in the areas of Women and Prisons and Trafficking in Women and Children. Resources have been allocated in several human-rights areas, including domestic grants for violence against women education and training programs.

While these actions represent progress, several important human rights issues are being seriously neglected by the United States government. Among these is the failure to ratify the 1979 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The government has also actively hindered the drafting of the International Criminal Court (ICC) rules of procedure. In addition, Affirmative Action policies that were put into place in the 1960s in order to advance the economic status of women and minorities are under attack by opponents who argue that the policy is a form of reverse discrimination. Women who are incarcerated in U.S. prisons face physical, verbal and sexual abuse at the hands of prison guards, and, while the government has acknowledged the problem of violence against women in prisons, serious action has not been taken.

INTERNATIONAL CONVENTIONS

The U.S. has failed to ratify key international conventions that would advance women's equality and protect children. While the Platform for Action states that the implementation of CEDAW is a central part of advancing women's human rights, the U.S. is the only industrialized nation, and one of only a handful in the world, that still refuses to ratify this convention. In all, 167 nations have ratified CEDAW, which seeks to ban discrimination against women and to legally enshrine their political, social and economic rights. The U.S. is also one of only two governments in the world that has not ratified the Convention on the Rights of the Child—Somalia, which is without an organized government, is the other.

While U.S. legislators are out of step with most other governments in the world over CEDAW ratification, women advocates in San Francisco have been successful in lobbying for its provisions to become an official part of city functioning on a day-to-day basis. A 1998 city ordinance has laid the foundation for implementing CEDAW provisions. The decree is expected to positively impact how San Francisco hires women, how money is spent on them and how services are provided to them. The ordinance establishes the San Francisco Commission on the Status of Women as the implementing organization. It also establishes a CEDAW task force that conducts studies, analyses, and quality assessment of gender and employment, resource allocation and service delivery in city departments.

While CEDAW is being held hostage by the Senate Foreign Relations Committee, chaired by Jesse Helms, several other cities—Boston, Los Angeles and Seattle among them—have expressed an interest in following San Francisco's lead. Helms has vehemently opposed ratification of CEDAW and has refused to recognize the important role of international conventions, or even the need to combat discrimination within the United States. In a 1994 statement from the Committee, Senator Helms and other then-minority Senators evaded the issues at the center of CEDAW, dismissing the goals of the Convention as unattainable. These Senators have effectively discredited the objectives of CEDAW without explicitly stating their opposition to its provisions.

By not ratifying CEDAW, the U.S. is doing far more than failing to recognize and strengthen women's rights across the world. The U.S. is effectively undermining the legitimacy of its own position in protecting human rights. In order to establish its own credibility and gain the trust of other nations, the U.S. must respect international norms and standards. In addition, U.S.-based NGOs find themselves in the uncomfortable position of advocating change in other coun-

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tries on the basis of international standards which their own government does not support.

While it is encouraging to see local and state support of CEDAW ratification, human-rights groups throughout the world, and particularly in the U.S., still hope that the U.S. Senate will join the international community in ratifying this important treaty. In September 1994, the Senate Foreign Relations Committee reported favorably on CEDAW. However, several senators prevented the Convention from being deliberated on the Senate floor, and it remains pending before the Senate Foreign Relations Committee. Members of the Committee and the Senate as a whole need to be persuaded by their constituents to stop blocking progress on ending discrimination and violence against women. A majority of the members of the Senate support CEDAW, but treaties must be approved by a two-thirds majority. While few Senators have come out against CEDAW, the support of about 15 more is needed for final approval.

Eight of the nine women Senators have called for the introduction of S Res 237 to allow for hearings on CEDAW by March 8, 2000, International Women's Day. In addition, Madeleine K. Albright, Secretary of State, continues to raise the issue in the State of the World Testimony before the Senate Foreign Relations Committee. These gestures indicate a fair level of support for CEDAW ratification, but indications are that a big push is needed from the Clinton Administration to make it a priority in the Senate. Helms and the Senate Foreign Relations Committee have been a barrier to passage, and the administration has not shown the level of political will necessary to bypass this barrier.

INTERNATIONAL CRIMINAL COURT

The International Criminal Court stood as the single greatest hope at the turn of the millennium for stronger accountability for violence against women in conflict situations. However, preoccupied with keeping U.S. citizens outside the court's jurisdiction, the U.S. played an obstructionist role at the February and August Preparatory Committee meetings for drafting the rules of evidence and procedure and elements of crime for the ICC. Moreover, the U.S. delegation played a reactionary role in areas that directly affected women's rights. For example, the U.S. delegation objected to a definition of rape based on the Akayesu decision of the International Criminal Tribunal for Rwanda, insisting that any definition of rape had to include force and penetration as elements of the crime. The U.S. position disregarded the reality of rape in conflict, where, because general lawlessness prevails, physical force during the commission of rape may not be necessary. The U.S.'s insistence on penetration as an element of rape ignored

the serious physical and other harm done to women by sexual acts that do not include penetration but are nevertheless against a woman's will.

HUMAN RIGHTS OF WOMEN REFUGEES

The U.S. commitment to protecting women's rights in the refugee context was evidenced by its attention to Kosovar women refugees. The Human Rights Watch World Report 2000 stated that in July 1999, the U.S. government pledged \$10 million for the Kosovar Women's Initiative (KWI), which was being implemented by the United Nations High Commissioner for Human Rights (UNHCR). This initiative, which will continue through September 2000, addressed the immediate survival needs of Kosovar women refugees affected by rape and other gender violence by, among other things, providing psycho-social support and counseling, programs to reestablish women into their communities, and eventually, programs for income-generation activities. While the KWI was criticized for being designed without sufficient local NGO input, it was in fact a swift response to a dire situation.

WOMEN IN UNITED STATES PRISONS

In the United States, sexual and other abuse of women incarcerated in local jails, state and federal prisons, and immigration-detention centers, continues to be a serious problem. In many instances, no adequate mechanisms exist through which victims of assault can safely and confidentially report abuse and seek an investigation without fear of significant retaliation. In addition to the sexual, physical and verbal abuse to which female prisoners are often subjected, there are other alarming trends within the U.S. prison system. The incarceration rate for women has been increasing at a drastically high rate since 1990. A January 1998 Department of Justice's Bureau of Justice Statistics report showed that more than 78,000 women were incarcerated in federal and state prisons, an increase of 6.1 percent over the previous year, compared with an increase of 4.7 percent for men. From 1990 to 1997, there was a 49 percent increase in the imprisonment rate for men, as compared to a 71 percent increase among females, in the number of sentenced prisoners per 100,000 residents.

There are also huge racial disparities in the U.S. imprisonment rates with blacks having the highest rates, followed by Hispanics. Historically in the U.S., African-American women have been targeted for imprisonment as a form of "social control." Viewed as blacks first and women a distant second, African-American women have been subjected to worse treatment and greater abuse in prisons than their white female counterparts. In 1997, African-American women were

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35,500 of the 73,835 (48%) of the incarcerated women in the U.S. Hispanic women prisoners numbered 12,800 in 1997 or 17 percent of all incarcerated women. The incarceration rate for Native-American women was 2.5 times the rate of white women. The incarceration rate in the South, which has large minority populations, was the highest of any region—65 female prisoners per 100,000 residents.

In addition to race, socio-economic factors hold a high relationship to female incarceration. Thirty-seven percent of women in prisons had incomes of less than \$600 per month prior to arrest. Thirty percent reported receiving welfare assistance prior to an arrest which resulted in imprisonment.

Many women in prison reported having been sexually abused in the past. Between 23 and 37 percent of female prisoners stated that they had been physically or sexually abused before age 18, as compared to between six and 14 percent of male offenders. Notably, most of the men reported having been abused as children, but women reported having been abused as both children and adults. Women who have been abused are more likely to be serving a sentence for a violent crime and were more likely to resort to illegal drug use and regular drinking. In a 1991 survey of State women inmates, 50 percent reported committing their offense under the influence of drugs or alcohol.

A Human Rights Watch study found that many women in custody faced abuse at the hands of prison guards—most of whom were men—who subjected the women to verbal harassment, unwarranted visual surveillance, abusive pat frisks, and sexual assault. Fifteen U.S. states do not have criminal laws prohibiting sexual abuse of women in prison. Moreover, Human Rights Watch found that in most states, guards did not receive any training in the area of sexual conduct.

The vulnerability of women prisoners to sexual abuse, and the failure of prison officials to intervene effectively was demonstrated in a civil suit brought by three women incarcerated in the Federal Corrections Institution in Dublin, California, settled in March 1998. The women plaintiffs had been placed in punitive segregation in the men's detention center, where guards allegedly allowed male inmates into their cells at night to assault them sexually. When the women filed complaints, all three were beaten and raped, allegedly by guards, in apparent retaliation. As part of a landmark settlement, the Federal Bureau of Prisons agreed to refrain from housing any women inmates in the men's detention center, to create a confidential mechanism for reporting sexual assault, and to review the staff-training program for prison guards.

The U.S. acknowledged the problem of violence against female prisoners in 1998 by inviting Radhika Coomaraswamy, UN Special Rapporteur on Violence Against Women, to inves-

tigate human-rights abuses against women in custody. The State Department worked with the UN and various state governments to ensure that Coomaraswamy would have access to facilities and a chance to speak with women in custody. Still, in California's Valley State Facility for Women, where there were allegations of pervasive sexual harassment and complaints of sexual assaults on women placed in special housing units, the Special Rapporteur was not allowed to speak with women in the unit. In Michigan, the governor withdrew permission for Coomaraswamy to tour the prisons and speak with women on the eve of her scheduled visit. This was particularly disturbing in light of continued reports of sexual abuse and retaliation by guards against women in the facilities.

Unfortunately, the U.S. government was found wanting when the time came to respond to Coomaraswamy's report. The UN Special Rapporteur's report detailed extensive human-rights violations against women in detention, including extensive sexual misconduct and systematic violations of women's right to privacy. The U.S. delegation to the UN Commission on Human Rights insisted that women incarcerated in the U.S. have protection from and recourse against human-rights violations, even though passage of the Prison Litigation Reform Act of 1995 made it extremely difficult for women to bring legal claims against corrections departments, especially in cases of sexual assault and abuse.

The U.S. has routinely detained asylum seekers in Immigration and Naturalization Service detention facilities, prisons, and local jails pending the outcome of their asylum proceedings. Non-criminal asylum seekers detained in local jails and prisons were placed with the general inmate population, a violation of the UN Standard Minimum Rules for the Treatment of Prisoners. In this context, women asylum seekers were subjected to the same abuses that Human Rights Watch documented in state prisons, including privacy violations, abusive pat frisks, and sexual assaults.

AFFIRMATIVE ACTION

Affirmative action has been an important tool used by local, county, state and federal governments and by private institutions in the United States since the mid-1960s to remediate past and present gender and race discrimination. The thrust of affirmative action has been in the areas of employment, education and contracting. Occasionally, the State or Federal courts may impose affirmative action or race or gender-conscious orders in these areas and those of voting rights and housing as a remedy in discrimination cases. Much of the progress in many fields in which women and minorities (African Americans, Hispanics, Native Americans and Asians)

have been underrepresented has been a result of affirmative action plans.

Although all women benefit from affirmative action, white women have been the major beneficiaries in the areas of education, contracting and employment. Indeed, white women have progressed to such a significant degree in the area of education that the challenge of affirmative action is no longer in college admissions but in graduate schools and in such areas as engineering and science for which the numbers of women are woefully small (see Education section, page 15). However, affirmative action is still a vital necessity in higher education for women of color, particularly African American and Latino women, whose numbers still lag in undergraduate admissions and in all levels of graduate and professional schools.

There are also several industries in which women continue to be underrepresented. Fewer women than men are employed as construction workers, electricians, engineers, scientists and computer specialists. And, in both government and private industry, discriminatory attitudes still hamper women's advancement to high-level managerial ranks.

Despite the clear evidence that women still need affirmative action, this legislation is coming under increased attack. Legal challenges have been mounted in the Federal courts, and within States, to ban the use of affirmative action. Those who oppose the law claim it constitutes reverse discrimination against white men and base their arguments on the 14th Amendment of the U.S. Constitution, which guarantees due process and equal protection under the law.

The Clinton administration has defended affirmative action and has spoken out on the initiatives that have been taken by the opponents. Unfortunately, the administration's defense of affirmative action has not been enough to curtail its diminution in higher educational institutions in three states.

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Women and the Media

THE PLATFORM FOR ACTION SAYS

- J.1. Increase the participation and access of women to expression and decision-making in and through the media and new technologies of communication.**
- J.2. Promote a balanced and non-stereotyped portrayal of women in the media.**

WOMEN'S ASSESSMENT AND RECOMMENDATIONS

There is almost no tradition in the United States of substantial links between private-sector media concerns and government institutions, a fact that seriously limits any discussion of the implementation of Section J. In theory, a staunch adherence to the principle of free speech, as enshrined in the U.S. Constitution, has ensured a strict division between the two sectors. The press, expected to function as a public watchdog, also enjoys legal privileges which are more extensive, such as liberal libel definitions, compared to those in place in much of the rest of the world.

Public money has been used to support television and radio outlets, for example, the Public Broadcasting System. However, funding levels remain subject to renewal every few years by Congress, and the process is fraught with political whims. Public broadcasting stations have been increasingly forced to rely on corporate sources of support, a situation that shapes and often limits their programming.

Private-sector media, since 1995, has gone through a period of consolidation and corporate mergers. Nine corporate parents, including those such as General Electric that have no history as media businesses, now own almost all the television, radio and print media outlets in the U.S. More recently, moves towards consolidation of new and traditional media have begun, as witnessed by merger talks between two giants, America Online and Time Warner, a combination that could create the biggest company. These events raise concerns about the erosion of diverse perspectives, as well as the possibility of objective news coverage of corporate parents. One prestigious newspaper, the *Los Angeles Times*, has conducted a highly controversial experiment in linking the news-gathering and revenue-producing sides of its business.

The notion of freedom of speech being something larger than a line drawn between the press and public institutions is not an issue that is currently being seriously discussed. There is little mainstream public debate on who owns the media, whether the media is serving the public in the ways that its free-speech legal protection would seem to indicate, or even whether the media is achieving the kinds of objec-

tive coverage that professional ethics have dictated in the past. The growing practice of "celebrity journalism," which has emphasized the rich and famous, is acknowledged but not contested; many media outlets view it simply as an avenue for greater profits.

WOMEN AND THE U.S. MEDIA

Newsrooms now include an increasing number of women from diverse backgrounds. In newspapers, some of which were early supporters of affirmative action programs, women have almost reached parity with men across different job categories, according to a 1999 survey by the American Society of Newspaper Editors (ASNE). Twenty-two percent of women in newsrooms are supervisors, compared to 25 percent of men. Forty-nine percent are reporters compared to 44 percent of men. However, women make up only 40 percent of the entire newsroom workforce, and tend to work at lower circulation newspapers.

They also make less money. A Newspaper Guild report on salaries at *The New York Times* in 1994, the latest year available, found that the average salary for the paper's 614 women was \$51,316 compared to \$61,769 for the paper's 988 men. Across all media, women earn from 10 to 25 percent less than men.

A 1997 study by the ASNE found that 61 percent of men believe their paper has a strong commitment to gender diversity, while only 37 percent of women agree. Women are optimistic about career advancement, but not about reaching the top positions. Men are more likely than women to choose "publisher" as their career destination.

In its 1999 report on the employment of women and minorities, the Radio and Television News Directors Association found that the percentage of women radio news directors dropped from 28 to 20 between 1998 and 1999. Only 25 percent of major market radio stations (one million or more listeners) have any women on the news staff; within this segment the average number of women on the staff is one.

Women fare better in television news, with 97 percent of news departments now having at least one woman on the staff. Women make up 39 percent of all television news staff, the highest figure ever. But only 20 percent of television news directors are women.

The visibility of women's work does not necessarily correspond to the number of women staff. A 1998 report by Women, Men and Media, a research and outreach project examining gender issues, found that women filed only 22 percent of all reports on network newscasts, though this

number is up from 14 percent a decade earlier. The figure varied widely across the three major national networks: 32 percent at ABC, 24 percent at NBC and 11 percent at CBS.

A 1999 International Women's Media Foundation report found that while women of color are enjoying successful careers and attaining unprecedented levels of achievement, they face substantial obstacles to full participation in the newsroom. The study, *Women Journalists of Color: Present Without Power*, (International Women's Media Foundation, 1999) surveyed 7,000 women. It identified a gap between what managers think is happening in their newsrooms and the experiences of women of color. While 25 percent of women of color believe the news produced by their organization reflects the diversity of the markets they serve, 69 percent of managers believe it does. Only 32 percent of women of color say that management respects cultural differences in the newsroom, while 82 percent of managers claim it does. About half of respondents said that major obstacles to their careers included a lack of mentors, lack of access to high-visibility assignments and discrimination in promotions.

Even as the number of women in media inches upward, it has not automatically improved the portrayal of women or women's issues. Women who rise high in the news business are often expected to conform to many of the existing norms and stereotypes. A recent University of Nevada study found that physical appearance is the top career challenge for women television news anchors. Women in the print media, where jobs are under threat due to the shift to new technology, are discouraged from asking too many questions or confronting the status quo, the study found.

A 1995 survey by Women, Men and Media concluded that female journalists did not appear to seek out female sources more often than males. Women continue to appear as sources, experts or in photographs much less frequently than men. According to figures from the National Organization of Women (NOW), 87 percent of the guests on Sunday public affairs programs are men, as are two-thirds of the guests on the morning news magazine programs, *Today* and *Good Morning America*. A stunning 90 percent of the lead characters on children's programming are male.

A 1997 survey conducted by Children Now, a national advocacy group, found that although women increasingly appear as independent decision makers, they are most often portrayed across all media in the context of relationships, while men are most often portrayed in the context of their careers. On television, men are seen at work 41 percent of the time, compared to 28 percent of the time for women. Women seek romance 35 percent of the time in movies, compared to 20 percent for men. Up to 46 percent of women are portrayed as thin, compared to 16 percent of men. The study

concluded that the bombardment of anti-female messages is so strong that although 60 percent of girls in elementary school agree with the statement, "I'm happy the way I am," by high school, the figure drops to 29 percent. Two recent studies by Harvard University linked magazines and televisions to eating disorders among girls.

Fairness and Accuracy in Reporting (FAIR), a New York City-based advocacy organization, monitors the coverage of mainstream corporate news media. Laura Flanders, founder of FAIR's Women's Desk, sums up the uneven progress of women in the media in recent years: "We're witnessing a growth of corporate women's media. Next year will see the launch of Oxygen, the second cable network claiming to speak for women. There is a lot of talk about how Internet sites targeting women (mostly for commercial reasons) are thriving on the web. On radio, advertisers line up to fund a handful of women anchors, but the spectrum of syndicated women spans politically from the far right to the center. There is a news show on CNN that features women experts, but rarely addresses women's rights issues; and no women's rights advocate has a spot as an anchor, or even as a pundit on broadcast TV. The Public Broadcasting Company refuses to underwrite even the one, very tame, women's discussion show that does exist, *To the Contrary*, which is produced independently."

"Most recently, Pacifica, the one noncommercial, self-proclaimed progressive radio network, laid off the only African American woman host of a daily news show in the United States. In print, commercial women's magazines are doing better addressing health/body/image questions, but the corporate influence is always felt. Some alternative publications have women editors and managers, but few are in women's hands and even those that are, for example, *The Nation*, a 100-year-old left-leaning publication, fail to integrate women's rights concerns in any regular way. *Ms*, our only ad-free, mass-market women's magazine, tends to be timid with respect to U.S. politics, perhaps because it only comes out every two months, while it's hard for more radical 'zines to get distributed well enough to have an impact."

THE U.S. GOVERNMENT AND SECTION J

The U.S. government did not support the inclusion of Section J in the Platform for Action, and negotiated to ensure that the chapter is sprinkled with references to activities "consistent with freedom of expression."

Most U.S. government activities on Section J relate to broadcast and electronic media, which are regulated very loosely through the government distribution of licenses for public airways. This system favors private media houses, however,

which earn \$115 billion a year but pay no taxes or other fees for the use of public airways. Congress is currently offering new radio airwaves worth \$70 billion free to major corporations to assist in the transition to digital technology. A recent survey by People for Better TV, an advocacy coalition, found that 79 percent of Americans favor charging commercial broadcasters to use the airwaves and turning the proceeds over to public broadcasting efforts.

Until 1998, broadcasters followed Equal Employment Opportunity (EEO) rules mandated by the Federal Communications Commission (FCC) as a condition for their licenses. These rules were intended to promote programming that reflects the interests of minorities and women and to deter discriminatory employment practices. The FCC required broadcast licenses to establish and maintain a program to provide equal employment opportunities for women and minorities in all aspects of their employment policies and practices, and also to file a report with the FCC on the composition of their staff. However, a 1998 court case eliminated this program. The Radio and Television News Directors Association, in its 1999 report on women and minorities employment statistics, noted that the percentage of minorities slipped from 1998 to 1999, particularly at local radio stations. However, it was too soon to tell if this was related to the elimination of the EEO rules.

The FCC is currently considering the creation of new EEO recruiting rules. But a bill is pending before Congress that would prohibit the FCC from collecting data on the numbers of women and minorities employed by broadcasting and cable networks.

Domestic programs

Minority Telecommunications Development Program: The Department of Commerce/National Telecommunications and Information Administration promotes minority ownership in the broadcast industry, including ownership by women, through the Minority Telecommunications Development Program (MTDP). The MTDP developed the ComTrain (communications training) website where interested persons can find information on how to start a business, get government approval and secure financing for purchasing and running a radio or TV station.

The Public Broadcasting Facilities Program: The Department of Commerce/National Telecommunications and Information Administration's program includes a specific requirement for the participation of women. This is a grant program which has as one of its goals increasing the public broadcasting services and facilities available to, operated by and owned by minorities and women.

MarketEntry Barriers: In May 1996, the FCC began a program

to identify and eliminate market entry barriers for small businesses in the communications industry, including the unique barriers faced by small businesses owned by women or minorities. Women owned and controlled 1.9 percent (27) of the 1,342 commercial television stations and 3.8 percent (394) of the 10,244 commercial radio stations in the United States according to the 1987 U.S. Census.

Wireless Communications Licenses Auction Process: In 1993 the U.S. Congress gave the FCC authority to use auctions to grant licenses for wireless subscription-based communications services. Congress mandated that throughout the auction process, the FCC "ensure that small businesses, rural telephone companies and businesses owned by members of minority groups and women are given the opportunity to participate in the provisions of spectrum-based service." The FCC provided bidding credits and installment payments to allow small businesses, including those owned by women or minorities, to pay for their licenses over time and to help them attract capital to support their businesses. The FCC has successfully increased opportunities for women business ownership in wireless communications through the auction process. Women acquired 5.8 percent or 213 of the 3,651 licenses granted through simultaneous multiple-round auctions. The FCC's Office of Communications Business Opportunities (OCBO) is the central resource for information on women business ownership in the communications industry, conducting extensive outreach to women's organizations, providing information on FCC proceedings affecting women, and working with the FCC Chairman and Commissioners to create licensing rules conducive to women's business participation.

Telecommunications Development Fund: The TDF was authorized on February 8, 1996 by the Telecommunications Act of 1996 to provide a source of loans and equity investment capital to small communications businesses. The TDF Board of Directors is currently studying gaps in the capital markets, including those affecting women-owned businesses, to determine its market focus and structure, and to develop an application and review process. The TDF currently funds loans, equity investments and assistance, and will earn additional capital through the interest on upfront payments businesses submit to participate in the FCC's spectrum auctions.

U.S. PRIVATE SECTOR

There is no indication of programs undertaken by private media houses to conform with the Platform for Action. While the Beijing Conference was widely covered in the American mainstream press, there has been little reporting on follow-up. There are now two national cable television networks for

women, *Lifetime* and *Oxygen Media*. Both are commercially oriented. Most Internet sites continue to recycle the same beauty, health and relationships issues as women's magazines.

Funding for media work from private and corporate foundations remains extremely limited with no serious commitment to issues related to women and media. The Pew Center, part of the Pew Charitable Trust, has backed experiments in civic journalism, which it defines as reporting the news in ways that will re-engage people in public life. But while the 15 initiatives the Washington D.C. based Center will fund in 2000 touch on ethnicity, race and disenfranchised communities among other social issues, there is no evidence of a gender component.

RECOMMENDATIONS

- Strive for gender balance in all levels and types of media, with attention to hiring patterns, depictions of women and integration of women as sources and experts on all issues;
- Bring together women working in the media to raise understanding of a progressive approach to women's issues and share strategies on ways that women can support this within their own work;
- Give support and recognition to journalists, women and men, who seek to correct gender imbalances in coverage or at their news organizations;
- Develop and disseminate research and statistical indicators by organizations independent from the media industry on subjects such as women's images in the media, viewing and reading patterns, media policies, and media ownership; foster research by feminist academics on women and media issues;
- Encourage greater collaboration between women's media organizations and women's organizations that work on other issues;
- Consider the media a public resource that must be employed to achieve gender equality;
- Advocate for publicly-supported media that is held accountable for serving the public by presenting diverse points of view;
- Lobby for more regular funding of publicly supported broadcast media through fees paid by commercial broadcasters for the use of public airways; demand that emerging digital technology be regulated to ensure broadcast space for noncommercial media and public interest groups;
- Call for the government to develop statistical indicators that assess on a large scale the access that women have to both new and traditional media;
- Insist that telecommunications legislation be reviewed for gender fairness in the way that it is currently evaluated for preserving competition; and

- Ask progressive foundations and corporations to actively support media initiatives that include women.

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Women and the Environment

THE PLATFORM FOR ACTION SAYS

- K.1. Involve women actively in environmental decision-making at all levels.**
- K.2. Integrate gender concerns and perspectives in policies and programs for sustainable development.**
- K.3. Strengthen or establish mechanisms at the national, regional and international levels to assess the impact of development and environmental policies on women.**

WOMEN'S ASSESSMENT AND RECOMMENDATIONS

The United States has put in place an important set of initiatives related to the environment, but these fall short of a clearly defined, comprehensive, gender-based strategy related to the objectives outlined in the Beijing Platform for Action. In many cases, programs have been developed to deal with environmental concerns of the general public, but not as strategies explicitly designed to respond to the impact of the environment on women.

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ENVIRONMENTAL DECISION-MAKING

We applaud the appointment of the first woman to head the Environmental Protection Agency (EPA). From her own experiences, she can bring a gender perspective to environmental concerns. However, there is little evidence of changes in operational structures within the agency to address women's issues systematically or to incorporate women widely into the decision-making process. Data on the number of women in environmental agencies across the country, and on the roles these women play in environmental decision-making, are currently unavailable.

Many women's organizations and NGOs are working to include women's concerns in the decision-making process. These organizations have made progress in the area of environmental protection by participating in environmental education, outreach and awareness-raising. However, at the state and municipal level, the environmental health concerns of women-led community-based groups are often overlooked. These groups must exert effort over years, maintaining high levels of advocacy and litigation, before their concerns are addressed and acted upon by the government.

GENDER IN POLICIES AND PROGRAMS

The presence of a gender perspective in all government policies and programs is essential to advancing women's

rights. This includes adopting a cross-cutting approach to policy-making that incorporates women's perspectives on environmental concerns. According to government reports, more women in the U.S. are working outside the home than ever before. However, there are few initiatives underway related to environmental safety of women in the workplace. While the National Institute of Occupational Safety and Health is now undertaking some important studies, risks to working women still remain largely unrecognized, unregulated and uncontrolled. Even where progress has been made in characterizing risks to women, far more work needs to be done to translate research findings into a regulatory framework, and to make the information accessible to the public.

Several important environmental programs are being carried out by the U.S. government, but a gender dimension is absent from most of them. For example, the 1987 Toxic Release Inventory Program (TRI) is an important initiative that requires manufacturers who use large volumes of listed chemicals to report releases to air, water and land. Recently the TRI list was updated to include additional toxins. While this information is useful, the program does not outline concerns specific to women such as gender-differences in susceptibility. Furthermore, it is important to note that while the TRI program represents positive government action, the Congressional Office of Technology Assessment estimates that TRI represents only five percent of the total toxic releases to the environment in the U.S. In addition, the total annual release data alone is not enough information by which to assess environmental and health impacts. Without strong mechanisms to force industry to cut back on emissions of chemicals known to cause harm, the program has serious limitations.

Most environmental programs and policies fail to take in to consideration gender differences in susceptibility to toxic substances. The government has been reviewing this topic, conducting a workshop in which a variety of gaps in research were identified, including the failure to comprehensively examine the effects of a woman's exposure to toxins over a life-time. However, the government has yet to propose specific ways of filling these research gaps. Among the recommendations made at the workshop was the need for more research on the impacts of environmental exposures at different points of the female life-cycle. In addition, while certain substances are known to pose differential risks to women and men, there has been no comprehensive strategy to address how regulatory agencies will protect women from these toxic risk factors.

ASSESSING THE IMPACT OF DEVELOPMENT AND ENVIRONMENTAL POLICIES ON WOMEN

The U.S. government has failed to address policy contradictions as they relate to the overall quality of women's environmental health. In the five years since Beijing, the Food and Drug Administration (FDA) has continued to approve genetically-engineered Bovine Growth Hormone (BGH) to increase milk production in spite of concerns that this hormone might contribute to breast and prostate cancer in humans. The FDA has also approved food irradiation as a way of killing bacteria in beef despite concerns raised by food-safety activists who believe that the process destroys nutrients and creates chemicals that may be mutagenic and carcinogenic—a CBS news poll reported that 77 percent of Americans oppose this process.

In addition, the U.S. Department of Agriculture only recently revoked standards that would have allowed organic food to be genetically engineered, after intense opposition from activists.

Similarly, the government's National Action Plan on Breast Cancer could be more comprehensive. Current work within the Etiology Working Group of the National Action Plan has been primarily focused on workshops exploring environmental risk factors for breast cancer. These are important first steps, but they cannot address the many complex issues—ranging from food to chemical labeling—that affect current policies and pose risks to women. Last year, funding for environmental research represented only a tiny fraction of the government's budget for disease research. In 1999, only 2.4 percent, or \$382 million, of the National Institute of Health's \$15 billion budget was allocated to the National Institute of Environmental Health Sciences, the primary agency that conducts research on environmental health.

The problem of breast milk contamination remains critical for women in this country. Although the EPA has made some progress in removing contaminants from the air through tougher clear air standards, and the banning of DDT and certain other chemicals, these steps do not go far enough. The EPA has repeatedly delayed the release of its final report on the health effects of dioxin, a highly-toxic chemical known to contaminate breast milk at thousands of times the safe level. It is likely that if this report is released, it will provide the impetus for dramatically-strengthened regulations on dioxin-producing industries, and for increased grassroots activism aimed at phasing out dioxin producing products and practices. Even with some decrease in breast-milk contamination, women face difficult choices: feed their newborn breast milk contaminated with dioxin and other pollutants, or feed their newborn formula and lose the known benefits of breast milk.

Limiting pesticide use in the United States remains critical

to advancement of the goals of the Platform for Action. The government has recognized that pesticides have been linked to breast and ovarian cancer, and have widespread reproductive and developmental impacts. But while the Clinton Administration made a commitment to reduce pesticide use and promote sustainable agriculture in 1993, there is little to show in the way of results. The administration could not meet its commitment because it failed to either define and support ecologically-based approaches to integrated pest management, or to establish reduction targets and timelines. In the meantime, according to estimates from the EPA, agricultural pesticide use increased from 657 million to 944 million pounds (30%) from 1987 to 1997. In California alone, where state law mandates reporting of most pesticide use, state records show that pesticide use rose from 161 to 215 million pounds between 1991 and 1998. This includes a 34 percent increase between 1991 and 1997 in pesticides known to the state to cause cancer or harmful reproductive problems, such as birth defects, reduced fertility and sterility. The continuing reliance on massive amounts of highly hazardous pesticides represents an unacceptable threat to the health of women and the general public.

It is also important that the U.S. support the goals of the Global Convention on Persistent Organic Pollutants (POPs), currently under negotiation. The ultimate objective is to eliminate POPs, which are implicated in rising rates of cancer, infertility, declining sperm counts, fetal malformations, neurobehavioral impairment and immune-system dysfunction. The U.S. must also commit funds to make this a reality. The significant health improvements achieved as a result of stringent regulations of lead in gasoline are a good example of how regulatory action can promote health.

The Platform for Action calls on the government to identify and support environmentally sound technologies that have been designed, developed and improved in consultation with women, and that are appropriate for both women and men. But new wireless communication technologies are being developed and installed across the country and around the world without adequate input from the public, particularly from women concerned about breast and other cancers. Today, four out of five mobile phones do not even meet Federal Communications Commission standards for adult use. Therefore, mobile phones and some cordless phones (900 megahertz cordless phones) pose unexamined potential risks. The World Health Organization Electric and Magnetic Fields Research Program is currently attempting to "harmonize world standards" essentially without public input. This preempts the ability of any individual government to adopt more stringent standards because there is no truly independent research to identify potential risks. Given the con-

cerns about the possible links between EMF's and health risks for women and children, the United States needs to push for a public member, with a gender perspective, to be appointed to the WHO EMF Program Committee as a full participant in the public interest.

People in the U.S. lack the power to make informed decisions as producers and consumers. Environmental hazards are often masked by corporate public relations and advertising campaigns that persuade the public to accept products without full knowledge of possible health risks. In particular, there is a pressing need to include more safety information on product labels, with full disclosure of all ingredients. This includes the listing of inert ingredients. For example, many endocrine-disrupting compounds—chemicals that can disturb the body's finely tuned hormonal balance—are present in pesticides, plastics and detergents, but because they are not an active ingredient, they are absent on product labels. It is crucial that women know what chemicals they are coming into contact with so that they can protect themselves and their families. Clear steps should be taken by the U.S. government that will empower women to make safe choices as producers and consumers.

The Platform for Action furthermore calls for safeguarding women's intellectual property rights, knowledge, innovations and practices in indigenous and local communities. Few measures have been taken to address the concerns of women environmental leaders that biodiversity is being threatened by the encroachment of genetically-modified crops and terminator seeds. The U.S. must ratify the Convention on Biological Diversity which promotes the conservation of biological diversity and the equitable use of genetic resources. In addition, transnational corporations are profiting by patenting life forms that have been carefully nurtured by generations of people living close to the land.

The U.S. government has also failed to integrate the environmental concerns of indigenous and minority peoples. Data should be analyzed by race and ethnicity to gain a greater understanding of how chemicals might affect certain racial or cultural groups. In addition to specific initiatives related to women and environmental justice, the government should establish databases and creative mechanisms to track how women are exposed to disease.

RECOMMENDATIONS

The Federal government must:

- Publish an environmental strategy with clear timetables, targets and responsibilities;
- Create a National Environmental Action Plan, as well as a cross-agency Oversight Committee that includes consumer

participation to oversee government allocations for environmental health research, to enable a review of ongoing research and allow for recommendations to be made that are based on responsible science;

- Appoint an independent Task Force on Women and Environment to work with the EPA on a strategic approach to implementing the goals of the Platform for Action;
- Provide more gender-disaggregated statistics on the environment;
- Develop a project focusing on media education and training on women and the environment; and
- Review government regulations with respect to gender differences in susceptibility to environmental toxins.

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The Girl-Child

THE PLATFORM FOR ACTION SAYS

- L.1. Eliminate all forms of discrimination against the girl-child.**
- L.2. Eliminate negative cultural attitudes and practices against girls.**
- L.3. Promote and protect the rights of the girl-child and increase awareness of her needs and potential.**
- L.4. Eliminate discrimination against girls in education, skills development, and training.**
- L.5. Eliminate discrimination against girls in health and nutrition.**
- L.6. Eliminate the economic exploitation of child labor and protect young girls at work.**
- L.7. Eradicate violence against the girl-child.**
- L.8. Promote the girl-child's awareness of and participation in social, economic and political life.**
- L.9. Strengthen the role of the family in improving the status of the girl-child.**

WOMEN'S ASSESSMENT AND RECOMMENDATIONS

The current Administration should be commended for efforts to implement portions of the Platform for Action. The current political climate is not welcoming of the vast changes that would be necessary for full implementation, and the Executive Office, though it appears to be committed to progress, has often been stymied in its efforts. The U.S. Congress and various state legislatures have too often been successful in blocking progressive legislation and/or passing regressive measures.

The primary body charged with overseeing implementation of the Platform is the President's Interagency Council on Women. While establishment of the Council is noteworthy in and of itself, from an NGO perspective the Council has not done enough to educate the public about its own existence and purpose, let alone about the Platform for Action and, in particular, the rights of girls. Even less has been done to educate the public and encourage people to learn about other UN agreements and the rights promoted therein—specific to women and girls: the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child, and the Programme of Action adopted at the 1994 International Conference on Population and Development. The public is generally unaware that these documents exist. The Convention on the Rights of the Child is not even referenced in the Government's reports, yet ratification of the convention is a main strategy suggested to governments in the Platform for Action

to help eliminate discrimination against the girl-child. The U.S. government is one of only two nations in the world that have not ratified this important convention—Somalia, which does not have an organized government, is the other. The conventions covering women and children need to be promoted at the national level, and the U.S. Government must move to ratify them as soon as possible.

As a nation, we have failed to make children a priority. More specifically, we have failed to differentiate the needs and experiences of girls from those of boys. The presence of a strong, vocal First Lady, female Secretary of State and female Attorney General help to provide important role models for girls. But commitment to fostering leadership opportunities and skill-building experiences is still lacking. What projects and programs do exist have been established primarily by the non-profit sector and few have received federal financial support. The government, however, appears to be claiming credit for creating some of the innovative programs listed in the follow-up reports. Although those listed do receive federal funding, it is limited and the government has played a largely responsive role—non-profits continue to scrimp and scrape and lobby for handouts to fund programs that are making real differences in girls' lives.

Girls' status in many ways has been steadily improving in the U.S., but there are some glaring exceptions. Violence is a major concern. Others include access to and knowledge about reproductive health care, affordable quality health care, gender-sensitive and gender-inclusive educational materials, and leadership-development opportunities. A coordinator for girls' issues has recently been appointed within the Interagency Council, but, apart from targeted health-improvement campaigns, girls still seem to be considered almost as an afterthought in policy formation.

Highlighted in the Government report are new measures to combat violence against women, but little specifically targets girls. Research generally looks at women and/or children, without considering gender-based violence across the continuum of age. Sexual violence against children, for example, is not gender-neutral. Girls are the majority of victims of rape, incest and other forms of sexual violence. Girls are subject to sexual harassment, often in educational settings and on public transport. We need to create an atmosphere in which girls who are survivors of violence feel safe coming forward, and to provide mental, physical and emotional healthcare services to support full recovery.

Girls are increasingly viewed and portrayed as violent offenders. In reality, girls are overwhelmingly the survivors of violent crime but little is being done to research adequate

prevention measures or to study the connection between girls as “victims” becoming girls as “perpetrators” of violence. Additionally, girls who do end up in the justice system are particularly vulnerable—both to personal and institutional violence.

In the Government’s overview, lack of adequate health care coverage for women is a noted concern, but again, girls are not mentioned. Much of the work being done on behalf of girls at the governmental level focuses on health issues. While this work is vitally important and does show some real progress, much is lacking, and in some areas there have even been some steps backwards. Girls need full access to quality healthcare. Reproductive healthcare should also be available from a relatively early age to ensure that girls have sufficient knowledge to protect themselves from HIV/AIDS, other STDs and related health concerns. In addition, regular healthcare can help to identify cases of sexual violence and abuse. In some states, new legislation has been enacted that limits girls’ access to a full range of reproductive-health services—notably, parental consent and notification requirements that can result in harmful consequences for girls who are minors. Many girls fear telling their parents or guardians of problems due to the possibility of strong disapproval or even violence. These laws place the burden squarely on girls—there are no consequences for the boys and/or men who share at least equal responsibility for unwanted pregnancies. Girls are hungry for basic reproductive-health and birth-control information. Evidence reveals that increasing numbers of girls are aware of the need for, and are using, condoms to protect themselves against unwanted pregnancies and STDs. But there is no guarantee that girls will receive the information they need from “public” sources, such as school programs. The growing tendency of public schools to focus on “abstinence only” programs endangers the short and long-term health of girls and limits their options and, potentially, their future opportunities. Although school policy is determined at the local level, the government could do more to encourage disbursement of vital reproductive-health information.

The Government also highlights release of a report on innovative childcare programs initiated by employers. But given the need, especially for underemployed women and women pushed to accept low-wage positions due to welfare reform, there should be stronger support of adequate childcare for low-income parents. Standards of care need to be more uniform and children’s safety, particularly from abuse, needs to be a pre-eminent concern. Affordable childcare is particularly important for teen mothers to enable them to complete their educations and/or receive vocational training.

The last area highlighted in the Government overview is the integration of issues affecting women and girls into the

mainstream of federal plans and policies. However, given the paucity of research on girls, the lack of disaggregated data and the fact that the Government does not analyze spending through a gender lens, it is unlikely that this concern is being taken as seriously as the report suggests.

FUNDING

There is no reason, given the economic wealth and resources of this country, that any child should be deprived of health-care or any basic necessities. But beyond the basics, girls need additional support to achieve equality. The gender gap in leadership positions, both public and private, persists, thus depriving girls of role models with whom they can identify. Girls need opportunities to develop and hone their leadership skills. Given the chance, girls are strong advocates for themselves, able and willing to articulate their goals and needs. They need tangible support to help them achieve. Just as the Government puts forth a “comprehensive” defense plan with an attached budget, why not create an equality/development plan that has specific goals and an attached budget to move toward full equality—across gender, race, ethnicity, and all other lines? That would signal sincerity of purpose.

The majority of funding for girls comes through gender-blind youth and children’s programs and initiatives. While girls do benefit, their needs are often not considered separate or distinct from boys. Health seems to be the major area targeted for funding for girls. But much of this centers on public-education and awareness campaigns. While these are important measures, lack of health insurance is a major issue for girls from low-income families and this issue has not yet been tackled. There is also the question of adequate research on the distinct health concerns of girls and collecting data on girls that is disaggregated by race, ethnicity, socio-economic position and geographic location.

STRUCTURES AND MECHANISMS

The President’s Interagency Council on Women is charged with ensuring implementation of U.S. commitments made at the Fourth World Conference on Women. There is an inter-agency working group focused on the girl-child, but, again, it does not seem to widely promote its work or its mandate to the public. It is difficult to gauge its effectiveness in advocating for girls and girls’ rights at the national level.

ROLE OF NGOS

Much of the most innovative work for girls comes from the nonprofit sector. The Government has helped to fund some

THE GIRL-CHILD

of these initiatives, but funding is limited and there is little effort to seek out girl-focused development programs. Funding is still distributed through traditional mechanisms that tend to favor boys and boy-centered programs and activities. According to the Government report, one funding initiative has been mentoring. However, of the 93 organizations funded in this area, only four had programs designed specifically for girls. Additionally, the Government has not promoted the role of NGOs in its reports on implementation of the Platform for Action. Many of the programs listed refer to the funding agency and not the NGO responsible for designing and/or delivering the program. Much more could be accomplished if there was a deeper commitment to supporting the work of NGOs, both financially and politically.

INNOVATIVE POLICIES/PROGRAMS

The Government launched a public education and awareness campaign, “Girl Power!”, which focuses on a range of issues from pregnancy prevention to promoting physical fitness and mental health. The Government has also sponsored a variety of programs designed and delivered by NGOs. However, the reach of these programs and level of funding is severely limited. The Department of Justice is helping to fund mentoring programs, but a minority of these focus specifically on the needs of girls. And there is not enough attention and funding directed toward broad-range prevention measures. Efforts are largely piecemeal, and there does not seem to be a strong commitment to ensuring girls’ physical, mental and emotional health or the enjoyment of their rights. To accomplish this will require a long-term deeper commitment than shown heretofore.

Although the gender gap in education is rapidly disappearing, it is still evident in particular areas, notably, math, science and technology. Girls require more encouragement to pursue their interests in these fields. Economic literacy for girls should also be on the agenda. Women and children are the majority of the population living in poverty, the majority of single-parent households are headed by women, and women are paid less than men across the board. All these issues underscore the need for girls to receive career training and learn about money and money management. Additionally, despite the adoption of Title IX in 1972, intended to prohibit sex discrimination in federally-assisted education programs, funding for girls’ programs, notably sports, continues to lag. Enforcement of Title IX has not been consistent. Participation in sports improves girls’ health, provides opportunities for leadership and physical skills development and generally raises self-confidence and self-esteem. Issues of identity and self-worth need to be addressed. Girls suffer

disproportionately from depression—by a ratio of nearly 2:1—and make-up 90 percent of cases of eating disorders. Negative media images continue to put undue pressure on girls to conform to an “ideal” body image. Although some steps have been taken to address media portrayals of women and girls, these have been limited at best. In addition to image concerns, media portrayals and glorification of violence against women and girls and a culture that subjects girls to high levels of violence is a grave concern.

The Administration has, in some respects, done more than might be expected in the current political climate. However, the issue of girls’ and women’s rights and gender equity cannot be compartmentalized and dealt with through discreet actions and interventions. Gender needs to be mainstreamed into policy formation, both domestic and foreign.

In the U.S. Government’s, “Women 2000: Beijing Plus Five—12 Critical Areas of Concern”, the stated goal is the elimination of discrimination against girls. Several strategies are outlined including: “enforce rights to succession; eliminate female genital mutilation, son preference, and economic exploitation of child labor; and strengthen the role of the family in improving the status of the girl-child.” While each of these issues is vitally important and must be addressed, they are primarily, with the exception of strengthening the role of the family, issues that affect a relatively small percent of girls in the U.S. While the U.S. can and should take a leading role in improving the status of girls at the global level, we also need to articulate priorities specific to the situation of girls in the U.S. Chief among these is the negative impact of welfare reform on many female-headed households.

Government policy is often gender neutral and/or gender blind towards girls, which is not the same as advancing an equity agenda for girls. What is lacking is a comprehensive plan to achieve equality for girls across all sectors and all segments of the population.

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ACRONYMS USED IN THIS REPORT

AAUW American Association of University Women

AFDC Aid to Families with Dependent Children

AGP Agreement on Government Procurement

ASNE American Society of Newspaper Editors

BGH Bovine Growth Hormone

CDC Center for Disease Control and Prevention

CEDAW The Convention on the Elimination of All Forms of Discrimination Against Women

CHIP Children's Health Insurance Program

CNN Cable News Network

CSE Child Support Enforcement (Program)

DAW (UN) Division for the Advancement of Women

EEO Equal Employment Opportunity

EPA Environmental Protection Agency

EPICC Equity in Prescription Insurance and Contraceptive Coverage Act

FAIR Fairness and Accuracy in Reporting

FASA Federal Acquisition Streamlining Act

FCC Federal Communications Commission

FDA Food and Drug Administration

FEHBP Federal Employees Health Benefits Program

FMLA Family Medical Leave Act

FMR Fair Market Rent

FRAC Food Research Action Coalition

FSP Food Stamp Program

HHS Department of Health and Human Services

HUD Department of Housing and Urban Development

ICC International Criminal Court

ICTR International Criminal Tribunal for Rwanda

MTDP Minority Telecommunications Development Program

NAC National Advisory Council on Violence Against Women

NBC National Broadcasting Corporation

NIDA National Institute on Drug Abuse

NIH National Institute of Health

NIOSH National Institute of Occupational Safety and Health

NOW National Organization for Women

NOWLDEF NOW Legal Defense and Education Fund

OCBO Office of Communications Business Opportunities

OCR Office of Civil Rights

ONOW Ohio Nontraditional Occupations for Women

PAC's Political Action Committees

POP's Persistent Organic Pollutants

PPIC Public Policy Institute of California

PRWORA Personal Responsibility and Work Opportunity Reconciliation Act

PTSD Post-Traumatic Stress Disorder

ROSS Resident Opportunities and Self-Sufficiency program

SBA Small Business Administration

SEICUS Sexuality Education and Information Council of the United States

STD Sexually Transmitted Disease

STI Sexually Transmitted Infection

TANF Temporary Aid to Needy Families

TDF Telecommunications Development Fund

TDI Temporary Disability Insurance

TRI Toxics Release Inventory

UI Unemployment Insurance

UNFPA United Nations Population Fund

UNHCR United Nations High Commissioner for Refugees

USAID United States Agency for International Development

USDA United States Department of Agriculture

USIA United States Information Agency

VAWA The Violence Against Women Act

VAWO Violence Against Women Office

WHO World Health Organization

WIA Workforce Investment Act

WIC (Program for) Women, Infants and Children

WISE Women in Science and Engineering

WISH Women in the Senate and House

WTO World Trade Organization

WEDO Publications

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