

File

THE WHITE HOUSE
WASHINGTON

July 9, 1984

Dear Mr. Clinger:

You were so good to take the time to send along
The House Wednesday Group report regarding women's
issues. I look forward to reading it in detail.

Thanks again for keeping us posted on your efforts.

With warm regards,

Sincerely,

MICHAEL K. DEAVER
Assistant to the President
Deputy Chief of Staff

Mr. William F. Clinger
Chairman
The House Wednesday Group
386 HOB Annex #2
Washington, D. C. 20515



THE HOUSE WEDNESDAY GROUP

386 HOB Annex #2, Washington, D.C. 20515 (202) 226-3236

July 2, 1984

Michael Deaver
Assistant to the President and
Deputy Chief of Staff
The White House
Washington, D.C. 20500

Dear Mike:

Last week 23 members of the House Wednesday Group introduced a report and legislative agenda on women's issues. We have enclosed a copy of the report which we hope you will find interesting and useful.

The report proposes a broad range of reforms for women in the areas of civil rights, economic equity, family care, and health and retirement. We have sent these recommendations to the President, to the Republican leadership in the House, and to the platform committee, and we are hopeful that many of them will be included in the Party platform.

Wednesday Group members who have endorsed the report represent a wide spectrum, in political and geographical terms, of our membership.

We believe that the report has gained this broad support because of its many practical and valuable recommendations, including:

- o Mandatory enforcement of civil rights laws for women. Currently enforcement is discretionary, and these laws have not been sufficiently effective in eradicating discriminatory practices.
- o Extending enforcement provisions of the Equal Credit Opportunity Act to commercial lenders, to give women business owners better protection against credit discrimination.
- o Establishment of a federal Dependent Care Development Program to sponsor and promote new approaches to high quality cost-effective programs of dependent care.

We believe that the reforms proposed in this report are good policy and deserve the attention of the Administration and the Party.

We look forward to your reactions, and would be pleased to discuss these issues with you at any time.

Sincerely,


Olympia Snowe
Task Force Chair


William F. Clinger
Chairman

Enclosures (3)



THE HOUSE WEDNESDAY GROUP

386 HOB Annex #2, Washington, D.C. 20515 (202) 226-3236

NEWS RELEASE
June 21, 1984

Contact: Steve Hofman
(202) 226-3236

CONGRESSIONAL REPORT PROPOSES REPUBLICAN AGENDA FOR WOMEN

"While macroeconomic improvements such as GNP growth and inflation reduction are vital to the well-being of our nation as a whole, they are not sufficient to alter the social and economic predicaments of women," asserts a Special Report on Women in American Society released by a group of House Republicans known as the Wednesday Group.

Prepared by Dr. Joyce Van Dyke, Project Director on Women's Issues for the Wednesday Group, the report outlines a reform program for women which combines "many new Congressional initiatives with a stress on enforcement of important existing anti-discrimination laws, such as laws prohibiting wage discrimination on the basis of sex." Members releasing the report include: Bill Clinger (PA), Olympia Snowe (ME), Doug Bereuter (NE), Barber Conable (NY), Hamilton Fish (NY), Bill Frenzel (MN), Bill Green (NY), Jim Leach (IA), Lynn Martin (IL), Joel Pritchard (WA), Nancy Johnson (CT), Marge Roukema (NJ), Bill Whitehurst (VA), Bud Hillis (IN), Jim Jeffords (VT), John McKernan (ME), Stew McKinney (CT), Tom Ridge (PA), Joe McDade (PA), Sid Morrison (WA), Clay Shaw (FL), Silvio Conte (MA), and Ralph Regula (OH).

The failure of civil rights enforcement efforts -- "often subject to both political and bureaucratic whim" -- testifies "to a half-hearted federal commitment to rectifying sex discrimination," the report contends. For example, 40% of employment cases involve sex discrimination charges, and "a sizeable number of [EEOC-filed] charges (8,585 in FY'82) were closed without investigation, placing the burden of investigation back on the complainant's shoulders."

The report recommends that Congress require "EEOC and other appropriate federal agencies to investigate in a timely fashion all sex-based wage discrimination charges, and correct any cases in which a finding of discrimination has been made." The report contends that this reform "is probably the single most important step we can take to improve the economic situation of women." The report also recommends that Congress pass legislation requiring mandatory enforcement of all civil rights laws once there is an administrative finding of discrimination. Under the current system, the Justice Department and EEOC are not required to enforce agency decisions. This has resulted in meritorious cases gathering dust in Department files.

The report also documents the inequities faced by women entrepreneurs, noting that "key enforcement provisions of the Equal Credit Opportunity Act of 1974 were extended to consumer loans but not to commercial loans. The rapid growth of women in business since the Act was passed [women today own 25% of small businesses] makes the extension to commercial loans imperative."

The report also recommends that Congress should "demonstrate a strong federal commitment to giving women [business owners] access to federal money that filters down to state and local levels." It recommends that the federal prime contractor and federal procurement officer "negotiate a subcontracting plan to award a reasonable proportion of subcontracts to women business owners." Noting that "winning federal subcontracts is, for many women business owners, the best means" to enter the mainstream of American business, the report points out that currently "there are no legal incentives... for prime contractors to contract with women-owned firms."

The report also discusses family care issues, noting that it is "radically unrealistic to regard child care... as a working woman's problem and not as an issue of general public interest." Yet "our country has no federal commitment to planning, policymaking, development or promotion" of essential dependent care services, despite the fact that "the majority of mothers (54%) are in the paid work force," and "the population for which women have traditionally cared -- children and the elderly -- is increasing." By 1990, "there will be over 23.3 million children under age 6, up from 18.9 million in 1980. During the 1980s, the elderly population will grow even faster, by 6.3 million people."

The report recommends that Congress "require HHS to develop an appropriate program to promote the development of high quality, varied, and cost-effective dependent care services." In addition, it recommends a Labor Department study of existing disincentives to the use of flexible work schedules such as job-sharing and flexitime, in order to expand their use in the private sector.

The report also notes that Social Security "covers more women than men, yet the system fails to account for the different life patterns of women," rendering retired women especially vulnerable to poverty. Women receive low Social Security benefits for numerous reasons, including: divorce ("in 1982, the average benefit for divorced women was \$192 per month"); "the system's penalty against an interrupted earning career"; and the penalty for two-earner couples, most of whom "actually get a lower benefit than one-earner couples with the same income."

Recognizing this, the report recommends that Congress "develop appropriate legislation" to implement Social Security earnings-sharing. Under earnings-sharing, the earnings of husband and wife would be pooled and divided equally for purposes of calculating benefits upon retirement or divorce.

The report asserts: "A deeper commitment from both major political parties is required to change the biases against women which are built into our country's institutions, programs, and policies. The challenge that "women's issues" poses to our nation is not only a challenge to reform our laws; it is also a challenge to enlarge our vision."



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ABOUT THE WEDNESDAY GROUP

The Wednesday Group is a by invitation Republican organization begun in 1963 in the House of Representatives. Composed of 32 members of the House, its purposes are to facilitate legislative information exchange, propose policy programs, and provide forums for the confidential consideration of legislative and public policy options.

Wednesday Group members, from a diverse geographical spectrum, meet on a weekly basis for discussion and exchange of information and ideas. The Group is supported by a small professional staff that conducts research, engages in outreach activities, and helps generate policy proposals by preparing reports on major issues.

A sampling of the issue areas in which the group has been particularly involved in the past several years includes: Foreign Investment in the U.S., the Underground Economy, U.S. Immigration and Refugee Policy, U.S. Military Manpower, Food Stamp Reform, Ballistic Missile Defense, the Clean Air Act, the Voting Rights Act, Money Market Funds, the Gold Standard, U.S. Natural Gas Policy, and Federal Lands Policy.

Throughout its history, the Group has also affected major legislative initiatives in areas of specific concern to Congress and to Wednesday Group members. Present efforts include: Recodification of the Rules of the House, Federal Civil Rights Policy, Revitalization of the Defense Industrial Base, Capital Budgeting and the U.S. Economic Infrastructure, Worker Retraining, Women's Issues, and Federal Budget Policy.



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WG SPECIAL REPORT
ON
WOMEN IN AMERICAN SOCIETY

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Prepared by:
Dr. Joyce Van Dyke
Project Director on
Women's Issues
June 21, 1984

After years of activity on women's issues by political and legislative groups, American women continue to face substantial barriers to equality. During the past two decades, the Equal Rights Amendment has been the focus of many reform efforts, and it remains an important part of any reform program for women. But the ERA does not obviate the need for other reforms that complement or even go beyond its intent.

In order to fill this need and reinvigorate the long-standing link between women's issues and the Republican Party, many Republicans believe that Congress and the Administration need to focus on a variety of issues which directly benefit women, as well as American society at large. These include: civil rights enforcement; equity in employment issues; family and dependent care; and women's health and retirement.

In 1980, the Republican platform endorsed "enforcement of all equal opportunity laws." It declared that women's work must be "reevaluated to improve the conditions of women workers concentrated in low-status, low-paying jobs" and urged attention to one of the "most critical problems in our nation today... inadequate child care for the working mother." It also pledged to address any remaining inequities in the treatment of women under the Social Security system.

The cost of disregarding the economic problems of women is high. First and foremost, it is a cost borne by women themselves. But there are other costs: that of disregarding the majority of new American workers and their dependents; and the steady drain on the federal budget by the many social programs which provide essential assistance to women, but do little to address the issue of why women are poor in the first place.

In short, America's political leaders need a comprehensive vision of women in American society. Our legislative and economic institutions must recognize and support rather than ignore or penalize the very different patterns which characterize women's lives. Otherwise, women will continue to experience unequal political, economic, and social opportunity in the coming years, and we will continue to squander the resources of more than half of our people.

Overview

For most of American history, women have been denied equal opportunity and stigmatized as the social, intellectual, economic, and legal inferiors of men. *The changes of the last two decades have only begun to rectify this centuries-old situation. Women today remain concentrated within a small number of occupations, within the bottom half of wage structures, within the less financially rewarding educational and vocational fields, and increasingly within the official limits of poverty. Official and unofficial barriers to the full integration of women into American society are still firmly in place.*

- o Women as a group are entitled to less protection from discrimination within federally assisted programs than are other groups (minorities, the aged, the handicapped), and enforcement of their rights is often subject to both political and bureaucratic whim.
- o Women are "systematically underpaid" in all industries, occupations, and educational levels, according to a 1981 National Academy of Sciences study.
- o No national policy exists with regard to child and dependent care, despite conditions which point to a potential crisis: a serious shortage in existing services; an underground child care market to which parents often do not have ready access; an anticipated second "baby boom" during the 1980s; and a continuing rise in women's employment.
- o Older women are more likely to live in poverty than older men. In 1981, the median income for men age 65 and older was \$8,173; for women, \$4,757. Of the approximately 7.5 million elderly people living alone, 6 million are women.

If women are to be integrated into our national institutions and have as individuals the freedom and equality of opportunity honored by this country, urgent, energetic, and immediate action must be taken. Reforms are necessary in the following areas:

- o Mandatory enforcement of existing civil rights statutes, and standardization of coverage for women.
- o Equity in pay and employment training; expanded federal contract opportunities and credit protection for women business owners.
- o Commitment of federal resources to the development of dependent care, and a restoration of funds for low-income dependent care services.
- o An equitable Social Security earnings-sharing system, and investigation into the adequacy of health care systems and services to treat women.

Reforms in the areas of civil rights, economic equity, family care, and health and retirement would correct many current inequities and provide a groundwork for preventing future inequities. The recommendations developed in this report combine many new Congressional initiatives with a stress on enforcement of important existing anti-discrimination laws, such as laws prohibiting wage discrimination on the basis of sex. As David Gergen, former White House senior adviser, recently noted: "It is disgraceful that women today continue to face so much discrimination in the workplace... We need a frontal attack on the barriers to equal pay for women that are rooted in discrimination. Indeed, there ought to be no higher task for the Equal Employment Opportunity Commission or the Department of Labor."

In the interest of providing a Republican agenda for future Congressional action, this report complements rather than repeats current legislative efforts on issues such as child support enforcement, insurance equity, private pension reform, and family planning reauthorization. Such issues have been strongly supported by many Republicans in Congress, including the Republican Congresswomen

who, through their ongoing meetings with the Reagan Administration, have done much to bring several of these issues to center stage in the national political debate. These issues need the continued attention of the American people, and the continued strong support of Republicans in and out of government.

But neither the current Congressional agenda nor the one proposed in this report can be expected to be a solution to all "women's issues." In fact, the range and complexity of these issues means they cannot truly be isolated from other questions of national, social and economic importance. A deeper commitment from both major political parties is required to change the biases against women which are built into our country's institutions, programs, and policies. The challenge that "women's issues" poses to our nation is not only a challenge to reform our laws; it is also a challenge to enlarge our vision.

* * *

Summary of Recommendations

CIVIL RIGHTS

- o Congress should give women broader civil rights protection in federal programs by amending Title VI of the Civil Rights Act of 1964 to include a ban on sex discrimination in all federally assisted and federally operated programs and activities.
- o Congress should require all federal agencies to publish regulations on the enforcement of civil rights statutes.
- o Congress should amend Title VII to cover Congressional employees.
- o Congress should pass legislation requiring mandatory enforcement of Title VII of the 1964 Civil Rights Act, the Equal Pay Act, Title IX, the Age Discrimination in Employment Act, and all other civil rights laws by all enforcement agencies and the Department of Justice.
- o Congress should require civil rights enforcement agencies to conduct periodic compliance reviews of those organizations previously found to have discriminated.

ECONOMIC EQUITY

- o Congress should require EEOC and other appropriate federal agencies to investigate in a timely fashion all sex-based wage discrimination charges, and correct any cases in which a finding of discrimination has been made.
- o Congress should direct the Labor Department to establish a Job Evaluation Program to research the development of bias-free job evaluation techniques.
- o Congress should ensure that the Job Training Partnership Act (JTPA) meets its legislative goals and provides equal opportunity for women.
- o Congress should remodel and upgrade the Work Incentive Program (WIN) to provide non-traditional occupational training for unemployed women on welfare.
- o Congress should act to encourage federal contractors to increase subcontract awards to women business owners.
- o Congress should require the Federal Reserve Board to extend all enforcement provisions of the Equal Credit Opportunity Act of 1974 to commercial lenders.

FAMILY CARE

- o Congress should require the Department of Health and Human Services to establish a Dependent Care Development Program to sponsor and promote new approaches to high quality cost-effective programs of dependent care.

- o Congress should restore part of the reduction in the Social Services Block Grant by raising it from \$2.7 billion to \$2.9 billion for FY'85, and should restore a minimum for dependent care expenditures under the block grant.
- o Congress should require the Department of Labor to do a study of disincentives to the expansion of alternative work schedules such as flexitime, compressed workweeks, job-sharing, flexible leave policies, and part-time jobs with pro-rated benefits (including part-time work at middle and upper levels).
- o As a model employer, the federal government should authorize the use of flexible schedules in federal agencies to meet the goal of reducing parents' reliance on non-familial child care.

HEALTH AND RETIREMENT

- o Congress should pass legislation prohibiting sex discrimination in all federally assisted and federally operated health care services and programs.
- o Congress should require the Secretary of Health and Human Services to report by a specified date on: (a) what constitutes civil rights compliance by health care providers; and (b) whether existing services and programs meet these standards for providing equally effective health care for women and men.
- o Congress should schedule additional hearings on reforming Social Security to provide more equitable benefits for women and for two-earner families.

* * *

Civil Rights

The struggle for women's civil rights, which began over a century ago with the female suffrage movement, has intensified during the last twenty years, with women's civil rights gains in employment, education, and other areas. But the expansion of civil rights for women has not been systematic or complete; rather, these changes have usually been afterthoughts, late additions to protections already existing for other groups. Moreover, civil rights enforcement problems have limited the law's actual ability to rein in discriminatory practices. Gaps in coverage, weakness in enforcement, and the slow pace of institutional change have meant that the struggle for women's civil rights is ongoing.

HISTORY

In the 20th century, as in the 19th, part of the momentum for women's civil rights came from the black civil rights movement. But feminists were slow to demand national legislation to counteract sex discrimination. In fact, the addition of a sex discrimination ban to Title VII of the Civil Rights Act of 1964 -- which initially banned only race discrimination in employment -- was not prompted by feminists, but was due to Senator Howard Smith's (D-VA) attempt to defeat or weaken the legislation.

As a consequence of this curious accident (in the words of social historian Sheila Rothman), the sex discrimination ban in Title VII "was not taken seriously by the Congress that passed it, the President who signed it, the administrators who were to enforce it, or the employers who were to obey it." As a result, although Title VII affected employment policies toward minority males, it was significantly less potent for women. From the early 1960s to the mid-'70s, the income of minority males relative to white males rose from 64% to 75%. But the income of white women relative to white men actually dropped from 60% to about 58%, an income level almost matched by minority women.

These efforts to ban wage discrimination and to promote equal pay for men and women performing the same jobs were by no means new. Women workers had organized against wage discrimination as early as the 1800s, and during World Wars I and II, war labor boards established equal pay as a national policy. The Women's Bureau began lobbying for federal equal pay legislation in 1945, and twenty-two states enacted equal pay laws in the 1940s and 1950s.

Yet wage discrimination continued to be pervasive. In fact, a 1962 Wall Street Journal survey of employment prospects for college graduates noted: "Starting salaries for women will edge upward this year but will still lag by \$50 to \$100 a month behind offers to men for equivalent positions."

Congress responded to this situation by passing the Equal Pay Act of 1963, the first comprehensive national prohibition against wage discrimination. The Act mandated equal pay for men and women performing the same jobs, but significantly did not include any of the "comparable worth" language contained in the bill's original version.

Employment discrimination was a critical concern of the widening women's rights movement of the 1960s and '70s, but this movement also directed national attention to other civil rights reforms. Newly founded women's organizations, including the National Organization for Women (NOW, 1966), the Women's Equity

Action League (WEAL, 1968), and the National Women's Political Caucus (1971), were committed to passing an Equal Rights Amendment (ERA), a constitutional amendment for women parallel to the comprehensive civil rights protection granted to blacks by the 14th Amendment.

Initially introduced in 1923, ERA was first brought to the House floor in 1970 under a discharge petition because Rep. Emanuel Celler (D-NY), Chairman of the House Judiciary Committee, refused for over 20 years to report the legislation or even hold hearings on it. But by 1972, ERA passed both houses, and 33 states ratified it within the next two years. Yet in succeeding years, ERA supporters were unable to secure its passage in a sufficient number of the remaining states, and in 1982 the Amendment expired three states short of the number needed for ratification. Most recently, in November 1983, the ERA failed by six votes to reach the two-thirds majority required for passage in the House of Representatives.

Despite the failure to enact the ERA, the belief that it would eventually pass stimulated numerous specific reforms during the 1970s. Sex discrimination bans were applied to federally funded employment training (CETA, 1973), housing and credit transactions (Housing and Community Development Act, Equal Credit Opportunity Act of 1974), Small Business Administration assistance (Small Business Act of 1974), and education programs (Title IX of the Education Amendments of 1972).

Title IX, banning sex discrimination in "any education program or activity receiving Federal financial assistance," had a rapid and widespread success. Girls' participation in interscholastic athletic programs shot up by over 500%; and because Title IX opened the doors to professional schools for women, their enrollments grew between 1972 and 1981 from 11% to 26% in medical schools, from 2% to 17% in dental schools, and from 10% to 34% in law schools.

While Congress passed Title IX as a direct attack on sex discrimination in education, other civil rights protections for women developed less systematically. Moreover, where civil rights laws included coverage for women, implementation and enforcement were almost non-existent. A 1973 report by the U.S. Commission on Civil Rights described federal enforcement efforts as "so inadequate as to render the laws practically meaningless." The problem was acute at the Equal Employment Opportunity Commission (EEOC): by 1975, there was a backlog of over 100,000 cases and by 1978 it had risen to more than 130,000. About 30,000 cases were lost through misfiling or neglect, and at least 10,000 were "resolved" because, according to investigators, "people gave up, moved, or were not available."

By 1978, confusion, lack of coordination, overlap and inefficiencies among the over 25 federal agencies responsible for civil rights enforcement led to Reorganization Plan No. 1, intended to consolidate and coordinate federal enforcement activities. Yet the reorganization did not address the tangle of inconsistencies in time frames, sanctions, and coverage, which by 1982 characterized over 40 federal civil rights provisions. Moreover, discretionary enforcement of some statutes (e.g., Title VII), the failure of agencies to issue civil rights regulations for existing laws, and what the U.S. Civil Rights Commission described as "sheer inertia," further weakened even those civil protections to which women were legally entitled.

CURRENT SITUATION

Women still have less civil rights protection under federal statutes than racial and ethnic minorities, the aged, and the handicapped. The latter three groups are protected (respectively) under Title VI of the Civil Rights Act, the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973 from discrimination in all federally assisted programs and activities. But the only corresponding statute for women -- Title IX -- is much narrower, banning sex discrimination only in federally assisted education programs. Moreover, the recent Supreme Court decision in Grove City College v. Bell severely curtails Title IX's coverage, narrowing its applicability from an entire school to the specific school office which receives federal funds.

Consequently, women remain unprotected, for example, against discrimination in numerous health and social service programs. Sex discrimination in some (but not all) health and social service programs was first outlawed by the Omnibus Reconciliation Act of 1981 (OBRA), but the law contained no enforcement provisions, and the Office of Civil Rights in the Department of Health and Human Services has not issued regulations to implement the civil rights guarantees established by OBRA. In fact, even in the case of Title IX, which is more than a decade old, only four of the more than 20 federal agencies with Title IX responsibilities have issued regulations for implementing the law.

Women also have less civil rights coverage than other groups in federally operated (as distinct from federally assisted) programs. Federal programs which do not have prohibitions on sex discrimination include the Veterans Administration (at \$25.8 billion in FY'84, the fifth largest item in the domestic budget) and the Public Health Service. Handicapped persons are protected against discrimination in all federally operated programs by the Rehabilitation Act; minorities are protected under the Constitution (as shown by the Supreme Court's 1954 decision in Bolling v. Sharp).

Uncoordinated and inconsistent laws and enforcement practices also continue to sap the spirit of civil rights statutes. Time frames for enforcement are unstated or inconsistent: for example, EEOC requires charging parties to file suit within 90 days after receiving a "right-to-sue" notice from the agency. But a 1981 GAO survey showed that EEOC itself averaged more than seven months to file suit after settlement efforts failed. Various civil rights provisions also offer inconsistent coverage; an employer with 17 employees is covered by Title VII, but not by the Age Discrimination Act.

Civil rights enforcement for women remains a significant problem under EEOC. The Commission handles a high volume of charges: 54,145 were filed in FY'82 (the latest available information). According to Commission Chairman Clarence Thomas, about 40% of EEOC cases involve sex discrimination charges.

While EEOC has largely eliminated its once monumental backlog, most charges are currently handled under a "rapid charge processing" system which emphasizes quick "no-fault" settlements achieved through face-to-face meetings among the employee, the employer, and EEOC staff. In 1981, when about 50% of all charges were being resolved through this process, a GAO report criticized the agency for inflating the number of apparent settlements. It noted that many of the

complainants (48%) who received settlements reported dissatisfaction with EEOC's handling of the case. Moreover, a sizeable number of charges (8,585 in FY'82) were closed without investigation, placing the burden of investigation back on the complainant's shoulders.

Sex-based wage discrimination charges classed as "pay equity" or "comparable worth" charges are being "warehoused," according to one Commissioner. EEOC Chairman Thomas has declared that the Commission can't act on such charges because it doesn't have a policy. Yet EEOC issued a Ninety-Day Notice on September 15, 1981, based on the Supreme Court decision in County of Washington v. Gunther, advising agency officials that they "should accept and investigate these charges under Title VII." That notice remains in effect.

RECOMMENDATIONS

In the area of civil rights, action is necessary as a result of the February 1984 Supreme Court decision in Grove City College v. Bell to narrow Title IX's applicability, a decision which ignored the intent of Congress manifested in November 1983 in H. Res. 190. Legislation to clarify Congressional intent that the sex discrimination statute apply throughout an educational institution which receives either direct or indirect federal financial assistance should be passed without delay.

But while this vitally needed legislation would restore Title IX's potency for women and girls, problems with civil rights coverage for women remain, and additional Congressional action is needed. Reforms to empower civil rights laws by making enforcement mandatory have yet to be made, for example.

1. Standardized Civil Rights Coverage

- o Congress should give women broader civil rights protection in federal programs by amending Title VI of the Civil Rights Act of 1964 to include a ban on sex discrimination in all federally assisted and federally operated programs and activities.

Amending Title VI would put sex discrimination on the same plane as discrimination on the basis of race, age, or handicap in federally assisted programs. There is no rational justification for excluding women from such coverage, or for providing women with piecemeal and patchwork surrogate protections. Federally assisted programs and activities should have consistent, clear, and unambiguous guarantees of civil rights for women, as well as for other groups of citizens.

- o Congress should require all federal agencies to publish regulations on the enforcement of civil rights statutes.

Civil rights protection for women under existing statutes is weakened by the failure of many federal agencies to issue regulations for long-established laws. The absence of regulations makes implementation and enforcement virtually impossible. Agencies which have neglected to issue regulations are delinquent (as the Supreme Court ruled in Cherry v. Matthews (1974) with respect to the Rehabilitation Act), and have derailed the intent of Congress when it passed such legislation. All delinquent agencies should be required to issue implementing regulations by a specified date.

- o Congress should amend Title VII to cover Congressional employees.

Even as Congress considers the issue of sex-based wage discrimination in federal agencies and in society at large, its own employees remain unprotected by Title VII. The wage gap between male and female Congressional staff members is so great that 80% of those making \$20,000 or less are women, and 78% of those making \$40,000 or more are men. While Members of Congress should be able to make employment decisions about personal staff on the basis of geographic and political affiliation, in all other respects Congressional employees should be protected from discrimination in hiring, wages, promotion, and all other terms of employment covered by Title VII.

2. Mandatory Enforcement of Civil Rights Laws

- o Congress should pass legislation requiring mandatory enforcement of Title VII of the 1964 Civil Rights Act, the Equal Pay Act, the Age Discrimination in Employment Act, and all other civil rights laws by all enforcement agencies and the Department of Justice.

There is no deterrent value to laws that are not enforced, and enforcement of one of the most important civil rights statutes for women -- Title VII -- is discretionary. In other words, even after an administrative finding of discrimination, the federal government is not required to enforce its finding. For the thousands of women who each year bring Title VII complaints to the federal government, this is a continuing testimony to a half-hearted federal commitment to rectifying sex discrimination.

Legislation establishing uniform and mandatory enforcement procedures in all agencies should require either an administrative or judicial determination of every charge. EEOC should retain jurisdiction over all employment-related statutes, and the Justice Department should litigate non-employment related statutes, based upon administrative findings by those agencies charged with investigative responsibility.

- o Congress should require civil rights enforcement agencies to conduct periodic compliance reviews of those organizations previously found to have discriminated.

Data to conduct off-site compliance reviews are already regularly collected by EEOC. Without mandatory compliance reviews, the federal government's role in enforcing civil rights is passive, despite the fact that it has the statutory responsibility to monitor civil rights enforcement. Moreover, when citizens alone bear the burden of policing civil rights practices, only those with the resources and education to pursue complaint actions are likely to receive protection under the law.

Economic Equity

Women's entry into paid employment during the past fifty years has partly bridged the gulf between male and female work roles, but the gulf between male and female income remains as wide as ever. While civil rights laws of the past two decades increased women's educational and employment opportunities and stimulated considerable progress for women in certain areas, such as professional and managerial occupations, these changes have not systematically altered women's traditional occupational segregation and lower pay. Yet today many women hold jobs which wholly or partially support themselves and their families. For these women and others, ending employment and wage discrimination, and increasing opportunities in non-traditional fields of work continue to be pressing concerns.

HISTORY

The economic role of women in the 19th and first half of the 20th centuries was clearly distinct from that of men. Women who entered paid employment often followed their traditional "women's work" out of the home, and into textile factories, domestic service, or teaching. Most jobs were known as "men's jobs" or "women's jobs," though a job's sex correlation might shift depending on the circumstances: factory jobs regarded as men's work in some factories were regarded as women's work in others. Most women's employment was assumed to be temporary or part-time, and it was agreed that women should be paid substantially less than men.

With the advent in the 1880s of the typewriter and its revolution of clerical work, many jobs opened up which were attractive to middle class women. The pay and working conditions were better than in factory work; but accompanying the specialization and mechanization of office work was a reduction in promotional opportunities. For men, who had been more than 95% of stenographers in 1870, the job had been a stepping-stone to managerial positions; for women, who had become three-quarters of the vastly expanded field of typists and stenographers by 1900, the position was a dead-end.

Women also entered the fields of nursing and teaching in large numbers during the late 19th and early 20th centuries, as the school systems and medical care systems expanded. In 1870, women made up 60% of all teachers; by 1910 they were 80%. Women teachers generally worked for much lower salaries than men, which made them especially attractive to school boards: in 1893 the Massachusetts school board paid \$35 per week to men and \$14 per week to women who performed the same teaching assignments. Moreover, although women teachers averaged almost ten years on the job, they were not promoted to administrative positions, and in many states were not even allowed to hold them.

When the Women's Bureau was established in 1920 within the Department of Labor to improve working conditions for women and to "advance their opportunities for profitable employment," Census figures showed 21.2% of all women held jobs. But women's economic role in the 1920s and 1930s was still pre-eminently that of homemaker and mother. This role was encouraged by numerous protective laws passed between 1900 and 1920, which limited women's working day to eight or nine hours in most states, and banned night work and work immediately before and after childbirth. In many states, protective laws outlawed jobs for women if

they were thought to endanger women's health, morals, welfare, or capacity for motherhood.

Opponents of protective legislation for women workers, including the National Women's Party which supported an equal rights amendment, argued however that protective laws denied women freedom of choice, and did not necessarily protect women from physically arduous "women's work" -- in laundries, for example. Instead, they had the effect of keeping women out of many better-paying men's jobs.

This situation did not change appreciably until the Second World War. The Depression sent many women into unemployment. But men, as the primary wage earners, had priority for jobs under many government-run public works programs. With the outbreak of World War II, however, women were exhorted to fill nontraditional jobs left temporarily vacant by men who had joined the armed forces.

Even though women were encouraged to leave their jobs at the war's end, women's employment continued to grow steadily during the post-war decades, from 27% of the work force in 1947, to 34% in 1950, and up to 37% in 1956. Among black women, work force participation rates were considerably higher. The post-war development of service industries, and a decline in the "family wage" resulting from 1960s inflation, continued to draw many women into the job market. The rising divorce rate -- which grew by 51% during the 1970s -- also caused more women to seek jobs. In fact, the growth in women's employment was remarkable: it increased by 173% between 1947 and 1980, rising from 16.7 million to 45.6 million women (men's employment grew by 43% during the same period). By 1980, 53% of all women were employed, and women made up 43% of the total work force.

While female participation in the work force increased dramatically during this period, most of these new workers entered "women's" jobs. Job listings in the 1950s, '60s, and '70s often asked for "men only" or "women only." Before passage of the Equal Pay Act, jobs open to both sexes could specify different hiring rates. For example, in 1961 in one state employment office, a bookkeeping job offering \$75 per week to a man was listed at \$60 to \$70 per week for women. In another city, a newly hired male assembler in electrical manufacturing would start at \$1.55 an hour, but a woman in the same job would start at \$1.40. In fact, a 1961 survey of more than 1,900 employers found that 33% reported they had a double standard pay scale for male and female office workers.

Most women workers entered traditional fields: teaching, nursing, sales, and clerical work. But some, spurred by the women's movement which emphasized "careers" rather than just "jobs," sought employment in traditionally male fields such as accounting, engineering, police work, law, and medicine. In addition, affirmative action provisions established by Executive Order 11246 (September 24, 1965), required federal contractors to take positive steps to insure that women were employed and advanced in employment. In businesses subject to these requirements, women's employment rose by 15.2% between 1974 and 1980 (compared to 2.2% at other companies), according to an unpublished study by the Labor Department's Office of Federal Contract Compliance Programs.

While women made significant specific economic and educational gains during the 1960s and 1970s, the larger picture shows the continuity of occupational sex-stereotyping and wage discrimination. Women made up 43% of the work force in 1980, but 80% of them were in "women's" jobs. Less than 10% of women

working fulltime made over \$20,000 per year, and only 3% made over \$25,000. In 1979, Census figures showed that fulltime year-round working males averaged \$24,473 with four years of college and \$17,100 with four years of high school. Fulltime year-round working women with four years of college averaged \$13,303.

Even in fields they dominated, women continued to hold the lower-paid and lower-prestige jobs. In 1980, for example, women filled 66% of teaching jobs. But at the elementary school level, they earned only 82% of what male teachers made. Among elementary and secondary school administrators -- whose earnings are considerably higher than teachers' -- women earned 70% of what men earned. Women also held relatively few of these higher paying jobs (25%), and within this group they remained concentrated in the lowest ranks: more women were elementary school principals, for example, than secondary school principals. Predictably, at the school superintendent level women were almost invisible: in 1980, 154 out of 16,060 superintendents were women, or less than 1%.

CURRENT SITUATION

In February 1984, there were 49,139,000 women in the civilian labor force, more than twice as many as in 1960. But twenty years after Title VII, women are still occupationally segregated. In 1982, half of all women workers were crowded into 20 out of the 440 occupations recognized by the Bureau of Labor Statistics. The developing high-tech industries are reproducing the pattern of sex-segregated employment: in 1980, men had 88% of managerial and professional positions, and women were 75% of operatives and clerical workers.

Women still earn on average less than two-thirds of what men earn: median income for fulltime workers in 1982 was \$21,655 for men, and \$13,660 for women. The wage gap persists even among highly trained professionals: a recent Columbia Business School study of men and women MBAs showed that they started out at the same salary level, but after ten years women earned an average annual salary of \$40,022, compared with \$49,356 for men. According to another study, average salaries of Harvard School of Public Health graduates were \$37,800 for men and \$21,300 for women. In fact, a new study of labor force entrants based on 1970 and 1980 censuses shows that while both white and black women increased their educational attainment relative to white men's, relative wages at entry level declined for white women, and rose only slightly for black women.

Women do better in some sectors of the economy than in others: state and local government jobs provide the highest relative wages for women (68%-71% of men's), while the private sector provides the lowest (56%). But in all occupations women are concentrated at the low-paying end of the spectrum. A 1981 Labor Department survey comparing median weekly wages for men and women in 91 occupations showed that in every case women's wages were lower. Computer programmers' wages were \$447 for men, \$329 for women; male insurance adjusters earned \$356 and females \$230; male nursing aides earned \$203 and females \$167.

The popular assumption that women's work is worth less than men's has not been uprooted. In a 1980 national survey of high school seniors, only 6% of the boys and 89% of the girls completely agreed with the statement, "Men women should be paid the same money if they do the same work" -- even though this principle has been embodied in federal law for 20 years. Experimental social psychology provides very strong evidence that (according to one rep

"the mere fact of identifying a [job] performance as done by a woman results in a lower evaluation and a lower likelihood of reward -- hiring, promotion, etc. -- than when the identical performance is attributed to a man."

In 1981 the National Academy of Sciences published a study on Women, Work and Wages which had been commissioned by the EEOC. It reported that, at most, 44% of the wage differential between men and women could be explained by reference to seniority, education, job tenure, or other conventionally accepted factors. Although men's longer job tenure, for example, is frequently cited as a major cause of the wage gap, data on occupational tenure collected in 1981 for the first time by the Current Population Survey of the Census Bureau shows that it accounts for only 4% of the difference. The NAS study concluded: "The [study] Committee is convinced by the evidence, taken together, that women are systematically underpaid."

The movement for "comparable worth" or "pay equity" -- to raise wages in female-dominated occupations -- has expanded as states, unions, and private litigants have grown increasingly active on this issue. Eighteen states, including Michigan, Illinois, and Maine, have completed or are in the process of conducting pay equity studies. Minnesota spent \$21.8 million in the first year of implementing a 1982 law mandating pay equity for state employees. At the federal level, Congressional hearings in 1982 prompted an ongoing GAO study to determine whether the federal government's job evaluation systems have incorporated sexually discriminatory wage rates.

In 1981, the Supreme Court opened the door to complaints of sex-based wage discrimination broader than those allowed under the Equal Pay Act. It ruled in County of Washington v. Gunther that wage discrimination under Title VII, unlike the Equal Pay Act, is not limited to those cases in which men and women perform the same jobs. Most recently, in AFSCME v. State of Washington a federal judge ruled that under Title VII the state of Washington is required to raise the salaries of 15,000 underpaid workers in predominantly female jobs, and to provide them back pay since 1979. A Washington state job evaluation study revealed a pattern of underpayment in female-dominated jobs: in 1982, the average monthly salary decreased by \$4.51 for each 1% of women in the state's job classification.

Constricted opportunities in the job market, as well as women's desire for greater control over their own work schedules, may be stimulating more women to become entrepreneurs. According to the latest available figures from the Bureau of Labor Statistics, between 1972 and 1979 the number of self-employed women nearly doubled. During those years, women went into self-employment at a rate five times faster than that of men, and they are now estimated to own 25% of the 13 million small businesses in the country, up from about 5% in 1972.

Despite these positive trends, women-owned businesses have disproportionately lower gross receipts than male-owned businesses, in part because most are in the lower-paying sectors such as services. Women entrepreneurs are also much more likely to have credit problems, according to an American Management Associations survey (1978) which reported that many women "found obstacles disappearing when they approached the banking environment with support or assistance from spouses, family members, or male friends, and found that borrowing had suddenly become possible."

Historically, it has been federal policy to assist small business owners and minority business owners through special procurement programs, loan programs, and subcontracting programs. Currently, such programs exist for several categories of small business owners, including minorities, the handicapped, and Vietnam veterans. For example, the SBA 8 (a) program, designed for "socially or economically disadvantaged business owners," includes a set-aside for a portion of federal contracts. But women as a group are not included in the 8 (a) definition of disadvantaged business owners.

Women business owners have not been the object of any loan or procurement programs. This is so despite 1977 SBA testimony that "It has conclusively been shown that women business owners encountered more obstacles and face more risks, financially, socially, economically, culturally, and legally than men business owners face."

In 1978, the Interagency Committee on Women's Business Enterprise was established to facilitate and strengthen women's business opportunities; and in 1979 the Office of Women's Business Ownership was set up within the Small Business Administration with the primary purpose of providing information and training assistance to women. But no capital, loan or procurement programs were involved.

According to the U.S. Commission on Civil Rights, women-owned and minority businesses have encountered "problems of staggering proportions" in obtaining government contracts (1975). Overall, women are awarded a tiny fraction of federal contracts: in FY'82 (the latest period for which figures are available) they received 0.4% of the total value of federal prime contracts awarded, and 2.7% of the value of prime contracts awarded to small businesses. No records are kept on federal subcontracts awarded to women (though they are kept for minority and small business owners), so the picture is necessarily incomplete; there are no legal incentives, however, for prime contractors to contract with women-owned firms.

Another employment issue which concerns women is the current movement to reform federal training and retraining programs. These changes could diminish women's participation, despite the fact that employment training is more cost-effective for women than for men, according to recent studies. Specifically, the Job Training Partnership Act (JTPA) which replaced CETA on October 1, 1983, is based on that portion of CETA which served considerably more men than women during its brief trial period. In fact, according to Department of Labor reports for FY'81, this program served 55% men and 45% women. Yet because of JTPA's minimal reporting requirements, there is no way to ascertain whether women are being equitably served under the nation's major job training program.

Employment training opportunities for AFDC parents (93% women) under the Work Incentive Program (WIN) also continue to be inadequate; in fact the program was cut from \$383 million in FY'81 to \$271 million in FY'83. The program has never treated women equitably: although about three-quarters of WIN registrants are women, the program has always placed a higher proportion of male than female registrants in jobs (in fact, until relatively recently, fathers had legislative priority under WIN). WIN provides no incentives to train women for higher-paying or non-traditional occupations, and consequently most women are placed in lower-paying clerical, service, and sales jobs.

RECOMMENDATIONS

In the area of economic equity for women, numerous important initiatives are currently before Congress. A bipartisan coalition of House and Senate Members has sponsored the Economic Equity Act, which is a comprehensive package of separate proposals in areas such as taxes, pensions, insurance, and dependent care. With regard to wage discrimination, Senate and House Republicans have introduced legislation which would establish a commission to do a pilot study of possible wage discrimination in a federal agency and to make recommendations to Congress.

Because equal opportunity in the marketplace is essential for women, and linked to the prosperity of women's families as well as their own retirement security, this is a critical area for intensified Congressional activity and further initiatives.

1. Wage Discrimination

- o Congress should require EEOC and other appropriate federal agencies to investigate in a timely fashion all sex-based wage discrimination charges, and correct any cases in which a finding of discrimination has been made.

This action is necessary in order to ensure that charges are seriously and promptly investigated, rather than (as in thousands of cases currently) delayed, or returned to the complainant with a "right to sue" notice -- a mere technicality to which every complainant is legally entitled, and which involves no finding by the enforcement agency.

Sex-based wage discrimination is prohibited under both the Equal Pay Act and Title VII. But Title VII's scope is much more comprehensive. Enforcing Title VII to eradicate the pervasive wage discrimination in our society is probably the single most important step we can take to improve the economic situation of women. Congress should require EEOC and other agencies to act immediately to investigate all sex-based wage discrimination charges filed under Title VII.

It should be pointed out that "comparable worth," "pay equity," and similar expressions are popular terms, not legal ones. Too often their use has disguised the fact that what is at issue is sex-based wage discrimination, outlawed under Title VII. The Supreme Court's 1981 Gunther decision stated explicitly that the Court did not endorse "comparable worth," but it also stated that wage discrimination claims could be brought under Title VII even in cases where men and women were not performing identical jobs. Individual employers are clearly obligated under Title VII to avoid discriminatory wages, but Title VII does not in any way call for federal wage-setting.

The arguments made against action on this issue are: 1) different jobs, like apples and oranges, cannot be compared; 2) attacking institutionalized sex-based wage discrimination would interfere with the free market's establishment of wages; and 3) the costs would be prohibitive. These charges are misleading, however. First, an estimated two-thirds of workers are already covered by some form of job evaluation system which compares dissimilar jobs within the same organization in order to establish salaries; in fact, the Labor Department publishes a Dictionary of Occupational Titles as an aid to firms in setting salaries. The problem is that few of the systems have been properly screened for sex-bias.

Secondly, numerous investigations of male and female wages reveal that women's wages in some occupations are currently not responsive to the free market. For example, acute shortages of secretaries and nurses (the hospital nursing shortage was recently estimated at 65,000 to 70,000 nationwide) have not driven up the wages of these workers; and there are documented cases of wage-fixing in these occupations. Depressed wages for women are an inherited structure which antedates the Equal Pay Act, rather than the creation of a non-discriminatory market.

But elimination of sex-based wage discrimination would not require federal wage controls or national wage boards. The wages of nurses in Maine, for example, should not be compared to the wages of truckdrivers in Illinois. Under Title VII, only wages within (not across) firms would be affected. Job evaluation plans in themselves do not set wages or replace collective bargaining; rather, they establish the relative ranking of jobs, leaving the employer free to set the actual wages.

Finally, estimates vary wildly on the costs of correcting sex-based wage discrimination, from \$2 billion to \$320 billion. Yet, under a 1982 Minnesota law, the cost of making up wage disparities in female-dominated jobs was \$21.8 million in the first year, or 1.25% of the state's budget for salaries. Since only an estimated one-half of the wage gap in this country is due to sex discrimination, the long-term dollar costs of remedying the problem would be significantly less than the current difference between male and female pay.

- o Congress should direct the Labor Department to establish a Job Evaluation Program to research the development of bias-free job evaluation techniques.

An estimated two-thirds of all employees are covered by some kind of job evaluation system which serves as a guide to employers in setting wages, and which is also susceptible to sex-bias. In order to help employers screen their wage scales and job evaluation systems (if any) for sex discrimination, the Department of Labor should be directed to establish a Job Evaluation Program. This program would research and develop job evaluation techniques which are free of sex-bias, and provide interested employers with guidelines and models of successfully adopted job evaluation systems which attempt to correct wage discrimination (such as the one recently adopted by AT&T).

2. Equity in Federal Job Training Programs

- o Congress should ensure that the Job Training Partnership Act (JTPA) meets its legislative goals and provides equal opportunity for women.

Congress should require the Department of Labor to amend its recently published data-gathering standards in order to collect data on how well JTPA meets the needs of women participants. DOL should require: 1) cross-referencing of JTPA participants by race, age, sex, and AFDC status; 2) data on the availability or lack of support services (including child care and transportation), and their impact on participants with respect to program completion, dropping out, or other negative termination; and 3) the occupation(s) for which participants receive training.

Second, performance standards should be amended to include incentives to train women in non-traditional occupations. JTPA provides a strong motive for including such performance standards. The main purpose of the Act, according

to Section 106 (a)(2), is to increase the employment and earnings of participants while reducing welfare dependency. Non-traditional occupational training for women (encouraged in Section 141 (d)(2)) provides the best chance for increasing women's earnings and reducing their welfare dependency. Traditional women's jobs are less likely to enable them to support themselves and their families, but these are the kinds of jobs for which women are likely to receive training.

- o Congress should remodel and upgrade the Work Incentive Program (WIN) to provide non-traditional occupational training for unemployed women on welfare.

Although JTPA includes provisions for AFDC recipients, its limitations on child care and other support services may inhibit adequate service of AFDC parents. Moreover, JTPA alone may not fill the need which WIN was intended to accomplish: training and placing AFDC parents in jobs so that they can leave public assistance behind.

WIN funding should be significantly increased. Current funding levels are inadequate, and disproportionate to other training programs: for example, the Administration's budget request for JTPA's Title III program for dislocated workers is \$240 million to serve an estimated 96,000 workers -- whereas WIN, funded at \$271 million in FY'83, had 1,325,879 registrants. Moreover, WIN serves a population which requires considerable expenditures in support services. Increased WIN funding is also an important investment in reducing AFDC expenditures, for which the FY'85 budget request is \$7.1 billion.

Congress should further restructure WIN in the following ways: first, the program should establish incentives for providing training and placement of women in nontraditional and better-paying occupations, instead of counting merely the number of job placements. Second, the program should encourage (rather than exempt, as currently) registration and participation by AFDC recipients with children under six, while ensuring that child care is available for such participants.

WIN programs can operate successfully. For example, in Louisiana, a WIN pilot program is training and placing AFDC women as electromechanical technicians, starting at \$7 to \$9 per hour. The program's costs are in line with those of other WIN programs in Louisiana, whose costs-per-placement are among the lowest in the nation. It is counseled and assisted by a private Industry Board, uses local vocational-technical education facilities, and provides hands-on training. The Manpower Research Demonstration Corp. has also developed successful programs for different groups of AFDC women with different needs, including women age 17 and under, and long-term welfare mothers. For the latter group, MDRC's Supported Work Experiment found that long-term welfare mothers were more likely to find and keep jobs than any other group taking part in this program (youths, ex-offenders, and ex-addicts).

3. Strengthen Women-Owned Businesses

- o Congress should act to encourage federal contractors to increase subcontract awards to women business owners.

When President Reagan announced a National Initiative Program to Assist Women Business Owners on June 22, 1983, he noted: "Almost 3 million businesses owned by women bring in about \$40 billion a year -- a solid contribution to the

health of our economy at every level of society." Women are making a strong contribution to the critically important small business sector of the economy, the sector which employs at least half of all U.S. workers, provides at least 80% of all new jobs, and is responsible for the highest levels of productivity and innovation in our economy.

The federal government should not only stimulate private sector aid to women-owned businesses but take an active role, as it has in the case of small and minority businesses. As the 1978 report by the Task Force on Women Business Owners declared: "women business owners require specific programs if they are ever to assume their rightful place in the economic mainstream of our country. Women have, in the past and still today, experienced social or economic disadvantages that affect their ability to gain earnings, training, capital, and management track records -- all of which affect their competitiveness in the marketplace."

For this reason, Congress should act to encourage federal contractors to subcontract with more women business owners. Federal prime contractors and federal procurement officers should be required to negotiate a subcontracting plan to award a reasonable proportion of subcontracts to women business owners. The contractor would be required to make a good faith effort to adhere to this plan. (This procedure would not apply to small business prime contractors, to contracts under \$500,000, or to contracts not offering subcontracting possibilities.)

Such subcontracting plans are currently required of federal prime contractors with respect to minority business owners, as part of the 8 (a) program. But it should be noted that the proposal outlined here would not establish a set-aside or quota system for women business owners. In fact, many leaders in the women's business community have expressed their opposition to such programs, preferring that women-owned businesses be "mainstreamed" into the economy. Winning federal subcontracts is, for many women business owners, the best means to that end. Congress should act to demonstrate a strong federal commitment to giving women access to federal money that filters down to state and local levels. That commitment would influence contractors at those levels to give greater attention to women entrepreneurs -- virtually all of whom operate at the subcontracting level.

- o Congress should require the Federal Reserve Board to extend all enforcement provisions of the Equal Credit Opportunity Act of 1974 to commercial lenders.

Congress should require private lending institutions to give women in business equal access to credit. Key enforcement provisions of the Equal Credit Opportunity Act of 1974, banning sex discrimination in credit, were extended to consumer loans but not to commercial loans. The rapid growth of women in business since the Act was passed makes the extension to commercial loans imperative.

Recently, the Federal Reserve Board decided again not to extend these enforcement provisions to commercial creditors, responding to bankers' claims that the regulation would mean too much paperwork and expense (the enforcement provisions would require record-keeping for all loan applications, and a letter to unsuccessful applicants explaining the reasons for denial). Meanwhile, women entrepreneurs have little protection against what is widely perceived to be discrimination by commercial loan officers, whose decision-making is partly subjective and who are often unfamiliar with or unreceptive to women business owners.

Family Care

Major changes in the economic structure of American families, including the ever-increasing employment rates of mothers of infants and young children, have led to rapidly expanding family care needs. These include child care, elderly dependent care, and more flexible employment arrangements which can accommodate family life and growth when both husband and wife are employed. But public policy and current employment practices have not recognized these rapidly changing conditions.

HISTORY

In the late 1940s, about 80% of households were married couple families, and wives had earnings in about 20% of these families. But by 1979, the two-earner marriage had become the dominant form: only 33% of marriages preserved the arrangement of earning husband/non-earning homemaker, while 50% of white marriages and 57% of black marriages had two earners. In addition, there was a spurt in the number of women who were single heads-of-household. In the early 1970s, 12% of families had single parents (usually women), but by 1980 20% of all families did.

The federal government first began funding child care centers in the 1930s. Administered by the WPA, these centers were not designed to help women enter the job market, but were created primarily to provide meals for poor children. In 1943, the federal government again appropriated funds to provide care for some of the children whose mothers had filled job vacancies during World War II. But this was a temporary measure, and federal funds were cut off when the war ended.

After the war, the number of mothers entering the work force continued to grow. In 1950, 12% of married women with children under six were working; by 1960, 19% were in the work force; by 1970, 30%; and by 1981, 48%.

In response to this trend, as well as efforts by women's organizations and the 1970 White House Conference on Children, which urged the development of "comprehensive child care programs," Congress made several attempts during the 1970s to pass major child care legislation. But these efforts were frustrated by child care critics, including President Nixon, who vetoed a 1971 \$2 billion child care appropriation passed by Congress.

Yet child care services continued to expand during the 1970s, along with an increasing perception of their positive contribution to children's cognitive and social development. Nursery school enrollments doubled during the decade, with most of the children from families earning \$25,000 or more. Child care for low-income families was funded through direct subsidies (under Title IV and later Title XX of the Social Security Act). By the late 1970s, states were using nearly one-fifth of federal social services funds (about \$650 million) to provide licensed child care for about 750,000 low or moderate income children. Available spaces in centers remained few, however: by 1975 there were about one million spaces in licensed programs for 6 million pre-school children. Moreover, the expanding family day care market, where several children are cared for in private homes, was largely underground and unlicensed.

With the 1970s political climate unfavorable to comprehensive child care legislation -- which was criticized by opponents as intrusive and anti-family as well as formidably expensive -- proponents of child care turned to the tax code to help parents cover some of their work-related child care expenses. The 1976 Tax Reform Act changed what had been a modest child care deduction to a tax credit for 20% of employment-related expenses for dependent care. In 1981, the maximum dependent care tax credit was raised, and for taxpayers earning less than \$10,000 the rate of credit increased from 20% to 30% of expenses.

During the 1970s, the private sector began to provide some assistance to employees with child care responsibilities. By 1982, an estimated 415 employers -- including Wang, Johnson and Johnson, Corning Glass, Honeywell, and General Mills -- contributed to some form of child care assistance, ranging from on-site child care (at about 60 sites) to parenting seminars. About half of these employers were hospitals, three-fourths of whose workers were women. A survey of employers providing child care found that many reported significant benefits, including reduced absenteeism and turnover, increased productivity, and improved recruitment.

The largest employer to provide child care services during this period has been the Defense Department, according to a 1982 Women's Bureau report. First officially authorized in 1978, these services are funded through the Department's appropriations, parent fees, and non-appropriated funding at the installations. In 1982, The Army's 281 child care programs (about 60% of them in the U.S.) served approximately 23,000 children with the objectives of "[reducing] conflict between parental responsibilities and unit mission requirements" and contributing "to the quality of life and well-being of families in the command with young children."

CURRENT SITUATION

Today the majority of mothers (54%) are in the paid work force, and most mothers who work do so fulltime. Work force participation among women with infants and children under three has grown rapidly, to 46% in 1983. The prosperity of American families increasingly depends on the wife's as well as the husband's income. More than two-thirds of black children in families with incomes over \$15,000 have mothers in the work force. Further, about 60% of all children who are growing up in families with incomes over \$25,000 have mothers in the work force.

While women's rate of labor force participation is expected to continue to increase, men's participation is expected to continue its current decline. Experts predict that by 1990, 77% of men and 60% of women will be in the work force. By 1990, then, women are expected to make up 46% of American workers.

At the same time that more women are entering the work force, the population for which women have traditionally cared -- children and the elderly -- is increasing. The Census Bureau projects that by 1990 there will be over 23.3 million children under age 6, up from 18.9 million in 1980. During the 1980s, the elderly population will grow even faster, by 6.3 million people.

Adding to the need for dependent care has been the rapid increase in single-parent families, nearly all of them headed by women. The proportion of

children living with one parent has risen from 12% in the early 1970s to about 20% in 1980, and 50% of all American children are expected to live with only one parent at some time before they are 18. At a minimum, then, one-fifth of all children now live with a single mother who must work (65% of single mothers do) or else survive on public or private assistance. Families headed by single women are the group with the highest poverty rate in the nation: in 1982, they made up 46% of families living below the poverty line.

In a 1979 survey of over 80,000 employed women, one-third of those with dependent children reported that child care continued to be a serious problem: 29% of clerical, sales, service, and blue-collar workers, and 36% of managerial, professional, and technical workers found it a significant problem. While there is no definitive data on the numbers of "latchkey" children who go without care while their parents work, most estimates indicate that this is the case for millions of children, perhaps as many as 7 million. Moreover, inadequate dependent services can also be a problem when women are not in the work force. One out of eight retired women in 1975 said they retired because they were needed at home to care for elderly dependents. Further, according to a November 1983 Census Bureau report, 36% of mothers staying at home with preschool children in families earning under \$15,000 would look for a job if affordable child care were available.

Despite recent increases in child care support for middle and upper-middle income families through the Dependent Care Tax Credit (an estimated \$1.5 billion in FY'83), direct child care funding for low income families has been cut substantially over the last several years. According to a recent survey by the Children's Defense Fund, the 1981 cut of 21% in federal funding of the Social Services Block Grant triggered further state cuts, and 32 states are consequently providing care for fewer children than three years ago.

Another major concern in the area of family care is the lack of reliable and comprehensive data on national, state, and local needs and services. The most recent (and only) national survey of child care centers was done at the direction of the Administration for Children, Youth, and Families (Department of Health and Human Services) in the mid-1970s. No national survey has ever been done of before and after school care services, or of the approximately 700 adult dependent care programs. Moreover, states no longer need to report how much they are spending on child care under the Social Services Block Grant.

Flexible work schedules is another area of concern to women and families. Schedules such as job-sharing and flexitime, flexible leave policies, and part-time jobs with pro-rated benefits were recommended by more than 90% of delegates to the 1980 White House Conference on Families as a means to ease work/family conflicts. But few employers and managers have shared this concern.

Two groups especially interested in flexible schedules are working parents and older workers. More than three-fourths of Americans age 55 and over reported in a recent survey that they would prefer part-time work to fulltime retirement. Management expert Peter Drucker has predicted that "Flexible age retirement is going to be the central social issue in the United States during the next decade." In a 1978 survey of women by the National Commission on Working Women, 25% of respondents employed fulltime felt that not being able to work part-time was a significant problem.

A very different family care issue which has become a significant public policy concern during the last decade is domestic violence. Violent assaults within the family -- usually directed against women and children -- are increasingly defined as criminal acts rather than private acts of violence outside the scope of the law. The consequences can be deadly: according to a 1982 FBI report, 30% of all female homicide victims are killed by husbands or boyfriends.

Domestic violence is still widely underreported, and even when reported rarely leads to arrest or prosecution. Providing shelter and assistance for battered wives, and increasing arrests of offenders are two ways in which states and localities are attempting to decrease domestic violence. For example, Virginia, which reported in 1980 that spouse abuse is the most frequently committed crime in the state, enacted a new law to fund shelters for family violence victims. In 28 states, recent laws make it possible for police to more easily arrest offenders, a proven effective deterrent to subsequent attacks.

RECOMMENDATIONS

In the area of family care, Republicans have provided crucial leadership on child support enforcement legislation, a proposal which would ensure that women receive court-ordered child support payments. After Republican women legislators initiated a series of meetings with White House advisers, compromise agreements were worked out on child support enforcement and other provisions of the Economic Equity Act, including the Dependent Care Tax Credit. The child support legislation has passed both houses of Congress and has the support of the Administration. It is necessary that this legislation be implemented and tracked effectively to help break the link between poverty and single women who head families.

House Republicans also gave strong support to the Child Abuse Amendments (H.R. 1904) which in addition to authorizing funds for child abuse prevention programs, provides for shelter and assistance to family violence victims, and for family violence program training for governments and agencies.

To encourage employers to contribute to employees' child care needs, the White House Office of Private Sector Initiatives has been holding meetings with business executives around the country. Among the many successes of the program was the response in Portland, Oregon where \$35,000 was raised from involved corporations to set up a citywide computerized "information and referral system" for child care services. Further creative government/private sector initiatives would help to extend a network of dependent care services which are essential to the well-being of American workers and their families.

1. Dependent Care Development

- o Congress should require the Department of Health and Human Services to establish a Dependent Care Development Program to sponsor and promote new approaches to high quality cost-effective programs of dependent care.

As discussed earlier in this report, the reality today is that the majority of mothers are not at home with their children: they are at work, and most working mothers work fulltime. As former President Gerald Ford recently wrote, "We can no longer accept the argument that by providing child care, or day

care, we are enticing women out of their homes and away from their primary care responsibilities. Women are already outside the home and searching for quality care for their children... Today, any working parent needs to be able to find good care at a reasonable cost."

Congress should require HHS to develop an appropriate program to promote the development of high quality, varied, and cost-effective dependent care services. Currently, our country has no federal commitment to planning, policy-making, development or promotion of these essential services. While the federal government could not administer or fund care for all dependent children and adults without massive tax increases, there are numerous dependent care initiatives that HHS could undertake.

These actions include: regular surveys of dependent care services nationwide; giving states access to the most effective licensing and/or registration programs for child care providers; encouraging states to implement before and after school care; developing programs for special dependent care needs such as elderly dependent care, sick child care, and disabled dependent care (there are approximately 4.1 million disabled school-aged children, and about 500,000 under six years of age); and encouraging employers to adopt flexible work schedules and parental leave policies.

2. Restore Social Services Block Grant Funding

- o Congress should restore part of the reduction in the Social Services Block Grant by raising it from \$2.7 billion to \$2.9 billion for FY'85, and it should re-establish a minimum for dependent care expenditures under the block grant.

Most families using Title XX child care under the Social Services Block Grant are headed by women. Working mothers who lost Title XX child care when block grant funding was cut in 1981 from \$3.1 billion to \$2.4 billion (a 21% cut) have had to choose between poorer child care, no child care, or leaving their jobs. In a majority of states, Title XX child care has been cut even as the need is increasing; and in a significant number of states, child care has been cut by more than the general 21% cutback. Moreover, parents eligible for Title XX care are precisely those who cannot take advantage of the Dependent Care Tax Credit because they pay little or nothing in taxes.

Congress should restore a part of the cutback in the Social Services Block Grant (which adjusted for inflation, would have grown from \$3.1 billion in FY'81 to \$3.4 billion in FY'84), and re-establish a minimum expenditure under the grant on dependent care -- both for children and for elderly dependents. Previously, Title XX had a \$200 million minimum for child care, but this was eliminated when funding was cut.

3. Alternative Work Schedules

- o Congress should require the Department of Labor to do a study of disincentives to the expansion of alternative work schedules such as flexitime, compressed workweeks, job-sharing, flexible leave policies, and part-time jobs with pro-rated benefits (including part-time work at middle and upper levels).

Flexible or alternative work schedules can be a "win/win" situation for employers and employees. They have been proven effective in increasing productivity, reducing absenteeism and lateness, and making more efficient use of transportation facilities. They are usually no-cost or low-cost, and some (e.g. compressed workweeks) can be cost-saving. Part-time, job-sharing and other flexible schedules are a highly attractive option to many parents; among other advantages, they reduce the need for expensive non-familial child care and allow parents to provide more care for their own children. Many Americans 55 and older (expected to be 25% of the total population by 2010) would also prefer for personal and economic reasons to continue working in a part-time capacity; and increased part-time work could help reduce Social Security pay-outs.

Yet alternative work schedules are not used as widely as they could be. Labor unions oppose expanded part-time and job-sharing opportunities; employers do not recognize the value of reducing work/family conflicts through alternative schedules; and unintended tax disincentives (such as the unemployment insurance tax) may inhibit expansion of certain alternative schedules. Congress should require the Department of Labor to investigate any disincentives to such schedules with regard to management, labor, and tax issues, as a basis for action to encourage the expansion of these schedules in the private sector.

- o As a model employer, the federal government should authorize the use of flexible schedules in federal agencies to meet the goal of reducing parents' reliance on non-familial child care.

Congress should amend the requirements for using flexible schedules under the Federal Employees Flexible and Compressed Work Schedules Act of 1978 (reauthorized in 1982). These schedules have been widely approved: over 90% of federal employees and over 85% of federal supervisors wanted to retain them. In 1982, flexible schedules were reauthorized in order to increase productivity and better serve the public. Congress should also explicitly authorize their use in order to reduce employees' work/family conflicts and their need for dependent care services.

* * *

Health and Retirement

Society's conception of the norm in retirement, as in employment, is modeled on the life patterns of men, or on the needs of families with one (male) breadwinner. But in fact the majority of those affected by retirement programs are women, often women who are living alone rather than in families. In health programs too, as well as retirement programs, policies and programs often do not recognize those ways in which the needs of male and female users inevitably differ, as well as coincide. Equity for women in such programs requires that the circumstances which characterize women's lives, women's health, and women's retirement be granted normative stature equivalent to men's.

HISTORY

Health care for women in the U.S. has historically been intimately linked to the care of infants and children, beginning with the passage of the first federally funded health program, the Sheppard-Towner Act of 1921. Yet women's health issues have often been complicated by competing moral considerations. For example, abortion legislation and family planning legislation (which began at the federal level with the Family Planning Act in 1970) have often been surrounded by controversies which have little to do with the physical and mental well-being of women and their dependents.

In 1975, some new ground was broken when women's mental health became a federally acknowledged issue in a long-established area of criminal law: rape. The National Center for the Prevention and Control of Rape was established within the National Institutes of Health, and in 1980 it began funding services for rape victims. By the late 1970s, rape was by far the most rapidly increasing violent crime: between 1976 and 1980, the forcible rape rate rose by 38%.

By far the most extensive national support for general health care for women and men came with the 1965 enactment of the Medicare and Medicaid programs. Medicare was designed to provide health insurance for the elderly and disabled covered under Social Security. Medicaid was to provide health services for low-income people, primarily those receiving federal aid under the AFDC or Supplemental Security Income (SSI) programs. By 1979, according to Census figures, Medicare served 14.3 million women and 10.4 million men; Medicaid served 11.1 million women and 7.1 million men.

In retirement as in health issues, the conception of women as individuals, as well as family members, gained ground during the 1970s. The notion that women were dependents to be supported by a dependent's benefit under Social Security increasingly seemed outdated and inequitable.

Before the 1930s, relatively few American workers had pensions. Widespread retirement benefits for Americans began with the enactment of Social Security in 1935 when the Depression exacerbated the economic risks of unemployment, aging, and disability. Social Security was designed to replace a portion of a worker's earnings when the worker reached retirement.

In 1940, when payouts from Social Security began, 27% of covered women were entitled to receive benefits as retired workers, while most (62.5%) received a wife's benefit. Although upon enactment the program had made no provision for the dependents of wage earners, amendments in 1939 did extend benefits to wives and widows age 65 or over, children under 16, and widows caring for dependent children. The wife's benefit was set at 50% and the widow's at 75% of the wage-earning husband's benefit.

During the 1960s and 1970s, some reforms were made affecting divorced women and widows: in 1965, divorced wives gained access to certain benefits if they had been married to a covered worker for 20 years or more (lowered to 10 years in 1977); and in 1972, the benefit paid to widows at 65 rose from 75% to 100% of the worker's benefit.

Meanwhile, as more women entered the work force, the percentage of women receiving benefits based on their own earnings steadily rose. By 1982, 58% of female beneficiaries 62 and older had benefits based on their own earnings, while 42% had benefits based on their husbands'.

But the Social Security program was not prepared to accommodate the growth in women's employment, the rising divorce rate, and the increase in women's longevity. As a congressionally mandated report on "Social Security and the Changing Roles of Men and Women" pointed out in 1975, the system is "most appropriate for the married couple consisting of a lifelong paid worker and a lifelong unpaid homemaker." In particular, it did not work well for divorced or separated dependent spouses, for spouses divorced after less than 10 full years of marriage, for women who had taken time out from paid work to raise children, or for families with two earners.

Since 1967, changes have repeatedly been proposed in and out of Congress to address the perceived inequities of the system. These proposals have included: reducing or eliminating the dependent spouse benefit; providing Social Security credits for homemakers (as in some European countries); providing a minimum benefit for all Americans, regardless of their earnings record; and making it possible for married couples to average or combine their earnings for the purpose of calculating benefits. Some of these proposals are still current; none have been adopted.

CURRENT SITUATION

Women need different health care services than men, especially during their childbearing years. Yet current programs and policies often do not recognize these differences and in some cases have reduced the health care available to women and their children. Cuts in nutrition programs and maternal and child health funding (under Title V of the Social Security Act and Medicaid) have substantially reduced already insufficient services for women and infants. Numerous states have found that one result of such short-term savings is higher net health care costs because more babies are born with low birth-weight, physical handicaps, and retardation; and more babies die because of inadequate prenatal care.

As indicated previously, sex discrimination in some but not all federal health programs was recently outlawed, but virtually no attempts have been made to ascertain whether women are receiving equitable health services. Women's health advocates suggest that institutional sex-bias exists in health research as well as services. For example, human and laboratory animal subjects in medical research and drug tests are usually male. Most research on coronary disease is on men: the largest medical study on cholesterol and heart disease (just completed) studied 3,806 men and no women.

Yet according to 1980 national mortality statistics, "major cardiovascular diseases" accounted for 457.7 deaths per 100,000 men and 416.2 deaths per 100,000 women. A 1983 American Journal of Epidemiology study urged further investigation of sex-related differences in coronary disease, arguing that "the risk factor profile differs in some respects among men and women."

Health care for older Americans is also of special concern to women. As a 1981 HHS report notes, "the [health] problems of old age will be largely the problems faced by older women." In July 1982, there were 16 million women and 10.8 million men age 65 and older. While women and men have different health problems at all ages, the cost aspects of these differences may be especially important for the elderly. Uncovered costs amount to an estimated 19% of the elderly's income, but about one-third of the income of elderly women.

Some important differences in men's and women's use of health services are in hospital and nursing home use. Elderly women are twice as likely as elderly men to live in nursing homes, a fact which reflects not only women's longevity but the higher rate of nursing home use by unmarried persons of both sexes: 52% of women age 65 and over are widowed, compared with 14% of men. On the other hand, hospital utilization rates for men age 65 and over are higher than for women. The 1981 HHS report concluded that elderly men "use a different and more intensive mixture of hospital services than elderly women do." In 1978, elderly men had more surgical operations than elderly women (197 per 1,000 population, compared to 155 for women), and required more days of hospital care (4,330 days of care per 1,000 population, compared to 4,081 for women).

Under these circumstances, Medicare may be more adequately serving men than women. Medicare covers acute medical care services such as surgery, but not preventive services, prescription drugs, routine eye care, or disabling chronic diseases such as Alzheimer's, which costs Americans an estimated \$26 billion annually. Medicare also does not cover long-term institutional services: it pays less than 3% of nursing home expenses, for example. If nursing home residents "spend down" until they are poor, they may receive Medicaid benefits for long-term care. However, benefits under Medicaid, unlike Medicare, vary widely from state to state.

Like Medicare and Medicaid, Social Security covers more women than men, yet the system fails to account for the different life patterns of women. In 1983, Social Security was projected to pay approximately \$170 billion in benefits to about 36 million people, 52% of them women. The majority of women (58% in 1982) receive benefits based on their own earnings record. But monthly benefits for retired women workers averaged \$362, compared with \$470 for men.

For workers retiring at age 65, the benefit was under \$200 for about 30% of women (and 9% of men); it was over \$400 for 18% of women and 54% of men.

Women's lower benefits are partly a consequence of lower monthly earnings and fewer years in the labor force. But they are also a result of the Social Security system's penalty against an interrupted earning career. Lifetime homemakers are subsidized by Social Security, and lifetime earners who work fulltime can acquire substantial benefits, but the system makes no allowance for women who alternate between homemaking and employment. Years of low earnings or zero earnings while a woman is raising children are averaged into her earnings record and depress her monthly benefit.

Lower Social Security benefits also result when families have two earners. Most two-earner couples actually get a lower benefit than one-earner couples with the same income. For example, if the worker in a one-earner couple with average indexed monthly earnings of \$990 retired at age 65 in 1984, the couple would get a monthly benefit of \$814. A two-earner couple with the same total earnings and retiring at the same time would get a benefit of \$694 -- a difference of \$120 monthly.

Divorced dependent spouses also suffer under the current system. About two-thirds of divorces occur after less than 10 years of marriage, with no Social Security entitlement for the divorced spouses. Dependent spouses divorced after 10 or more years of marriage receive one-third of the married couple's benefit, which is not usually enough to maintain a separate household (in 1982, the average benefit for divorced women was \$192 per month). Moreover, because the burgeoning divorce rate is not yet reflected in the elderly population, poverty among elderly divorced women is expected to worsen.

RECOMMENDATIONS

Recent Republican efforts on behalf of women in this area have succeeded in passing pension reform legislation in the Senate and in the House. The legislation, which is supported by the Administration, makes pension vesting more flexible by lowering the eligibility age and allowing workers to leave and return to jobs without losing pension benefits. The Republican Congresswomen's meetings with White House advisers helped gain Administration support for this reform.

Yet further reforms are needed if federal health and retirement security programs are to adequately reflect the needs of women, the majority of those they serve. Congress should take the following initiatives to make sure these programs represent and treat women equitably.

1. Sex Equity in Health Care

- o Congress should pass legislation prohibiting sex discrimination in all federally assisted and federally operated health care services and programs.

In the area of health care, civil rights can be a life and death matter, and what constitutes civil rights in health care is not a matter of simple equality. Certain groups, including women, the aged, and the handicapped, need more or

different kinds of health care than other groups. Yet many federally assisted and operated health programs and services have no ban on sex discrimination, though statutory protections exist for other groups. Congress should remedy this inconsistency.

- o Congress should require the Secretary of Health and Human Services to report by a specified date on: (a) what constitutes civil rights compliance by health care providers; and (b) whether existing services and programs meet these standards for providing equally effective health care for women and men.

There is no clear definition of what constitutes sex discrimination in health programs and services, nor of whether existing services are providing equally effective care for women and men. No significant action has been taken in this area since the passage in 1981 of non-discrimination provisions in some but not all health programs and services. But regulations for enforcement have never been issued by the Office of Civil Rights in HHS.

Women's health advocates believe that the Medicare system, for example, is not responsive to the health care needs of older women, the majority of those served by the program; this issue especially requires scrutiny now that Medicare financing reforms are being considered.

For these reasons, Congress should require HHS to define what constitutes civil rights compliance with regard to sex discrimination prohibitions in health care, and to investigate whether existing services and programs (whether or not they are currently covered by such provisions) meet these standards for equally effective care.

2. Social Security Earnings Sharing

- o Congress should schedule additional hearings on reforming Social Security to provide more equitable benefits for women and for two-earner families.

Before the end of this year, the Secretary of Health and Human Services is expected to issue a congressionally mandated report on earnings-sharing, a Social Security reform proposal which has been endorsed by the 1979 Advisory Council on Social Security, the 1980 President's Commission on Pension Policy, and the 1980 Justice Department Task Force on Sex Discrimination, as well as by major women's organizations. This report, which will consider the costs and implementation of various current earnings-sharing proposals, should provide a basis for Congress to develop appropriate legislation.

Earnings-sharing, a system by which the earnings of husband and wife would be pooled and divided equally for purposes of calculating benefits upon retirement or divorce, is a long overdue reform. The Social Security program no longer reflects the way Americans support themselves and their families, nor does it provide individuals and married couples with a justly apportioned retirement benefit. Today when 59% of married-couple families have two earners, Social Security's unintended penalty for such families must be changed.

Earnings-sharing would protect a married couple both as a couple and as individuals. It would eliminate inequities such as the arbitrary requirement

of a ten-year marriage before entitlement for dependent spouses, the penalty for those who move between homemaking and paid employment, and the lower benefits for two-earner couples compared to one-earner couples. Earnings-sharing should be gradually phased in to ensure that benefits are not disrupted for dependent spouses (for example) during the period of transition.

* * *

Conclusion

While this report has highlighted numerous specific issues of concern to women in the areas of civil rights, economic equity, family care, and health and retirement, it is by no means exhaustive. Many other women's issues also need the attention and action of Congress. But the recommendations made in this report indicate a broad range of the kinds reforms which need to be undertaken. The essential point is that Congress and the Administration need to move beyond piecemeal or occasional action on women's issues, to fully integrate women and women's concerns into the planning and policymaking of our nation.

Specific action on behalf of women is essential, for while macroeconomic improvements such as GNP growth and inflation reduction are vital to the well-being of our nation as a whole, they are not sufficient to alter the social and economic predicaments of women. Such improvements will not change the relative poverty of women, or break down the institutional obstacles to full integration of women into the American economic system. General improvements will neither eliminate discriminatory wages, build up dependent care support systems for working parents, nor protect women who have been workers or homemakers against an unfairly impoverished old age.

But while "women's issues" need attention from legislators and policymakers, these issues should not be seen as the special preserve of women, for that attitude merely continues to fence off a private territory of female concerns within the wider public sphere. Women's concerns, like the concerns of men, are the larger public sphere. It is radically unrealistic to regard child care, for example, as a working woman's problem, and not as an issue of general public interest. Moreover, women's issues do not demarcate the boundaries of women's political and economic interests, and must not be assumed to do so.

The problem of reform in women's issues is not only an organizational and financial one: it is also a matter of vision. Specific reforms will never be effective solutions unless they are accompanied by a recognition of women's individual and collective right to acknowledgement by our social, legislative, and economic institutions; an acknowledgement which, by recognizing both the similarities and the differences in men's and women's lives, serves to empower women rather than limit them.

THE WHITE HOUSE

WASHINGTON

July 9, 1984

Dear Mr. Donohue:

I want to thank you so much for sending me the recent study report of the National Chamber Foundation. It does look as though it will be useful information, and I appreciate your keeping me informed of your efforts in the Hispanic-American arena.

With warm regards,

Sincerely,

MICHAEL K. DEEVER
Assistant to the President
Deputy Chief of Staff

Mr. Thomas J. Donohue
Executive Vice President
National Chamber Foundation
1615 H Street, N.W.
Washington, D.C. 20062



National Chamber Foundation • 1615 H Street, N.W. • Washington, D.C. 20062 • 202/659-6242

Thomas J. Donohue
Executive Vice President

July 5, 1984

The Honorable Michael K. Deaver
Deputy Chief of Staff and
Assistant to the President
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mike:

The attached study report has just been released by the National Chamber Foundation. I think you will find it extremely useful. It points out the remarkable success of the Hispanic middle class and business community, and includes over thirty recommendations aimed at continuing this success and bringing Hispanic business into the economic mainstream.

The report shows a new and more accurate way for Americans to view Hispanics, and appeals to Hispanic pride. It also strongly indicates that Republican policies are far more consistent with the needs of Hispanic-Americans than the alternative.

If you would like a detailed briefing on the study, please give me a call.

Sincerely,

Tom

Mike, must reading for the campaign people!

THE WHITE HOUSE

WASHINGTON

July 9, 1984

Dear Henry:

It was most thoughtful of you to send me copies of the current edition of Leaders. I haven't had a chance to look through the magazine yet, but I look forward to doing so - particularly, to reading the President's article.

Thanks so much for taking the time to keep me informed.

With warm personal regards,

Sincerely,

MICHAEL K. DEEVER
Assistant to the President
Deputy Chief of Staff

Mr. Henry O. Dormann
President and Editor-in-Chief
Leaders
59 East 54 Street
New York, NY 10022

LEADERS

Thank you

1 July 1984

The Honorable Michael K. Deaver
Assistant to The President &
Deputy Chief of Staff
The White House
Washington, D.C. 20500

Dear Mike:

Here's the latest issue with the President's article which you so kindly arranged, leading off our major "Technology for Peace" issue.

As you are probably aware, I have been in touch with Paul Laxalt and Bob Gray and I have met with the Attorneys for the Republican National Committee to work out the idea you and I discussed by mail and all is proceeding well.

Warmest regards.

Cordially yours,

H. Dormann

HENRY O. DORMANN
President & Editor-in-Chief

P.S. Did you get my letter on

- a) The cuff links and
- b) China?

File

THE WHITE HOUSE

WASHINGTON

July 9, 1984

Dear Mr. Turnmire:

I have just received your letter of July 3rd requesting that the President address The Executives' Club of Chicago in September or October, and want you to know that I am forwarding it to Fred Ryan - the President's Director of Scheduling. You can be certain that it will be given every consideration and that you will be hearing directly from Mr. Ryan.

Thank you so much for your interest in again wanting the President to be with your group.

Sincerely,

MICHAEL K. DEEVER
Assistant to the President
Deputy Chief of Staff

Mr. Bruce M. Turnmire
President
The Executives' Club of Chicago
Suite 2045
20 North Wacker Drive
Chicago, Illinois 60606

The EXECUTIVES' CLUB *of* CHICAGO



SUITE 2045 • 20 NORTH WACKER DRIVE • CHICAGO, ILLINOIS 60606
TELEPHONE 312/263-3500

BRUCE M. TURNMIRE
President

July 3, 1984

Michael K. Deaver
Assistant to the President
The White House
Washington, D.C. 20500

Dear Mr. Deaver:

I remember with appreciation that your office served as primary liaison for our invitation of June, 1983 to the President. Your office phoned me at the Ritz-Carlton to express interest in our invitation, and the President's Scheduling Office reaffirmed this interest several times before the eventual decision to decline the invitation in early August was made. At that time I was told to invite the President again this year and to provide copies of the 1983 correspondence.

We would be extremely grateful if you would again serve as our liaison to the President. Our letter inviting the President to address the Club any date his schedule could accommodate in September or October is enclosed and attached to it is a copy of Governor Thompson's June 11, 1984 letter to the President encouraging his acceptance of our invitation.

To the extent that I am able, I will see that all other supportive contacts are channelled through you, or at least that copies of correspondence are provided you. In addition to Senator Percy and Barbara Proctor, other who have offered their assistance include Club Directors Gertrude Crain (Crain Communications, Inc.) and Governor William G. Stratton, Don Totten (1980 Illinois Campaign Manager), and, James Brady (through Chicago relatives).

I also understand that Don Rosenthal, a Washington associate of our Chairman (Diane Mayne of Seyfarth, Shaw, Fairweather & Geraldson), has discussed our invitation with Ken Duberstein and Timmons & Company.

I know that a firm acceptance is rarely given longer than several weeks in advance, but I would appreciate receiving occasional word as to the status of our invitation. (I think my nerves can take it - I'll draw against the experience I gained last summer!)

Again, many thanks for your assistance.

Cordially,


Bruce M. Turnmire

cc: Diane Mayne