



# **NOW Foundation**

## **ANNUAL REPORT FOR 2002**

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## **THE NOW FOUNDATION**

### **Mission and Major Accomplishments**

The National Organization for Women Foundation was established in 1986 as a 501(c)(3) education and litigation organization allied with the National Organization for Women, the largest feminist organization in the United States, with its national offices in Washington, D.C. and almost five hundred affiliates across the country. The two groups share some staff and office space and have overlapping boards of directors.

The NOW Foundation seeks to enhance the status of women in the United States and around the world through many means, including advocacy, litigation and education. The litigation efforts of the Foundation seek to protect reproductive health options for women, as well as focusing on other areas of concern to women, such as employment issues, pregnancy discrimination, sexual harassment, lesbian and gay rights, civil rights and ending violence against women. In our educational and advocacy efforts, the Foundation works to inform the general public, as well as policy-makers, about the need for fair and equal treatment of women. We do this in many ways, including public speaking, conferences, seminars, training programs, and educational materials.

The Foundation has sponsored national and international conferences, including a Global Feminism Conference, two Young Feminist Summits, several regional conferences on women of color and reproductive rights, and co-sponsored a national Women of Color and Allies Summit. In 2000, NOW Foundation sponsored the Women's International Symposium on Health (WISH), which included women from around the world. In 2001, we began planning for a 2003 conference on Women and Disability Issues. Foundation projects have also included the compilation of informational resources on abortion clinic violence, women's health, lesbian rights, affirmative action, racial and ethnic diversity, economic equity, violence against women, sexual harassment, family law, insurance discrimination, the role of women in the media, and the need for constitutional equality.

## **WOMEN'S HEALTH PROJECT**

### **Media Images of Women**

Advertisers, particularly the fashionable tobacco industries, have targeted women and girls by co-opting the feminist message of liberation ("You've come a long way, Baby) or by projecting an ideal of unhealthy thinness and unattainable beauty. To raise awareness and take action against this life-threatening advertising, the NOW Foundation launched the Women's Health Project as part of our on-going work to improve women's health. Executive Vice President Karen Johnson has had several meetings with the Surgeon General to discuss fighting women's tobacco use.

The NOW Foundation has spent years mobilizing women and girls across the country to expose the deadly health risks of tobacco, alcohol and fashion advertising to women and girls. The two videos we created, *Redefining Liberation* and *Hollywood's Smoke and Mirrors*, are exciting and motivating organizing tools. In these videos, prominent feminist leaders, activists and young women talk candidly about how this harmful advertising affects their lives and the lives of other women. NOW Foundation leaders travel across the country, showing the videos and developing action plans with campus and community groups to combat these dangerous messages.

As part of the Women's Health Project, the NOW Foundation in 1998 launched Love Your Body Day, a day we have since observed annually for activists and educators to use our materials to promote positive body images for women. Each year, a poster contest is held to encourage the participation of young women and artists, and the resulting poster promotes the Love Your Body Day events. The project is immensely popular on high school and college campuses. By last year the Project had become so popular that we distributed 1,500 kits for organizing programs and received endorsements from more than 850 organizations.

The Foundation organized a Women's International Symposium on Health held on October 14-16, 2000. The symposium attracted women from around the world to discuss women's health issues, including poverty and violence, which affect women everywhere. Speakers included Dr. Susan Blumenthal, Assistant Surgeon General, and Dr. Vivian Pinn, the Director of the Office of Research on Women's Health at the National Institutes of Health. Workshop topics included women and tobacco, AIDS, domestic violence, and the impact of poverty on women's health.

### **Love Your Body Day Activities**

For the Love Your Body Day 2002 observance, we built upon the success of the previous year. As of October 16, 2002, the foundation had received 1,416 kit orders, which came from 40 states and seven countries. The Foundation sent two email requests to 600 kit recipients for follow-up information. Many of the respondents had multiple events.

Especially to be noted: Love Your Body Week was celebrated at the University of Virginia, and North Carolina Central University celebrated for a whole month! Suzi Tasca put on a one woman show in NYC called *A Pair Of Jeans*, a satire about a plus-size woman who goes on a quest to find the perfect pair of jeans with materials for the audience. What proved to be particularly popular was the offer of free videos for house parties if participants email or mail us names and addresses of friends/family who will attend a house party. We mailed 235 free videos.

An addition to LYBD 2002 events was the education project. This included a *Redefining Liberation* video and a script to start a class discussion about advertising and body image aimed at middle school and high school students and the LYBD action kit. The Foundation received many compliments on the Mall or Classroom Projects. This effort allows

a class or group to evaluate advertising and advertisers at a mall or in the classroom to identify demeaning images, to have discussions, and to send letters to marketing managers of offending companies. The Foundation has received several inquiries about holding national events around LYBD. The National Association of Medical Students has used our logo and information at their national conference.

### **Breast Cancer Drug Approval**

On January 25, 2002 the U.S. Food and Drug Administration (FDA) reissued its approval of generic Taxol (paclitaxel), a drug used to treat breast and ovarian cancer. The Circuit Court of Appeals for the District of Columbia had previously ruled against the generic's approval.

NOW Foundation sent a letter to the FDA, signed by a variety of other women's organizations, in support of the FDA continuing a court fight for the generic drug, so that it would be available to more women at lower cost, and followed up by prompting the writing of separate letters by individual groups. After much public pressure from women's groups and a California court ruling against the extension of Taxol's patent, the brand-name manufacturer withdrew the disputed patent it had on file with the FDA, the FDA complied with the appellate court order by rescinding its original approval, but then it immediately issued a new, final approval of generic Taxol.

### **WOMEN AND MEDIA**

#### **The Broadcast Project**

The NOW Foundation has launched a Broadcast Project with several goals in this area: to improve the image of women in the media; to improve women's opportunities in the broadcast field so that they can have greater influence on the media; and to address the problem of corporate control of the public airwaves, including the new digital broadcast spectrum of channels.

To promote these goals, the NOW Foundation held a Media Institute on July 5, 1999 in Los Angeles. At the Institute, activists began discussing a Feminist Communications Network— TV, cable, radio and web broadcast. The Foundation invited organizations and individuals in the media and E-commerce industries to inform and advise participants on this endeavor. Speakers came from everywhere from the Academy of Television Arts and Sciences and the Federal Communications Commission (FCC) to Webgrrls and OnRadio.com. They included writers, directors, CEOs and women on the cutting edge of new media. These experts addressed the current state of media and described their own experiences, providing a wealth of information from varied backgrounds. Institute participants discussed 1) how activists can attain better content in mainstream media, 2) how political action and grassroots organizing can change the industry, and 3) what would be involved in starting a feminist communications network.

Through the Foundation's web site and printed materials, the NOW Foundation has distributed information about lack of diversity in the media. For example, a shocking eighty-seven percent of the guests on Sunday public affairs programs are men. In 1996, only 24.1 percent of TV news directors were female. Among the top, most visible correspondents at NBC, CBS and ABC in 1996, only four of the thirty were women. Ninety percent of the lead characters on children's programming are male. In the 1997-98 season, women comprised only 21 percent of all creators, executive producers, producers, directors, writers, editors and directors of photography on the top-rated, prime-time television programs. Women comprised only 18 percent of all executive producers, producers, directors, writers, cinematographers and editors working on the top 250 films (by domestic box offices gross) in 1998.

Mega-corporations General Electric, Time Warner, Disney/Cap Cities, Westinghouse, Viacom, AT&T (TCI), Sony, Universal (Seagram) and Rupert Murdoch's News Corporation control the majority of the media today. With the bottom-line—rather than quality and responsibility—as the driving force behind the business, is it any wonder that women are under-represented and do not receive the information and programming they need and want? We have produced materials to educate citizens about Congress' give-away of the public airwaves, including the new digital spectrum of channels, to these corporations. We are pressing for equal time on the airwaves and developing the framework for our own Feminist Communications Network, envisioning a channel dedicated to feminist news and entertainment.

### **Coalition Effort to Pressure Broadcasters, FCC**

In 1999, the NOW Foundation joined forces with a broad range of coalition partners to demand well-defined and fully enforced public interest obligations for broadcasters. Foundation staff served on the steering committee of this campaign, which was called People for Better TV. The coalition's work was instrumental in prompting hearings by the Federal Communications Commission (FCC) in 2000, for which NOW Foundation filed comments.

Another aspect has been to promote women's access to jobs within the communications field. In response to efforts by broadcasters to dispense with Equal Employment Opportunity (EEO) requirements for recruiting women and people of color, NOW Foundation's President, Kim Gandy, participated in a working group that negotiated with broadcasters and developed a streamlined set of recruitment requirements for implementation by the FCC. Some of the more important changes suggested by the working group include a new method of evaluating broadcasters, basing it on their success at recruiting qualified women and minorities, rather than merely looking at their ability to document recruitment efforts. NOW Foundation and the working group called for the FCC to issue an annual report on EEO compliance within the industry that contains statistical data on the progress (or lack of it) by women and minorities in the broadcast industry. In this and other related activities, NOW Foundation worked with the Institute for Public Representation at Georgetown University Law School.

Since 1998, NOW Foundation staff has monitored developments in light of the D.C. Circuit Court of Appeals decision in *Lutheran Church-Missouri Synod v. Federal*

*Communications Commission*, which ruled that the FCC's broadcast Equal Employment Opportunity Program requirements were unconstitutional. In response, the FCC announced that it would issue revised rules and invited comments on the FCC's position that it has sufficient statutory authority to retain the anti-discrimination provisions of the broadcast EEO rules.

On January 20, 2000, the FCC adopted new EEO rules mandating broad outreach efforts to job candidates for positions at radio, television and cable companies. Despite NOW Foundation's urging, these rules were considerably less protective of the rights of women and minority job seekers than former EEO rules and required only that broadcasters cast a wide net in their recruitment efforts. The proposal would not contain requirements for employers to assess how the composition of their employment profiles compares with the composition of the local labor force, nor would the FCC make comparisons.

In February 2000, the United Church of Christ filed an appeal to the U.S. Court of Appeals of the Second Circuit challenging these rules as not strong enough, specifically with regard to women. In March, fifty State Broadcasters filed an appeal to the Court of Appeals for the District of Columbia Circuit arguing that these new rules were unconstitutional, overly burdensome and discriminatory to broadcasters. The two appeals from different federal circuits were consolidated in the DC Circuit, and NOW Foundation intervened on behalf of the United Church of Christ and against the broadcasters. The National Association of Broadcasters filed at the FCC a Petition for Partial Reconsideration and Clarification of the New EEO Rules to which we filed Partial Opposition. Also, the broadcasters filed in Federal Court for an Emergency Motion for Stay of the Order of the FCC to which we filed Opposition. We also filed a brief in support of the constitutionality of the FCC's Rules even though we believe them inadequate. On January 16, 2001, the DC Circuit Court of Appeals ruled in favor of the Broadcaster's position and voided the FCC EEO rule. (Note: Our petition for Supreme Court review was denied on January 18, 2002.)

Despite this disappointing setback, we will continue to push to ensure that women have opportunities in the communications field so that they can influence the media. The Foundation has produced an organizing kit and a fact sheet entitled "Affirmative Action in the Broadcast Industry." Combined with the Women's Health Project work that addresses the harmful effects of advertising, our work seeks to improve the images of women presented in the media, and thus change social attitudes that lead to discrimination and violence against women.

In 2002, NOW Foundation filed a petition with the Supreme Court for review of the Federal Communications Commission's Equal Employment Opportunity guidelines, which were struck down by the appellate court, but the Supreme Court denied review. The FCC is revising its rules again, and we will file comments. NOW Foundation is advocating that broadcasters must file reports on the diversity of their workforce; the broadcasters are fighting rules simply for diversity outreach in recruitment. In addition, NOW Foundation is filing comments against proposed FCC changes in cross ownership rules which previously prevented

broadcasters from owning newspapers in the same market. On March 22, NOW participated in a protest outside the FCC, where activists demanded that the agency halt further media consolidation.

### **Third Annual Watch Out, Listen Up! 2002 Feminist Primetime Report**

A comprehensive report on Gender Composition and Diversity, Violence, Sexual Exploitation and Social Responsibility in television was issued by NOW Foundation. This extensive project, under the direction of NOW Communications Director Lisa Bennett, relied on the tallies of trained field analysts who were randomly assigned a night and a network to view and then to fill out a diary containing specific evaluation criteria.

The analysts observed a continued lack of gender and racial diversity on television. Specifically, the six broadcast networks employed 134 more men than men in regular primetime roles and programs told from a male point-of-view outnumbered those with a female point-of-view by more than two to one. In addition, the lack of racial diversity was pronounced and where diversity was evident, outdated and negative stereotypes were common.

Shows that portray female characters with dignity and respect were few in number (Judging Amy, The West Wing, Law and Order) at one end of the spectrum, while shows that sexual exploit and demean women (The Drew Carey Show, The Bachelor, Fear Factor, WWE Smackdown) were major network primetime offerings. Missing especially are programs with a strong, high profile female comedic character.

Field analysts noted the low level of maturity in primetime television programs and the low lack of interest in social issues. Major broadcast networks are setting a trend in presenting cheap, exploitive, empty-headed material, such as American Idol and Bachelorettes in Alaska (both on Fox), Dog Eat Dog and Meet My Folks (both on NBC). Fall season programs were evaluated and the networks were ranked according to various sets of criteria.

The report concluded that a number of myths – and realities -- are conveyed in television programming, such as Feminine Qualities are Undesirable, Men Run the U.S. and the World, Black and White Society is divided and A Straight Society prevails.

The report contained guideline and examples of how media activists can pressure television networks and stations to adopt better, more thoughtful and inclusive, as well as dignified and non-exploitive programming.

## **REPRODUCTIVE FREEDOM - "STOP THE RESCUE RACKET"**

### **Violence Directed at Reproductive Health Clinics – NOW v. Scheidler**

NOW Foundation established the "Stop the Rescue Racket" project to address anti-abortion terrorism and clinic violence, an effort vital to protecting the health of women. Since 1986, we have gathered information about the activities of anti-abortion groups and individuals and have been active (and ultimately successful) in urging the creation of a Justice Department task force.

The NOW Foundation is dedicated to a long-term litigation strategy to stop clinic violence. Our primary project in this area is the *NOW v. Scheidler* lawsuit, with its potential to de-fund the network of anti-abortion terrorists which has already spread from the U.S. to countries around the world. On October 2, 2001, the Foundation obtained a resounding victory for women's reproductive health when the U.S. Court of Appeals for the Seventh Circuit upheld the first-ever nationwide injunction against the defendants, which include Operation Rescue.

*NOW v. Scheidler* was a class action lawsuit filed on behalf of two named clinics and the National Organization for Women, as class representatives (respectively) of all clinics in the United States that provide abortion services and all women who might seek to use their services. It alleged that Joseph Scheidler, Randall Terry, Operation Rescue, and other anti-abortion groups and zealots are the organizers of a nationwide network coordinating violent attacks against abortion providers.

Our claims in *NOW v. Scheidler* are based on the Racketeer-Influenced and Corrupt Organizations Act (RICO). Five years after *NOW v. Scheidler* was filed in federal court, the case was dismissed on the grounds that RICO required the defendants' acts to be economically motivated. NOW appealed the decision, and in January of 1994, the U.S. Supreme Court unanimously held that the statute does not require such a motive.

The case was returned to the lower court, and in 1997, our class action was finally certified. NOW had been representing the class of its members, and was also named class representative of the class of all women who are not members of NOW, but who use or may use the clinics. In September 1997, the judge dismissed motions filed by Randall Terry and Operation Rescue, and he ruled that we had enough evidence to prove that they and other defendants had engaged in racketeering activity and that we could proceed to trial. The trial ended on April 20, 1998 with a unanimous jury verdict against all defendants and a triple-damages judgment of nearly \$300,000 in favor of the plaintiff clinics.

In 1999, U.S. District Judge David Coar issued a long-awaited national injunction against the defendants. That injunction provided a remedy for protecting access to women's health clinics. While protecting the defendants' rights to pray, speak or leaflet peacefully on public property, the judge enjoined the Pro-Life Action Network and its members, including Joe Scheidler and his Pro-Life Action League, from interfering with the right of women to obtain services, including abortions, from clinics and the right of the clinics to provide these

services. The defendants immediately appealed the verdict and the injunction to the U.S. Court of Appeals for the Seventh Circuit, which ruled in our favor in October. However, we anticipate that the case eventually will go back to the U.S. Supreme Court.

The *NOW v. Scheidler* lawsuit has been an essential part of the fight to preserve access to reproductive health options in the United States. The triple damages we won under RICO provide a strong deterrent to those considering violence and will capture some of the resources funding the violent anti-abortion movement. Although neither the NOW Foundation nor NOW will receive a penny of the damages, the Foundation has devoted considerable resources over many years because a successful outcome in this lawsuit will have a dramatic impact on the funding, and in many cases the very existence, of anti-abortion violence across the country.

In April 2002, NOW Foundation was waiting for Supreme Court response to Joe Scheidler and Operation Rescue's appeal in *NOW v. Scheidler*. Our brief in opposition to cert made it clear that we were only challenging violent behavior. The judge's order was specific that it had nothing to do with non-violent protest.

In June, 2002, the U.S. Supreme Court granted cert to the appeal filed by Joe Scheidler (et al.) of our Seventh Circuit victory and will review two points in *NOW v. Scheidler*. The Supreme Court rejected defendants' claims of violation of First Amendment rights. The Court will review: 1) whether or not private parties can obtain injunctions under the Racketeer-Influenced and Corrupt Organizations Act (RICO); and 2) whether the Hobbs Act requires economic motivation for acts of extortion. The Supreme Court in 1994 rejected the defendants' argument that RICO required economic motivation, but left open the question whether the Hobbs Act requires economic motivation. Several organizations are filing amicus briefs in support of our position.

On December 4, 2002, The U.S. Supreme Court heard arguments again in *NOW v. Scheidler*. The case will turn on two points: whether women and clinics victimized by the defendants' violence can be protected from future crimes by injunction, not merely compensated for their losses after the damage is done; and whether anti-abortion terrorists whose motivation is religious or political, rather than economic, can be found guilty of extortion under RICO.

## **YOUNG FEMINIST OUTREACH**

The NOW Foundation has sponsored and organized two Young Feminist conferences. On April 11-13, 1997 in Washington, DC, the Young Feminist Skill-Building Summit brought together nearly 1,500 young feminists from across the country. There were over forty workshops, in addition to small and large group discussions and plenary sessions, with such topics as: the art of advocacy; diversity as a tool for the future; organizing in your community; campus organizing; building inter-generational bridges; and on the NOW Foundation's Redefining Liberation Women's Health Project. The participants also created regional action plans and committed to working together upon their return home.

The Foundation's first Young Feminist Summit concentrated on Ending Violence and was held on April 7th-8th, 1995 in Arlington, Virginia, drawing over 1,200 participants -- young women and men from thirty-four states and the District of Columbia. Dozens of workshops addressed the various forms of violence affecting young women in our society. Topics included: sexual harassment in schools; violence in music, language and the media; the violence of poverty; lesbian and gay bashing; eating disorders; raising non-violent, non-sexist children; women of color and violence; surviving violence; date and acquaintance rape; child abuse; terrorism at abortion clinics; global perspectives on violence against women; self-defense training; coalition building; conflict resolution; and prejudice reduction. In addition, attendees participated in working groups and formed grassroots action plans for returning to their own communities.

The success of these conferences has strengthened NOW Foundation's campus outreach and Love Your Body Day activities, and we have a commitment to including young women in all of our activities.

In addition, NOW Foundation joined with other organizations allied in the National Council of Women's Organizations to conduct the Women's Equality Summit and Congressional Day of Action to education young women on priority issues and provide leadership training in meeting with elected officials to discuss these issues and related legislation. (A longer report on this event appears in the following subsection.)

## **LEADERSHIP DEVELOPMENT AND TRAINING**

Action Team training sessions, which emphasize techniques for organizing around an issue in local communities, are being effectively used to educate community activists on issues of affirmative action, lesbian rights, reproductive rights, women and the media, violence against women, welfare rights and women's health issues, while teaching valuable communication skills. Many of the workshops and skill-building sessions at the two young feminist conferences (see above) emphasized local advocacy and change-oriented organizing, in addition to coalition-building and conflict resolution.

In 2002, the NOW Foundation participated in the planning and conduct of the Women's Equality Summit – Congressional Action Day (WESCAD) event whose goal was to energize, inform and train young feminists on important women's issues before Congress.

More than 450 feminist activists attended the 2002 WESCAD on April 8 and 9, where they learned about threats to reproductive rights by an increasingly right-wing federal judiciary and met with members of their Congressional delegation.

WESCAD attendees heard about ways to re-shape welfare policy to help women on welfare become economically self-sufficient. NOW Foundation Secretary-Treasurer Terry

O'Neill moderated a panel on "Rethinking Welfare and the Social Safety Net," reviewing principles developed by the economic security task force of the National Council of Women's Organizations. This forms a guideline for policymakers as they reauthorize the Temporary Assistance to Needy Families (TANF) program, the 1996 act that eliminated Aid to Families with Dependent Children.

NOW President Kim Gandy welcomed participants to a Congressional breakfast on Capitol Hill, followed by an address by former Rep. Pat Schroeder, D-Colo. Former NOW Foundation President Ellie Smeal, founder of the Feminist Majority, moderated a panel of experts on international women's rights issues. One of the highlights of the event was a panel session on women and the 2002 elections, moderated by political analyst Charlie Cook, with commentators from both the Democratic and Republican parties. NOW Foundation Education Vice President Olga Vives introduced leading feminist Betty Friedan who, along with Dr. Dorothy Height, was honored for her long career working for women's rights and civil rights.

## **LESBIAN RIGHTS PROGRAM**

NOW Foundation is an educational resource for activists throughout the country on issues of homophobia, hate crimes, equal marriage rights, and lesbian family issues. Foundation staff participates in coalitions working on the health concerns of lesbians, domestic violence in lesbian relationships, extension of marriage rights, and efforts to end hate crimes and employment discrimination against lesbians. In advocating for the prosecution of hate crimes based on sexual orientation, we are educating the public about the homophobic and misogynistic Promise Keepers, a right-wing religious group.

In response to a 1996 ballot measure that would have adversely affected lesbian and gay rights in Maine, NOW Foundation staff conducted trainings on organizational skills. NOW Foundation staff and our Education Vice President spoke at twelve universities and colleges in Maine, educating students and the public on the issue of violence and discrimination against lesbians and gays.

Also, the Foundation organized to ensure that the 1995 and 1997 Young Feminist Summits were attended by young people active in student gay rights organizations. Foundation staff conducted workshops at both Summits on the topics of lesbian and gay bashing and organizing around lesbian, gay, bisexual and transgender issues.

NOW Foundation conducted research and began preparing materials in anticipation of an upcoming public debate on same sex marriage in 2002 and later.

## **RACIAL AND ETHNIC DIVERSITY**

The focus of this program is to educate community activists and the society at large on the concerns of women of color as they affect all issues addressed by the women's movement. Foundation staff has presented prejudice reduction workshops for college interns, NOW leaders, two Young Feminist Summits, and the American Association of University Women. Educational materials were developed on affirmative action and for a Valuing Diversity Kit.

We work actively to support affirmative action and provide educational materials, and we participated in coalition efforts to ensure that activists and the public were better informed about the successful efforts in California to eliminate affirmative action programs, particularly for women and people of color. NOW Foundation has also organized and sponsored several regional conferences on women of color and reproductive rights and was a co-sponsor of NOW's Women of Color and Allies Summit held in Washington, DC in February 1998. An on-going part of our work in this area is to network with many other organizations that address the issue of racism. Our public education and networking outreach includes an emphasis on how racism is interrelated with issues of sexism, homophobia, poverty, and violence.

## **THE FEMINIZATION OF POVERTY**

Public Policy and Welfare Rights Project staff has provided education and community outreach on the issue of welfare rights, the challenges faced by women and children living in poverty, and the need for universal health care and quality, affordable child care. In 2000, NOW Foundation co-sponsored the World March of Women -- an international coalition effort to raise awareness of how poverty impacts women all over the world.

In domestic policy, the Foundation has worked hard to educate the public and policy-makers about the punitive nature of The Personal Responsibility and Work Opportunity Act of 1996 (P.L. 104-193) which effectively repealed the decades-old Aid to Families with Dependent Children (AFDC) program and replaced it with a block-granted program to states, requiring that virtually all AFDC recipients ultimately be employed. Strict deadlines for removing recipients from AFDC (renamed Temporary Assistance to Needy Families, TANF) rolls were part of the new law.

### **Work on Welfare Policy**

NOW Foundation's concerns have proved well-founded -- that indeed the new policies contain insufficient assurance that jobs will be available and that support services such as affordable child care and health care will be offered. NOW Foundation has focused on eliminating some of the most punitive provisions of the legislation. Additionally, NOW Foundation has pursued exemptions, via the Family Violence Option, for battered women who may face increased difficulties in a transition to employment. For example, in one study as many as 49% of welfare recipients who were also in welfare-to-work programs reported interference from their abusers in their efforts to maintain employment.

In order to educate activists and public officials about the need for flexibility in implementing welfare-to-work policies for battered women, we prepared and sent information kits on the Family Violence Option (FVO). This is a provision in federal law that allows states to waive certain welfare-to-work deadlines for women who have been abused. States were urged to adopt the FVO, incorporating a model plan into their new state welfare plan. The information also encouraged states to adopt policies and programs to screen recipients for domestic violence problems and to assist battered women in the welfare-to-work transition by providing important social services such as safety planning, counseling, safe shelter, medical care and child care. The material was distributed in all fifty states, the District of Columbia and all U.S. territories, and most of the states are now addressing violence in their plans. We continue to pursue adoption in the recalcitrant states and to monitor the progress of the Family Violence Option.

### **Ms. Foundation Grant on Family Violence**

NOW Foundation was the recipient of a grant from the Ms. Foundation to conduct briefings and distribute information on the Family Violence Option and the connections between battering and welfare in six targeted states, including Michigan, Louisiana, California, New York, Florida and Massachusetts. Activists in California and New York, where welfare populations are large, worked especially diligently for adoption of the Family Violence Option at the state level. In the end, all six of our targeted states adopted the FVO. The information we provided to activists and policy makers in those states included an explanation of the new welfare law, the proposed Family Violence Option and its rationale, model testimony, and background on the problem of family violence among welfare recipients.

We have also worked directly with women who are welfare recipients and have aided them in their community activism. In 1992, with the National Welfare Rights Union and similar groups, we co-founded Up and Out of Poverty Now, a coalition of feminists and welfare rights activists working together to ensure that the voices of low-income women are heard. Foundation staff work closely with welfare rights groups, homeless organizations, anti-hunger groups and immigration groups to fight efforts to take away basic health care, education, housing, and programs to aid children.

### **Briefings, Letters and Testimony on Welfare**

For the past six years, the Foundation has held briefings in conjunction with the National Council of Women's Organizations (formerly the Council of Presidents), a coalition of national women's organizations, as part of the activities of the Women and Welfare Task Force. Through that program, speakers have presented research and public policy information on such issues as family violence, food stamps, immigrant women, reproductive rights, work requirements under the new welfare law, privatization of welfare programs, job training, job availability, teen parenting, child care, housing, child support collection and other topics. This Women and Welfare Task Force (then chaired by the NOW Foundation's Public Policy Director) was renamed in 1997 as the Economic Security Task Force. Briefings were held for Congressional staff and members of the public on women's economic status and related

changes in federal law and policy. The NOW Foundation also participates in the National Council of Women's Organizations child care task force to advocate for expanded government support of child care programs; this task force conducted a Senate briefing in June 2000 during which the NOW Foundation distributed information on affordable child care solutions.

In 2002, NOW Foundation Secretary-Treasurer Terry O'Neill and Public Policy Director Jan Erickson worked with a task force under the National Council of Women's Organizations to develop a policy statement and set of recommendations for Congress and the public on reauthorization of welfare legislation. A cover letter and the recommendations were sent to members of Congress and posted on websites. Staff from the Foundation continued to participate in coalition work on the TANF legislation. Written testimony from the National Council of Women's Organizations, Domestic Priorities Task Force, signed by Terry O'Neill and representatives from three other major women's organizations was submitted for a hearing by the Senate Finance Committee on TANF reauthorization, on May 16, 2003. NOW Foundation staff contributed to the preparation of that document.

## **SOCIAL SECURITY**

### **Critiques of Privatization; Proposal for Improvements**

The NOW Foundation has closely followed developments in the national debate on possible changes to the Social Security system. The Foundation participated in coalition efforts to review Social Security "reform" proposals and to determine the effects of various proposals on women. Of particular interest were proposals that would convert Social Security contributions through the payroll tax to private accounts. Careful analyses of these "privatizing" approaches showed that most women would receive fewer benefits and run the risk of exhausting earnings before they die -- a very important consideration since women, on average, live about 7 years longer than men. Low income, never married or married less than ten years, divorced and very elderly women would be at higher risk under privatization. NOW Foundation and other members of the National Council of Women's Organizations' Task Force on Social Security concluded that maintaining Social Security as presently structured, with a few modifications to address the needs of those groups, would be a better policy.

In early December 1998, NOW Foundation participated in a press conference on the future of Social Security with a broad array of women's, civil rights, minority, labor and religious national organizations. President Patricia Ireland spoke, stressing the need to maintain this system of social insurance which has brought so many older women out of dire poverty. Her remarks were well received and were later credited with having an impact on the Clinton administration's views on retaining the current system, while addressing the needs of poor, elderly women. Unfortunately, the administration of George W. Bush presents greater challenges since Bush is advocating for the privatization of Social Security.

Materials about Social Security and retirement issues were distributed to the NOW Foundation board and to activists around the country. Future work for the Foundation will

include preparation of informational materials to distribute about Social Security and ways to improve benefits, as well as to resolve the system's long-term funding problem.

NOW Foundation president Kim Gandy presented written testimony to the Senate Finance Committee on October 15, 2002, concerning the Social Security Commission's Options for Privatization, a presidentially-appointed group heavily weighted with members favoring conversion of the social insurance program to one featuring individual private investment accounts. Her testimony stressed that all of the recommended options would hurt the financial well-being of older women, especially disadvantaging those who tend to be the poorest: divorced, never-married, disabled and very elderly women.

Gandy noted that with a number of key adjustments to the present system that the retirement needs of older women could be better met, including valuing years out of the paid workforce to provide care for children and ill relatives, increasing benefits for widows, disabled persons, divorced/never-married women and lifetime low income earners. The recommendations embraced those adopted by the National Council of Women's Organizations several years earlier. Additionally, the long term solvency challenge of the Social Security system could be met by slightly increasing the payroll tax rate and removing the ceiling on taxable income.

## **VIOLENCE AGAINST WOMEN**

The Foundation is committed to public education and policy advocacy directed toward eliminating violence against women. In 2000, NOW Foundation co-sponsored the World March of Women -- an international effort on issues of poverty and violence against women. Part of this effort included a popular education campaign on these issues.

We held the 1995 Young Feminist Summit on Violence to train young activists on the issue and inspire them to continue this work in their communities. We are actively engaged in involving young women and men around the issue of violence against women, bringing them together across the traditional dividing lines of gender, race, class, religion, physical ability, or sexual orientation.

NOW Foundation has worked hard to educate the public on how current "welfare reform" efforts will make it more difficult for women and their children to flee domestic violence (see above). In addition, staff and interns have compiled information on state-by-state stalking laws and remedies, sexual harassment claims and the processes involved in pursuing such claims, state-by-state laws on domestic violence evidence in child custody cases, the impact of gender-based hate crimes, and the global problem of female genital mutilation.

Our staff and interns participated in the drafting of the new Violence Against Women Prevention Act (VAWA II), first introduced in Congress in 1998, which expands the protections won in the 1994 Violence Against Women Act. A summary of the proposed

legislation appears on NOW's website. NOW Foundation answered public inquiries on its progress and distributed frequent notices in regular Legislative Updates. We continue to advocate for various provisions of the bill, often incorporated into other legislation.

Foundation staff met quarterly with colleagues in the National Task Force to End Domestic Violence to share information and strategies. This is a coalition of hundreds of member organizations which coordinates action around legislation and public policy pertaining to domestic violence/sexual assault programs. Staff also participated in the VAWA Special Events Group, which held several rallies and press conferences during the year to talk about the need for expanding programs for battered women and their families.

### **Public Education on Hate Crimes**

In addition, NOW Foundation staff assisted in preparations for a White House conference on Hate Crimes. A score of academics, activists and survivors of sex-based or sexual-orientation based hate crimes were identified by NOW Foundation and referred to the White House for inclusion in discussion panels. Prior to the conference, NOW Foundation officers had a productive meeting with Attorney General Janet Reno, where we sought clarification of the Department of Justice's position on the federal role in prohibiting sex-based, sexual-orientation and disability-based hate crimes. We continue to educate the public and public officials on the need for a Hate Crimes Act.

To help build awareness of hate crimes against women, NOW Foundation assisted in the writing of a report published by the Leadership Conference Education Fund (LCEF) and the Leadership Conference on Civil Rights (LCCR). Our section about sex-based hate crimes noted that "society is beginning to realize that many assaults against women are not random acts of violence, but are actually bias-related crimes" and that federal statutes and many state statutes do not contain prohibitions against bias-crimes aimed at women. Further, because women as a class are not covered by the Hate Crimes Statistics Act, the FBI keeps no records of sex-based hate crimes. But the available data confirm the substantial extent of sex-based hate crimes. The report called for expansion of federal criminal civil rights statutes to include gender, sexual orientation and immigration status.

### **DIVORCE AND CHILD CUSTODY**

In response to a growing number of reports from women all over the country, NOW Foundation undertook a project that will assist women who are at risk of losing or have lost custody of minor children to an abusive ex-partner. Activists relate that they receive a torrent of letters and phone calls from women caught in protracted litigation over child custody, often involving violations of due process or conduct of judges and other court officials that is blatantly sexist. Because of the generally superior economic status of ex-husbands, women often find themselves at a disadvantage in divorce and child custody matters. A common theme in many of these cases is the disbelief by judges of women's assertions of domestic violence or of child abuse by their ex-partners. Additionally, many women appear to be poorly

served by legal counsel and end up in debt for large legal bills. Understandably, these experiences are financially and emotionally devastating for women.

NOW Foundation helped to establish a working group composed of domestic violence, child abuse, feminist, and legal organizations as well as individual researchers and activists. During 1997, the working group developed a mission statement and work plan and met frequently to share information. Legislation was developed to clarify enforcement of the Full Faith and Credit clause of the U.S. Constitution as it may apply to Protection Orders from other states, plus improvements in federal statutes pertaining to parental kidnapping. A briefing on this legislation for domestic violence program advocates, Congressional members and staff was held in October 1997 in the House of Representatives. Throughout 1998, NOW Foundation staff continued participation in the national working group which monitors developments in this area, proposes legislative solutions and conducts public education activities.

In 2000, the NOW Foundation stood alone in educating the public about problems in the Fathers Count Act, a piece of federal legislation proposed by fathers' rights advocates. The Act would advocate marriage as the solution to poverty, disregarding the real roots of poverty and the problem of domestic violence, and would give millions of dollars to programs for non-custodial fathers at the same time that programs for custodial parents have been cut. Our Public Policy Director also worked in coalition efforts with some fathers' groups seeking to address poverty issues and was instrumental in forging a Parents and Families Coalition to address problems in the Fathers Count Act and to make proposals in the so-called welfare reform policy before it was reauthorized in 2002.

## **GLOBAL FEMINISM**

The Foundation coordinates efforts to communicate with feminist leaders around the world and to educate the public in the United States about the status of women worldwide. As an on-going project, we have been particularly active on the issue of violence against women around the world, publicizing the plight of millions of women maimed by the practice of female genital mutilation.

In addition to the Women's International Symposium on Health (see above), the Foundation co-sponsored two events as part of the World March of Women 2000 -- the first on October 15th, 2000 in Washington, D.C. and the second on October 17th in New York City. Both events focused on the problems of poverty and violence.

### **World March of Women**

On October 15th, the NOW Foundation co-sponsored the United States' event in D.C. for the World March of Women 2000. Women from around the world marched in unity and shouted "Shame!" at the World Bank and the International Monetary Fund buildings in protest of institutions whose policies keep women and children in poverty. Women from so many different cultures, speaking so many different languages, all came together in solidarity to raise our voices against the common enemies threatening all women throughout the world: poverty

and violence. Speaker after speaker at the D.C. event told of atrocities in her country, such as rape as an act of war, the sexual trafficking of women, female genital mutilation, so-called honor killings, the killing of female babies, unjust incarcerations, the oppression of women by repressive regimes like the Taliban, and the worldwide oppression of women through domestic violence and sexual assault. Speakers from Afghanistan to Zimbabwe reported a universal truth: that violence is used to keep women in their place. Yet, while women shared their stories of brutal violence and devastating poverty, there was also joy -- and lots of colorful clothing, signs and banners, noisemakers, singing and dancing as we celebrated our unique opportunity to be together, finally able to acknowledge each other's plight, while recognizing that sisterhood is global and powerful and that we can and will make progress to improve the lives of women.

Immediately following the World March of Women 2000, NOW Foundation staff participated in the New York action on October 17th, the United Nations' International Day for the Eradication of Poverty. Thousands of women attended from over 150 nations, chanting in many languages. A total of 6.7 million petition signatures were presented to a representative of U.N. Secretary General Kofi Annan, containing 17 specific demands for ending poverty and violence. The U.N. event was the culmination of seven months' of actions that began on International Women's Day in March 2000. From then until October, women from over 4,500 women's groups held World March events in 159 countries and territories. While women were marching at the United Nations in New York, other marches were taking place in Brazil, Mexico, India, Rwanda, Jamaica, Bangladesh and the Philippines, all demanding an end to poverty and violence. The World March of Women was nominated for a Nobel Peace Prize. The World March of Women web site has put up a clip of Karen Johnson from the third international meeting held in October 2001, at which the international group decided to continue its work together. (<http://www.givideo.org/ffq/marche/suite01.html>)

### **Beijing Conference**

Staff and officers also participated in the 1995 United Nations Fourth World Conference on Women held in Beijing, China, with NOW Foundation Secretary Karen Johnson serving on the Executive Committee of the U.S. Network for the Fourth World Conference on Women and Beyond. Two officers and two staff members attended the Conference and the Non-Governmental Organizations (NGO) Forum and presented two workshops: one on organizational development and one on consciousness-raising -- the link between the personal and the political. The Foundation works for policy changes based on the Platform for Action and for the ratification of the Convention on the Elimination of all forms of Discrimination Against Women.

The NOW Foundation also held a Global Feminism Conference in 1992, which brought together hundreds of grassroots feminist leaders from forty-five countries to exchange ideas and resources.

NOW Foundation officers and staff continued meeting with international visitors in 2002 to discuss current women's issues and activities in the U.S. NOW Foundation Executive Vice President Karen Johnson met with contingents from Africa, China, Indonesia and New Zealand, while Public Policy Director Jan Erickson met with a group of Central and South American officials. Many of the international visitors are distinguished women's rights leaders, elected and appointed officials. Their top areas of interest include actions taken to end violence against women, the status of legal and constitutional rights of women in the U.S., access to health care including reproductive health care, how to influence government policies and how to build a participatory civic culture.

That same year, all four officers visited the South African embassy for an event during women's history month and met women ambassadors from around the world. The ambassador from South Africa is a woman, one of 17 women out of 160 ambassadors in DC.

During 2002, Linda Berg, NOW Political Director representing NOW Foundation traveled to Armenia, at the invitation of the U.S. State Department, to help develop women's political participation. During her ten day stay, Berg spoke to numerous women's groups, met with heads of non-government organizations (NGOs) and university professors and taught classes at Yerevan State University. The Foundation received an honorarium for her work

## **INSURANCE DISCRIMINATION**

### **Texas Cents-Per-Mile Update**

NOW Foundation staff informs government and the public on how current insurance industry practices discriminate against women. Without an Equal Rights Amendment to the U.S. Constitution, however, the federal and state governments continue to approve treatment of men and women differently in all insurance arrangements -- premiums, coverage, and benefits. Marketing by insurance companies appeals to men with stereotypes like: "Women are sicker, must be responsible for the financial burden of pregnancy and pregnancy prevention, are not committed to their jobs, and live too long." For women who do not get insurance through their employers and thus are not protected by Title VII, these stereotypes are used to justify higher charges for medical expenses, disability income, and retirement annuities.

The myth that women are "safer" drivers and get "breaks" on auto insurance is particularly costly. In reality, sex-divided arrangements are not beneficial to women and prove that women need a constitutional guarantee of equal treatment under law. The NOW Foundation's Insurance Project has generated an analysis and new debate on auto insurance. Because driving a car, not owning it, is what produces risk for the insurance company, mile by mile, that is the right way to pay for insurance protection. Non-discriminatory premiums tied to each insured car's odometer and calculated at cents-per-mile rates that are appropriate for risk class and coverage B as the alternative to today's fixed, all-you-can-drive premiums B would end the deliberate over-charging of lower mileage drivers, generally adult women, the poor and older drivers.

On the basis of the Foundation's 37-page analysis titled "Why the standard automobile insurance market breaks down in low-income zip codes," the 2001 Texas legislature enacted and the governor signed into law NOW's "cents-per-mile choice" bill. The analysis focused on the extended hearings by the previous legislature on some dozen bills addressing automobile insurance problems of affordability and the failure of the state's 20-year-old mandatory insurance law to reduce the proportion of uninsured cars using the highways.

For example, impromptu testimony by a successful former auto insurance agent demonstrated the problem of higher annual rates companies charge to insure cars in low-income areas. In response to a legislator's question about companies not making their standard premiums available in low income zip codes, the agent said, "Underwriting guidelines are very clear. An agent doesn't say because you're black or white or green I'm not going to write your business. My agency was a stone's throw from the Capitol, [but] I never wrote business East of I-35." The report explains why annual rates act like an ownership tax on cars that forces low-income owners to give up needed cars.

The Texas per-mile choice law authorizes companies to offer each customer the choice between paying the usual fixed premium (say \$600 per year) and paying at an equivalent per-mile rate (say 4 cents per mile) for the same class and coverage. The law makes it voluntary to companies to offer this choice. Therefore, the Foundation is using a website, media, and other means to inform the public and encourage consumers to demand the choice from their insurers. The Foundation is also providing information to other states for pursuing such legislation.

To end the premium spiral set off by adverse selection in low income zip codes, Texas passed the cents-per-mile choice law in 2001 (House Bill 45). It authorizes insurers to offer the vehicle-mile as the alternative exposure unit to the current car-year unit for driving coverages. The choice of exposure unit between the vehicle-year unit and the vehicle-mile unit is easy for companies to set up. (Insurers have long offered the vehicle-mile as an alternative exposure unit for some commercial fleets.)

After first assigning a car as usual to a risk class (by territory, car and driver type, and car use), the company offers the customer a choice between staying with, for example, a fixed premium of \$600 a year for driving coverages (liability, collision, uninsured motorist, and personal injury protection) or paying the matching 4.04 a mile for the same risk class and coverage to buy miles of insurance in advance.

The miles are added to the odometer reading and recorded on the insurance ID card. The owner buys more miles when needed. The company has the odometer read annually and when the owner changes cars or companies. Owners pay only for the miles of insurance protection used, and if the odometer limit is exceeded or if the odometer reading is tampered with, the car is uninsured. It's that simple.

Pay-per-mile also eliminates a major enforcement problem. Today's ID card shows the policy term but not whether insurance has lapsed through non-payment of installments. Under the pay-per-mile alternative, checking the odometer reading against the ID card's odometer limit shows immediately whether prepaid insurance is in force.

State and National educational activities by Patrick Butler for NOW Foundation, in 2002, to inform the public about the Texas Acents-per-mile choice@ automobile insurance law included numerous local state and national television and radio interviews. Butler emphasized the need for insurance company cooperation in making the choice available in Texas and elsewhere.

## **CONSTITUTIONAL EQUALITY**

### **Book by Rep. Jackson Advocates Constitutional Equality Amendment**

An important project for NOW Foundation in 2001 involved making a major contribution to a chapter about the need for a constitutional sex equality amendment for a book by Rep. Jesse Jackson Jr. (D-Ill.) and Frank Watkins. The book, which was published in September, 2001, is entitled "A More Perfect Union: Advancing New American Rights" (Welcome Rain Publishers, \$24.95). The authors propose a series of constitutional amendments to guarantee access to equal, high quality education; affordable housing; full employment; universal and comprehensive health care; a clean, safe environment; progressive taxation; and a right to vote. A constitutional sex equality amendment is called for to fulfill the democratic promise of equality treatment for all.

In addition, Chapter 15, A More Perfect Union — Equality for Women, underlines the importance of a constitutional amendment prohibiting discrimination on the basis of sex, noting that a "national dialogue leading to adoption of an amendment...would have the most profound impact yet in reshaping the legal and economic landscapes. For if women — who constitute the majority of the population— were to have their basic human right to equal treatment under the law, every aspect of their current disadvantaged status would be forever changed."

"Women's fundamental human rights, including the right to bodily integrity, personal safety, equality of opportunity, and equal protection of the law continue to be sacrificed to men's freedom to privilege themselves at women's expense. In economic terms, depriving women of legal equality translates into a difference of many billions of dollars. Barriers to education, employment, freedom of movement, as well as systematic deprivation of access to contraception and assistance with child care, impose severe constraints on women's freedom to compete for achievement and rewards in professions, corporations, and paid workplaces at all levels."

The chapter traces the history of denial of equal rights to women from 1776 when "John Adams denied his wife Abigail's demand that the constitution of a new nation 'put out the power of the vicious and lawless to use [women] with cruelty and indignity with impunity,' as

English law allowed. To her clear demand for a guarantee of equal protection of the law, John Adams replied with cutting ridicule.... He assured her, 'We know better than to repeal our Masculine systems.'"

The historical outline brings the reader up to 1982 when the ten-year campaign for ratification of the Equal Rights Amendment was denied by 15 states, thus allowing sex discrimination to remain constitutionally permissible. The problem with anti-discrimination measures residing in easily modified statutes is made clear.

Various Supreme Court decisions which have reinforced discriminatory treatment against women provoke the question, "What difference would an ERA have made in these cases?" The text answers, "A constitutional amendment affirming equal rights for women would shift the burden of proof from those who fight discrimination onto those who discriminate. An ERA shifts the argument from the women protesting ongoing discrimination and discriminators justifying it, to requiring the courts to apply strict scrutiny to cases of apparent inequality."

NOW Foundation staff continues to attend ERA coalition meetings, held in conjunction with bi-monthly meetings of the National Council of Women's Organizations.

## **PUBLIC EDUCATION**

In addition to the specific educational and training efforts described above, information about the status of women in our society and the issues affecting women's welfare was disseminated through many public speaking engagements of the Foundation's president and other officers (see attachment). Public education is also served through the development of educational materials on women's issues.

## **LITIGATION TO SECURE WOMEN'S RIGHTS**

Since 1995, the Foundation has extended its litigation efforts beyond *NOW v. Scheidler* to include cases which address affirmative action, employment and pregnancy discrimination, lesbian and gay rights, municipal liability for civil rights violations, reproductive rights, sexual harassment, and violence against women. Following are short descriptions of some of the cases in which the NOW Foundation has participated as *amicus curiae*:

***Baehr v. Miike***: Plaintiffs filed this suit seeking the right to marry in Hawaii. *Amici* argued that potential discrimination by other states against some Hawaiian marriages is not a compelling state interest that would justify denying lesbians and gay men the right to marry that is protected in the Hawaii constitution. The Hawaii Supreme Court delayed making its decision until after November 1998, when voters approved changing Hawaii's constitution to ban same-sex marriages.

***Bauchman v. West High School:*** Rachel Bauchman opposed her Utah high school music teacher's use of the school choir as an opportunity for Christian proselytizing; she took her music teacher and the school district to court, facing anti-Semitism, threats and other retaliation as a result. In December 1997, the 10th Circuit U.S. Court of Appeals refused to hear Rachel's case. In 1998, the NOW Foundation was *amicus curiae* in a petition to the U.S. Supreme Court, which denied certiorari.

***Bedford Gardens v. Ausch:*** The NOW Foundation joined in an *amicus curiae* brief in support of the respondent, Henya Ausch, who was evicted from her home without notice. Her landlords served notice only on her husband, who was the only signer of the lease. Any other resident tenant other than a spouse) would have been entitled to notice under the law -- only spouses are excluded. We argued that "complete relief cannot be accorded in an eviction proceeding without making the named tenant's resident spouse a party, in light of the resident spouse's marital property rights and the intent of the federal regulations to make her a tenant." Landlords cannot reasonably assume that husbands will inform their former wives of eviction notices. Such a practice would be a particular burden for women whose ex-spouses are abusive or absent. The case was heard in April 1998 in the New York State Supreme Court, which refused to overturn the trial court's decision.

***City of Bangor v. Stauble:*** This case before the Maine Superior Court addressed Bangor's residential anti-picketing ordinance. The city ordinance prohibiting picketing within 300 feet of a targeted residence had been challenged by two anti-abortion activists. The trial judge struck down the ordinance as unconstitutional, and the city appealed that decision. The decision of the trial court was upheld.

***Board of Education of the Township of Piscataway v. Sharon Taxman:*** In 1989, the school board in Piscataway, New Jersey laid off a white teacher, Sharon Taxman, instead keeping an equally qualified black teacher with the same hire date. Taxman argued that a racially-neutral means of making the choice should have been used. The lower courts ruled against the school board, asserting that the board had failed to prove the need for racial diversity in the high school's business education department. Historically, the Supreme Court has distinguished between applying affirmative action to hiring policies as opposed to layoffs, supporting it for hiring, but applying a stricter standard to actions affecting existing employees. *Amici* argued the validity of non-remedial, diversity-based affirmative action and that affirmative action is especially important in education, where a diversity of backgrounds contributes to the educational experience. The Supreme Court granted *certiorari*, but the case was settled before being heard by the Supreme Court.

***Brandon v. Richardson County, Nebraska:*** In 2000, the NOW Foundation signed on to an *amicus* brief in support of a tort action brought by the mother of Brandon Teena. Teena's mother sued for wrongful death, negligence, funeral expenses and emotional distress because the sheriff failed to arrest the people Teena reported had raped him and threatened his life; they eventually murdered him. The brief focused on the impact of law enforcement failures to take

complaints of sexual assault seriously. In 2001, the Court reversed a minimal award made by the jury, but gave Teena's mother a still-inadequate award of \$80,000.

***Bryan County v. Brown:*** This case was decided by the U.S. Supreme Court in April 1997. At issue was municipal liability for federal civil rights violations. Ms. Brown sued Bryan County, Oklahoma alleging that excessive force was used by a deputy. The Fifth Circuit Court of Appeals affirmed a jury verdict holding the deputy and Bryan County liable and reaffirmed that a single hiring decision may create municipal liability. Unfortunately, the Supreme Court overturned this ruling and held that the respondent did not demonstrate that the hiring decision reflected a conscious disregard for a high risk that the deputy would use excessive force. This case was important to women because it addressed liability for hiring decisions.

***Brzonkala v. Virginia Polytechnic Institute and State University:*** In 1995, the NOW Foundation and other women's rights organizations filed an *amicus curiae* brief in opposition to a motion to dismiss this civil suit filed under the civil rights provisions of the Violence Against Women Act (VAWA). Brzonkala's suit also challenged the secret disciplinary systems used by some colleges to deal privately with campus rapes. Her attorney argued that the university gave preferential treatment to its male athletes (her alleged rapists) at the expense of Ms. Brzonkala's rights, thereby violating Title IX. In 1996, the U.S. District Court for the Western District of Virginia ruled that the VAWA civil remedy was unconstitutional and ruled against the plaintiff's Title IX claims. *Amici* continued our support in the plaintiff's appeal to the Court of Appeals for the Fourth Circuit. In 1999 the Fourth Circuit *en banc* upheld the lower court. In May 2000, the U.S. Supreme Court ruled against the civil rights remedy in VAWA, thus denying victims of gender-based violence the right to sue their attackers in federal court. The ruling represents a step backwards for women's efforts to achieve equality by calling into question Congress' ability to enact federal legislation to combat and remedy sex-based discrimination; it clearly demonstrates our need for a constitutional amendment for women's equality.

***Cockrell v. Commissioner of Internal Revenue:*** The NOW Foundation participates as *amicus curiae* in support of a petition for *certiorari* to the U.S. Supreme Court, but the petition was denied. At issue was the IRS's use of joint liability for taxes in cases of fraud where it is unfair to pursue an innocent spouse for the back taxes. The IRS frequently pursues women, even when they cannot pay, and without any attempt to find or tax the ex-husbands who are actually responsible for the deficiency. Congressional legislation and IRS changes should result in a more equitable system.

***Condon v. Reno:*** The NOW Foundation signed on to an *amicus* brief to the U.S. Supreme Court to support the constitutionality of the Drivers' Privacy Protection Act (DPPA), a federal law that prohibits states from disclosing personal information about individuals through their license plate number. Four courts of appeals have reviewed the statute: the Seventh and the Tenth Circuits held it constitutional, but the Fourth and the Eleventh Circuits held it unconstitutional. The NOW Foundation urged the Supreme Court to reverse the Fourth Circuit and uphold the statute, which is vital for the safety of reproductive health care providers and

victims of domestic violence and stalking. In January 2000, the Supreme Court upheld the DPPA as constitutional.

***Edwards v. City of Santa Barbara:*** In a First Amendment claim, the U.S. District Court for the Northern District of California upheld part of Santa Barbara's clinic buffer zone ordinance, but struck down a section creating an 8-foot buffer zone around clinic driveways. While the courts have upheld the constitutionality of buffer zones created by court-ordered injunctions, this case is only the second to consider the constitutionality of buffer zones created by city ordinances. The decision was appealed to the Ninth Circuit, and the NOW Foundation joined in an *amicus* brief. In August 1998, the Ninth Circuit upheld the eight-foot, fixed buffer zone around driveway entrances, but struck down the part of the ordinance dealing with floating (bubble) zones.

***Ferguson v. City of Charleston:*** At issue in this case is a South Carolina hospital's policy that subjected pregnant women to mandatory urine drug screens without suspicion or a warrant. The main constitutional question is whether pregnant women fall under the "special needs" exception of the Fourth Amendment's protection against unreasonable searches and seizures. The U.S. Court of Appeals for the Fourth Circuit upheld the drug testing. In 2001, the U.S. Supreme Court, in a 6-3 decision, stressed the importance of the private doctor-patient relationship and found that the policy violated the patients' constitutional rights to be free of unreasonable search and seizure if the women did not consent.

***Garcia v. Runyon:*** Our *amicus* brief in the Fifth Circuit Court of Appeals supported plaintiff's claim that she was discriminated against by the U.S. Post Office because of her pregnancy. Garcia was granted a long-sought promotion, but it was revoked when she reported for training and her pregnancy was apparent. The Postal Service took the position that a person on "light duty" (because of pregnancy or otherwise) can never bid for another job, even one that is less strenuous than her current position. The Postal Service essentially created an irrebuttable presumption that a pregnant woman can never be physically capable of completing a training period -- a clear violation of Title VII. The Fifth Circuit affirmed the lower court's decision against Garcia and refused to grant an *en banc* hearing. The NOW Foundation wrote an *amicus* brief in support of Garcia's appeal to the U.S. Supreme Court, but they denied *certiorari*.

***Hill v. Colorado:*** In June 2000, the U.S. Supreme Court, in a 6-3 vote, upheld a Colorado law requiring anti-abortion demonstrators to stay at least eight feet away from anyone entering or leaving medical facilities. The Court found no unconstitutional restrictions on speech-related conduct were imposed by the Colorado statute. The law makes it unlawful for any person within 100 feet of a health care facility's entrance to knowingly approach within eight feet of another person, without that person's consent, in order to pass out literature or engage in "oral protest, education, or counseling." The law was passed to protect patients and staff members at abortion clinics from intimidation and verbal harassment.

***In re Adoption of RBF and RCF:*** The NOW Foundation joined in an *amicus* brief in support of a second-parent adoption of twin boys by the partner of a lesbian mother. The trial judge ruled that Pennsylvania law does not allow for an adoption by anyone other than a legal spouse without the birth parent first relinquishing parental rights. In January 2000, the Pennsylvania Superior Court upheld the lower court's denial of the adoption petition. Fortunately, the opinion is unpublished and does not set precedent. Late in 2001, the Pennsylvania Supreme Court granted review of the case. The NOW Foundation continues to challenge Pennsylvania's law.

***Keslar v. Bartu:*** In 1999, the NOW Foundation signed an *amicus* brief to challenge the ruling of a federal district court judge who exhibited egregious gender bias in his analysis of the legal fees of an attorney. The attorney represented a court reporter in a sexual harassment case against a Nebraska judge. The case revealed a pattern of sexual harassment by the judiciary of the Nebraska Supreme Court over a period of twenty-five years. Without conducting any analysis of fees, the federal district court judge threatened the attorney with sanctions for spending "too much time and money on what was only slightly more than a run-of-the-mill case." The *amicus* brief cited the Gender Bias Task Force findings on some judges' disdain for sexual harassment cases and the severe difficulty women lawyers face in challenging a judge's gender bias and sexual harassment. The Eighth Circuit affirmed the award in a 2-1 decision in which the dissenting judge wrote that it did take courage to bring this case and that the policy changes were significant.

***Miller v. Albright:*** On April 22, 1998 a deeply divided Supreme Court issued an opinion on this immigration case which raises gender discrimination issues under the 5<sup>th</sup> Amendment. Immigration law treats women and men who are U.S. citizens differently when it comes to establishing the citizenship of their out-of-wedlock foreign-born children. For instance, citizen mothers simply need to submit a birth certificate at any time during the child's life to establish the child's U. S. citizenship. Citizen fathers, on the other hand, are required to show proof of ability to support the child and must establish paternity before the child reaches age 18. Although there was no majority opinion, the ultimate result of the Court's several opinions was to retain the statute intact. The NOW Foundation participated in an *amicus* brief.

***Planned Parenthood v. American Coalition of Life Activists:*** NOW Foundation joined an *amicus* brief asking that the Ninth Circuit Court of Appeals hear this case *en banc* and reinstate the verdict after a three-judge panel overturned a \$109 million judgment in favor of Planned Parenthood against the owner of the Nuremberg Files web site. The lower court had found the web site contained true threats against abortion providers while the three-judge panel ruled that the site was protected by the First Amendment. The site contains personal information about women's health clinic personnel, some of which is presented in the style of a wanted poster. The Ninth Circuit has agreed to rehear the case.

***Polsby v. Chase:*** Dr. Maureen Polsby submitted a *pro se* petition to the U.S. Supreme Court for certiorari seeking review of a decision by the Fourth Circuit. The NOW Foundation's 1999 *amicus* brief argues that the Fourth Circuit improperly denied Polsby the right to present

evidence to support her claims of post-employment discrimination and retaliation by the National Institutes of Health.

***Rowinsky v. Bryan Independent School District:*** Plaintiffs' petition for *certiorari* sought U.S. Supreme Court review of this Fifth Circuit decision involving sexual harassment of a student by her peers. The Supreme Court refused to hear the case, allowing to stand the Fifth Circuit ruling that schools are not liable. Lower courts have reached mixed conclusions; the NOW Foundation continues to track other cases involving sexual harassment in schools.

***Sandoval v. Hagan:*** The Foundation signed on to an *amicus* brief in this case. Unfortunately, in April 2001, the Supreme Court ruled to limit civil rights by denying individuals the right to sue states for race discrimination under Title VI for disparate impact discrimination; the discrimination must be deliberate in order to permit a private right of action. Alarming, the case is indicative of a trend by the Supreme Court to gut the rights of individuals to sue for discrimination, particularly the ability to sue states under federal laws.

***Stenberg v. Carhart:*** The NOW Foundation participated in an *amicus* brief supporting this challenge to Nebraska's ban on so-called "partial-birth abortions." In June 2000, the U.S. Supreme Court found the ban unconstitutional. By a 5-4 vote, the justices ruled the Nebraska law violated women's constitutional rights by imposing an "undue burden" on their decisions to end their pregnancies. While supposedly a limitation on the abortion procedure medically known as dilation and extraction, or D&X, the law was worded in such an ambiguous way as to threaten women's access to virtually all vaginal abortion procedures. The primary alternative to a vaginal procedure is hysterotomy -- a "C-section" procedure -- which is significantly riskier for the woman; but the Nebraska law also did not allow most vaginal abortions even if doctors considered that method the best way to guard a woman's health.

***U.S. v. Lanier:*** The case established that the rape, sexual assault and harassment of women by a state court judge is a violation of women's federal civil rights. Tennessee Chancery Judge David Lanier was found guilty of violating a federal statute that criminalizes civil rights violations by those exercising official authority, but the Sixth Circuit *en banc* reversed the lower court, ruling that rape and sexual assault were not sufficiently established as civil rights violations. In March 1997, the U.S. Supreme Court ruled that the Sixth Circuit must reconsider its ruling and that the women in the Lanier case did have a constitutional right to be free from unwanted sexual abuse. Lanier was ordered to return to jail pending review of his case, but he fled and was later arrested in Mexico.

***Walters v. Metropolitan Educational Enterprises, Inc.:*** We signed on to an *amicus curiae* brief in this case which was decided by the U.S. Supreme Court on January 14, 1997. The Court held that part-time and hourly workers must be counted when determining whether an employer has 15 or more employees -- and thus, that these employees are protected by Title VII. This case raised important concerns about the availability of civil rights protections to part-time and contingent workers, who are disproportionately women, people of color, and low-wage workers.

***T.B. v LRM*** : In the case of *T.B. v. L.R.M.*, the Pennsylvania Supreme Court ruled that lesbian co-parents may seek visitation rights with the children they have parented if they have assumed parental status with the consent of the biological parent. The NOW Foundation participated in an *amicus* brief supporting the rights of LGBTI parents.

***Margaret Bunch, et al. vRent-a-Center Corp.***: NOW Foundation joined in an *amicus* brief in a sex discrimination and sexual harassment lawsuit against Rent-A-Center Corporation, which has about 2,200 stores around the country. Rent-A-Center is trying to foreclose a large class action lawsuit by creating and immediately settling a different class action with a few hand-picked plaintiffs. This tactic has been used in tort litigation, but to our knowledge, this is the first attempt to apply it to an employment discrimination case. The Foundation is asking the court to reject the settlement-only class because it does not recognize a lot of evidence and the settlement is too small. There are also no enforcement measures to make sure Rent-A-Center stops its discriminatory practices. The discovery process has shown the discrimination to be systematic, open and intentional, with the evidence showing that company's CEO making remarks like, "A woman's place is not in my stores. They should be in my kitchen, A and the Executive Vice-President saying, "Women should be home taking care of their husbands and children, chained to a stove, not working in my stores."; Rent-A-Center had more impetus to settle because NOW Foundation's support makes it less likely their proposal will be accepted by the judge.

**NOW Foundation's Governing Board**

|               |                          |
|---------------|--------------------------|
| Kim Gandy     | President                |
| Olga Vives    | Education Vice President |
| Karen Johnson | Executive Vice President |
| Terry O'Neill | Secretary-Treasurer      |

**September 2000 - September 2002**

Bear Atwood, Esq.  
Kathy Austin, Esq.  
Erica Bacich, Esq.  
Renee Berry-Huffman  
Rhoda M. Bradshaw  
Janet Canterbury, M.D.  
Barbara Dirks  
Deborah Glenn-Rogers  
Tobi Hale  
Peggy Hall  
Connie Hannah  
Jackie Hillyer  
Jeri Ivens  
Genevieve James  
Andrea Lee  
Susan Mackenzie, Esq.  
Michele Mayes, Esq.  
LiNor Ng Miller  
Sheila Mobley  
Kris Moody  
Tara Muir, Esq.  
Linda Peterson, Ph.D.  
Ronnie Podolefsky, Esq.  
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Vanessa Salinas  
Galen Sherwin  
Eleanor Smeal  
Karen Van Hooft  
Roberta Waddle  
Marion Wagner, Ph.D.  
Pam Whittington  
Gloria Woods

**Dates, Times and Places of NOW Foundation Board Meetings in 2001:**

April 29, 2001 at 10:00 a.m. in Washington, DC

November 11, 2001 at 3:15 p.m. in Washington, DC

**Chief Administrative Personnel, 2002:**

|                  |  |
|------------------|--|
| Kim Gandy        | President                                    |
| Olga Vives       | Education Vice President                     |
| Karen Johnson    | Executive Vice President                     |
| Terry O'Neill    | Secretary-Treasurer                          |
| Jan Erickson     | Public Policy Director                       |
| Patrick Butler   | Insurance Project Director                   |
| Bonnie Rice      | Women's Health Project Coordinator           |
| Lisa Bhungalia   | Racial and Ethnic Diversity Program Director |
| Catherine Bitney | Lesbian Rights Program Director              |
| Liz Gilchrist    | Director of Major Gifts and Planned Giving   |

Attachment A:

## **THE WOMEN'S HEALTH PROJECT**

The Women's Health Project of the NOW Foundation focuses on educating the public about health concerns particular to women, especially the detrimental effects of tobacco, alcohol and fashion advertising on women and girls. The project has produced two videos, *Redefining Liberation* and *Redefining Liberation II: Hollywood's Smoke and Mirrors; Women's Health at Risk*, which have been provided to women's rights advocates in all 50 states. The project also launched a very popular annual Love Your Body Day project and poster contest, with actions and educational programs held all over the country. The project provides the materials for activists, students and educators to address the topic, and many programs were given without the participation of Foundation staff. Programs that did include NOW Foundation staff occurred in the following state:

### **Nevada:**

- On October 6, 2001 in Las Vegas, Executive Vice President Karen Johnson presented a Women's Health Project workshop to the annual conference of the Coalition of Labor Union Women.

## **OTHER ISSUES OF INTEREST**

In addition to the Women's Health Project, various other informational programs were presented in the following states:

### **Arizona:**

- On June 2, 2001, Executive Vice President Kim Gandy presented a workshop in Carefree, AZ on the Rise of the Right Wing.

### **California:**

- On February 13, 2002, President Kim Gandy anchored the City of West Hollywood's Human Rights Speakers Series.
- On February 14, 2002, President Kim Gandy spoke at Whittier Law School regarding "The New Federalism" and its effects on women's rights.

### **Connecticut:**

- On March 29, 2001, President Patricia Ireland spoke at Trumbell College at Yale University in New Haven; she spoke about reproductive rights and encouraged the audience to attend the NOW Foundation's Health Fair held on April 22 in D.C.
- On October 29, 2001, President Kim Gandy spoke at the University of CT, School of Allied Health, focusing on women's health issues in the U.S. and around the world.

**Delaware:**

- On March 4, 2002, President Kim Gandy spoke at the University of Delaware and educated students about "The New Federalism and the Judiciary."

**Georgia:**

- On March 15-16, 2002, President Kim Gandy keynoted the Southeastern Women's Studies Conference held at Valdosta State University in Valdosta on "Where are Women Now?"
- President Kim Gandy spoke on discrimination against women athletes outside the Augusta National Golf Tournament on April 12, 2003.

**Illinois:**

- On March 27, 2001, President Patricia Ireland spoke at Northwestern University on reproductive rights and encouraged the audience to attend the NOW Foundation's Health Fair held on April 22 in D.C.
- On July 21, 2002, President Kim Gandy spoke on Affirmative Action at the Rainbow/PUSH conference in Chicago.

**Louisiana:**

- In New Orleans on March 24, 2001, Executive Vice President Kim Gandy spoke at the 25<sup>th</sup> anniversary of the Newcomb Center for Research on Women on the topic of the history of women's involvement in Louisiana legislation and litigation in the 1970's and 1980's.
- On March 20-21, 2002 in New Orleans, President Kim Gandy spoke about "The New Federalism" at Loyola University School of Law and on the Equal Rights Amendment at a Law Faculty Colloquium.

**Maryland:**

- On April 11, 2001, President Patricia Ireland spoke about women's reproductive rights at the University of Maryland in College Park.
- On October 17-19, 2003 the NOW Foundation and the American Association of People with Disabilities (AAPD) co-sponsored a unique conference, titled the Women with Disabilities and Allies Forum in Bethesda. The mission of the Forum was to foster discussion among and bring together women living with disabilities, disability rights activists, feminists, and supportive allies from across the country to discuss issues of mutual concern. People attended from 15 different states, and keynote speakers, panelists and workshop presenters were specialists in a wide variety of fields.

**Massachusetts:**

- On March 20, 2001, President Patricia Ireland spoke at Harvard University, and on March 21, she spoke at Boston College. Both speeches were about reproductive rights and encouraged the audiences to attend the NOW Foundation's Health Fair held on April 22 in D.C.

- On April 3, 2001 President Patricia Ireland spoke about women's reproductive rights at Tufts, Wellesley, Brandeis, and MIT - all universities or colleges in the Boston area.
- On October 29, 2001, President Kim Gandy spoke about the plight of women in Afghanistan and women's rights around the world to the Bat Tikvah Holocaust Center in Springfield.
- In Boston on November 1, 2001, President Kim Gandy spoke for the Massachusetts Women's Bar Association on the past and future of women in the legal profession.

#### **Michigan:**

- On March 26, 2001, President Patricia Ireland spoke at Eastern Michigan University in Ypsilanti on women's reproductive rights.

#### **Montana:**

- On March 11-12, 2002, President Kim Gandy spoke at the University of Montana at Missoula regarding "Hate Crimes."

#### **New Jersey:**

- On March 31, 2001, President Patricia Ireland addressed an international women's rights conference held at Princeton University.
- President Ireland spoke about women's reproductive rights on April 18, 2001 at Rutgers University in New Brunswick.

#### **New Mexico:**

- On February 23, 2003, in Santa Fe on behalf of New Mexico NOW Patrick Butler presented an economic analysis to the House Business and Industry Committee entitled "How Pay-Per-Car Premiums Create 'High-Risk Drivers' and Sabotage Mandatory Insurance." The analysis supported House Bill 532, which was drafted to NOW Foundations specifications. The Foundation also provided information for environmental and other consumer groups to prepare fact sheets for legislators and members.

#### **New York:**

- President Ireland spoke about women's reproductive rights at Hunter College in New York City on March 30, 2001 and at Columbia Law School on April 6, 2001.
- On October 15, 2001, Secretary/Treasurer Terry O'Neill spoke to the New York University Stern School of Business in New York City about women in top executive positions.
- On March 5, 2002, Insurance Project Director Patrick Butler was interviewed by WNYC radio regarding per-mile auto insurance. .

#### **Pennsylvania:**

- On April 13, 2001, President Patricia Ireland spoke about women's reproductive rights at the University of Pennsylvania in Philadelphia.

- On May 14, 2002, Insurance Project Director Patrick Butler testified before the Philadelphia City Council as an expert on how auto insurance premiums spiral up in low income areas when drivers share insured cars to economize on premiums, and on why pay-per-mile premiums are the only way to end the adverse selection induced by pay-per-vehicle premiums.
- In Philadelphia on September 9, 2002, President Kim Gandy debated with Wendy Kaminer on *NOW v. Scheidler* and the application of racketeering laws to anti-abortion violence.
- On September 27, 2002, President Kim Gandy spoke about young women's leadership at the annual conference of the Coalition of Labor Union Women held in Philadelphia.

### **Rhode Island:**

- On April 18, 2001, President Patricia Ireland spoke about women's reproductive rights at Brown University in Providence.

### **Texas:**

- On March 1-3, 2002, President Kim Gandy attended and keynoted the annual conference of the National Women Law Students Association held at Texas Tech in Lubbock, Texas.
- On April 28, 2002 in Austin, CBS's *Weekend Evening News with John Roberts* filmed and aired an interview with NOW Foundation Insurance Project Director Patrick Butler about the new Texas per-mile automobile insurance law.
- Throughout 2002, Patrick Butler informed the public about insurance discrimination through the following venues:
  - February 19, 2002, Austin KVUE-TV news interview;
  - May 17, 2002, guest on the Chris and Charlie radio talk show, WOAI San Antonio;
  - May 23, 2002, San Antonio guest on Eliza Sonneland morning show KTSA radio;
  - May 30, 2002, on the syndicated Dave Davies show, which is heard throughout Texas via the Texas State Network (TSN);
  - June 11, 2002, on Waco, Texas CBS KWTX-TV;
  - June 24, 2002, on the Paul Prior afternoon call-in radio show on KWNX 1260 in Austin;
  - June 26, 2002, on a morning news interview on KTBC-TV – Fox in Austin;
  - June 28, 2002, Bryan-College Station, an early morning news interview on KBTX-TV;
  - July 13, 2002, Butler participated as an expert on per-mile auto insurance in a presentation to a marketing class at the University of Dallas;
  - July 25, 2002, an early morning TV news interview KETK NBC 56 in Tyler;
  - July 25, 2002, in Tyler, on a mid-day radio call-in show on KTBB;
  - July 27, 2002, on KRLD am radio in Dallas;
  - August 13, 2002, guest on Good Morning El Paso show, KVIA-TV;
  - November 19, 2002, on an interview in Dallas for use by 13 affiliates of Metro Networks radio stations around Texas;

December 11, 2002, recorded a TV interview for the Texas Cable Network, TXCN; and on February 11, 2003, Butler was a studio guest on the Paul Prior radio show, Austin WKNX.

**Utah:**

- On October 24, 2002, President Kim Gandy spoke about the history of the women's movement at the Human Rights Speakers Series held at the University of Utah at Salt Lake.

**Vermont:**

- On April 2, 2001, President Patricia Ireland spoke at the University of Vermont in Burlington on the topic of women's reproductive rights.

**Virginia:**

President Patricia Ireland spoke on reproductive rights at the University of Richmond on April 9, 2001, at George Mason University on April 10, and at the University of Virginia in Charlottesville on April 12. She encouraged the audiences to attend the Foundation's Health Fair on April 22 in D.C.

**District of Columbia:**

- On March 28, 2001, President Patricia Ireland spoke at George Washington University about women's reproductive rights and encouraged the audience to attend the Foundation's Health Fair on April 22. On April 4, 2001, she spoke at Gallaudet University on the same topics.

- On April 22, 2001, the NOW Foundation organized a Women's Reproductive Health Fair on the National Mall. The Fair distributed information on the latest advancements in women's reproductive health and updates on legislative attacks on reproductive freedom. The Fair was attended by about 50,000 people from all over the nation. The Foundation also co-sponsored NOW's Emergency March for Women's Lives, preceding the Health Fair.

- On July 20, 2001, President-Elect Kim Gandy spoke to the National Association of Commissions for Women on "Child Abuse and Custody: How Advocacy Can Help"; the event was broadcast several times on cable television.

- In August 2001, Executive Vice President Kim Gandy met with U.S. Representative Jerrold Nadler (D-NY) and his staff to discuss the problem of child abusers who gain custody.

Note: A change in officers took place in 2001. Until July 31, 2001, Patricia Ireland was President; since then, Kim Gandy is President.







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