

BBW RESOLUTION
UNITED NATIONS CONVENTION ON THE ELIMINATION
OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN
EXECUTIVE BOARD MEETING
OCTOBER 26-29, 1985

ARTS & Culture / Religion
EMPLOYMENT / discrimination
and affirmative
action -
Health + Fitness / birth
control

B in File Employment/
Discrimination and
affirmative action

BACKGROUND

Following the United Nations Conference on Women in Nairobi, Kenya, B'nai B'rith Women has begun a drive to urge the United States Senate to ratify the 1980 United Nations Convention on the Elimination of All Forms of Discrimination Against Women. This effort reaffirms BBW's commitment to its 1980 resolution supporting ratification of this important human rights treaty for women.

RESOLUTION

Be it resolved that B'nai B'rith Women urges the Senate Foreign Relations Committee to hold hearings on the treaty in order to begin the ratification process. B'nai B'rith Women will continue to inform communities and organizations throughout the country about this effort and to enlist their support for ratification. B'nai B'rith Women will also work with state and local Commissions on the Status of Women to develop grassroots support for the treaty and spearhead follow-up activities in the states.

BACKGROUND ON AFFIRMATIVE ACTION
FOR DISCUSSION AT
EXECUTIVE BOARD MEETING
OCTOBER, 1985

BACKGROUND

The pursuit of affirmative action in this country has posed some thorny issues that are once again coming to the fore of public debate. For over 20 years there have been laws prohibiting discrimination on the basis of race, sex, ethnic origin, religion, and, more recently, age, but these alone have not been sufficient to end discrimination. Dismantling a system of pervasive and extensive discrimination is a worthy goal to which the country has committed itself, but is one not easily achieved.

How then to proceed? Vigorous enforcement of the law is clearly one avenue. However, this alone, it is argued, is not sufficient because it is expensive, time-consuming, and discrimination is not easily proved. Aggressive outreach to minorities in education, job training, and employment are similarly almost universally endorsed (although recent funding cutbacks have seriously impaired some of these efforts).

Quotas - A more divisive issue is whether or not affirmative action should include numerical quotas. Quotas are fixed numbers or percentages set aside for the exclusive use of a particular group. If the country is to move from theoretical to actual equality, this is the only way to proceed, say many civil rights activists. The Jewish community have been leading opponents of this as a remedy to discrimination. Having suffered from exclusionary quotas, they have opposed inclusionary quotas as being the same--destructive of the very concept of equal opportunity.

There have been instances where courts have ordered temporary quotas in hiring as a remedy to past, proven discrimination and, usually in these cases, there is also a continuing resistance to ending discrimination. Some opponents of quotas find this acceptable (American Jewish Congress and ORT, for example). Others (American Jewish Committee and ADL) believe that in such instances the courts should impose fines or perhaps jail sentences on those responsible for perpetuating discriminatory practices and to grant remedies such as back pay to those who can prove they were discriminated against. Quotas under any circumstances, they hold, are unacceptable.

Goals and Timetables - Most affirmative action plans include some provisions for goals and timetables. Goals mean a reasonable, realistic target and no penalty is exacted for not meeting that target, provided that a good faith effort has been made to reach it within a stated period of time. Changing circumstances or unrealistic estimates can interfere with realizing goals, despite best efforts. An example is in an executive order drafted by President Johnson that is presently being rewritten by this Administration. That order as it presently stands, requires that businesses that wish to receive government contracts must determine

if there are fewer women or minorities in their employ than would be expected according to their availability for work. If there are fewer, the contractor must develop goals and a timetable and make a "good faith" effort to meet these targets. The regulations specifically prohibit "inflexible quotas," require only "good faith" efforts to reach "reasonably attainable goals." A study by the Department of Labor in 1983 of 77,000 companies showed that minorities and women made significantly greater gains in employment at companies contracting with government than in those that did not. The Administration is proposing to change this order so that affirmative action plans will not include any numerical goals or timetables, even voluntary ones. Such goals, they argue, violate a race- or gender-neutral approach that is the hallmark of true equality.

The Administration makes no distinction between quotas or goals (nor does ADL). Others (such as the American Jewish Congress, American Jewish Committee, Union of American Hebrew Congregations) say that overzealous administrators have sometimes used goals as fixed quotas, but in fact, they are different. To assure that goals are properly used in affirmative action plans they must be properly developed, adequately monitored, and periodically reviewed.

Collection of Numerical Data - A related issue is whether or not statistical data on race, gender, ethnic origin, etc., can be collected and used to assess progress in affirmative action. The Administration is proposing as part of its revision of the executive order mentioned above, to prohibit such collection. Others (including virtually all Jewish organizations) find that if such data are collected without violating the privacy of being used to favor or discriminate against an individual, it is acceptable to assess progress in eliminating discrimination.

BBW RESOLUTION
AFFIRMATIVE ACTION
EXECUTIVE BOARD MEETING
OCTOBER 26-29, 1985

RESOLUTION

B'nai B'rith Women's deep commitment to affirmative action is rooted in its belief that equality is the very foundation of our democracy, in its Jewish heritage that stresses justice, and in its experience as women in a society that has yet to grant us full equality under the law.

If affirmative action is to be meaningful, it requires vigorous enforcement of the laws against discrimination and ongoing, effective outreach to minorities and women through education programs, job training, recruitment, and promotional opportunities.

Quotas that require proportional hiring or acceptance in education programs are antithetical to real equality and we reject them outright.

[However, in cases of past, proven discrimination, court ordered quotas imposed on a temporary basis are acceptable.]

[B'nai B'rith Women recognizes that goals--not quotas--and timetables are a needed prod toward achieving equality. If drawn correctly, administered faithfully, reviewed periodically, and monitored adequately they are an effective component of affirmative action plans.]

Finally, B'nai B'rith Women endorses the need to use statistical data to measure progress and assure effectiveness of affirmative action. Such numerical data, however, must be gathered without infringing on an individual's privacy and must be used in a nondiscriminatory way.

B'nai B'rith Women

EXECUTIVE ORDER 11246

EXISTING ORDER

- In 1965, President Johnson issued an executive order requiring businesses getting government contracts to analyze their employment practices and, where the facts showed need for adjustment, to develop goals and timetables to increase the rate at which minorities and women are hired. (Congress recognized the validity of this requirement in 1972 when it voted down amendments that would end the practice. The Supreme Court, too, upheld the practice in a 1979 decision.)
- The executive order covers the same types of discrimination covered by Title VII of the 1964 Civil Rights Act which include:
 - "disparate impact" - discrimination as a result of practices that disproportionately exclude minorities and women but are not job related.
 - "disparate treatment" - discrimination based on subjective factors and proven by statistics, as for example, 90 percent of white applicants are hired, but only 1 percent of non-whites; and
 - intentional discrimination - as when jobs are for whites only or males only.

NEW DRAFT ORDER

- A new draft executive order has been drawn that abolishes the requirement that contractors meet numerical goals in hiring in order to remedy racial or sexual discrimination. Further, no contractor could be penalized for failing to adopt goals or timetables, regardless of what his record is on hiring (or not hiring) minorities and women.
- In determining whether or not a contractor is in compliance with civil rights laws, no statistical measures could be taken into account; the only type of discrimination recognized would be the rarest and most extreme -- intentional discrimination.



AMERICAN JEWISH COMMITTEE
(Guidelines for Monitoring Goals / Timetables)

We recognize that the use of numerical data and statistical techniques may be necessary to assure the effectiveness of Affirmative Action programs. To help safeguard that such measurement techniques do not result in the kinds of abuses that have brought protests in the past, we offer the following guidelines:

- 1) The procedures and standards must be clearly spelled out by the enforcing agency and made public in advance of being put into effect.
- 2) Quantitative measurements should be used only as management tools to assess the over-all effectiveness of the programs and the progress achieved, taking into account the availability of qualified or qualifiable talent within the area or job market, which will vary with the different occupations and professions. In so doing the use of the principle of proportional representation must not be permitted.
- 3) Periodic aggregate enumerations of work forces, student bodies, etc., may be used as bases for evaluating and effectuating compliance with Affirmative Action policies, provided, however, that: (a) questions as to race, color, ethnicity, nativity or religion do not appear on application forms; (b) individuals are at no time required to identify themselves by any of the foregoing; and (c) no records are maintained by an employer or educational institution of an individual's race, religion or ethnic origin.
- 4) Government has the responsibility to vigorously enforce Affirmative Action programs. It has equal responsibility to prevent abuses in them. Accordingly it should build into the programs appropriate safeguards and provisions for periodic review which meet both these responsibilities. In addition, every affirmative action program should also be subject to periodic review to ascertain whether it has attained and maintained its goals with such consistency and reliability that it is clear that continuance of the program as such is no longer required.
- 5) There should be effective and speedy grievance procedures so as to permit redress to an individual who claims either discrimination or "reverse discrimination" by the administrative abuse of the program. (One such procedure, the appointment of an ombudsman, has been incorporated into the HEW guidelines.) Certainly, no one who is performing satisfactorily should be dismissed to make room for a member of a previously disadvantaged group.

The responsibility for monitoring adherence to the foregoing guidelines rests not only with government but with business and private organizations as well.

The above principles, procedures and guidelines for Affirmative Action are essential for the full achievement of equality of opportunity for all Americans--an objective to which the American Jewish Committee remains deeply committed.

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ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH

In summation, it is the policy of the Anti-Defamation League of B'nai B'rith to:

1. Continue to advocate and support the provision of special compensatory education, training, retraining, apprenticeship, job counseling and placement, welfare assistance and other forms of help to the deprived and disadvantaged, to enable them as speedily as possible to realize their potential capabilities for participation in the mainstream of American life.
2. Continue to advocate and support affirmative action programs, including good-faith recruitment efforts, and special provisions for in-service training or other qualifying experience; at the same time,
 - a. insisting that recruitment not be limited explicitly or exclusively to specified groups; and that there be no quotas or preferences for members of specified groups. Redress to identifiable qualified individuals who have been the victims of discrimination shall not be deemed a preference within the meaning of this policy statement;
 - b. OPPOSING GOVERNMENTALLY REQUIRED NUMERICAL GOALS AND TIMETABLES (BASED ON RACE, ETHNICITY OR SEX) AS A MEANS OF IMPLEMENTING AFFIRMATIVE ACTION AND demanding that conformity to affirmative action guidelines be evaluated in terms of good-faith efforts, and not as rigid requirements;
 - c. being alert to abuses of the foregoing standards in affirmative action programs, and vigorously protesting them.
3. Continue efforts, *including securing legal prohibitions,* to assure that surveys or enumerations of work forces, faculties, student bodies, etc., conducted as bases for evaluating compliance with non-discrimination policies, are not misused to implement quotas or other discriminatory practices, and that questions as to race, color, ethnicity, nationality or religion do not appear on application forms.
4. Continue efforts, *including securing legal prohibitions,* to assure that no person's right of privacy is invaded by his being required to identify himself as to race, color, ethnicity, nativity or religion, except anonymously.

5. Continue efforts to assure that no record of any individual's race, religion or ethnic origin be maintained by any government agency, employer, or educational institution.

6. Continue efforts to assure that tests, examinations and other qualifying criteria are demonstrably relevant to the performance of the duties and tasks involved and are not discriminatory against applicants of particular backgrounds.

7. Continue to oppose racial, religious or ethnic quotas in employment and admissions to educational institutions, whether public or private.

The foregoing principles should serve as a guide in developing programs for the rapid absorption of hitherto deprived minorities into the social and economic life of our nation, the burden of disadvantages by those minorities in consequence of a long history of discrimination, and our commitment to the fostering of an integrated American society.

Adopted by: National Commission
November 19, 1972

Amended by: National Commission
November 14, 1976

Amended by: National Executive Committee
February 5, 1977
(Amendments relected by underscored language)

Amended by: National Commission
November 19, 1978
(Amendments relected by language between asterisks)

Amended by: National Commission
June 1, 1981
(Amendments reflected by language in capitals)

B'NAI B'RITH INTERNATIONAL

CIVIL RIGHTS: Affirmative Action

In an effort to increase employment of Negroes, some Negro leaders have urged that Negroes be given preferential treatment in hiring over white applicants. In a small measure, they say, this would compensate for the many years of discrimination against the Negro. Where this can be done in the filling of new jobs, giving recognition to qualifications, we accept the concept of preferential treatment.

It is inevitable that those who are passed over, whose qualifications are higher, will feel a justifiable sense of discrimination because they are not Negro. Government employees and school teachers who have personally felt the effect of reverse discrimination have asked B'nai B'rith and other leaders to protect their inherent rights, too. We believe that the growing Negro demands should not result in a tendency to appoint or select applicants regardless of seniority or qualification solely because of their race.

B'nai B'rith has always sought special programs and opportunities to provide for educational courses, special and individual training which will enable all, black or white, Christian and Jew, to increase their personal value and competence in the marketplace of talent. But our role is to help individuals remove obstructions to opportunity caused by racial and religious discrimination without diminishing quality of performance.

Board of Governors
May 1968

CIVIL RIGHTS: Reverse Discrimination

WHEREAS, on November 19, 1972, the National Commission of the Anti-Defamation League of B'nai B'rith adopted a policy statement on discrimination and affirmative action which reaffirmed as a cardinal goal of ADL policy the establishment of equality of opportunity and the elimination of discrimination based on race, religion, color, national origin or sex, but there have been abuses in the Nation in the interpretation of the Government's affirmative action program, and

WHEREAS, reverse discrimination, and preferential treatment in hiring in public and private employment, and in university admissions threatens to undermine the concept of equality of opportunity which is fundamental to our democracy, and

WHEREAS, the enactment of Federal and/or State legislation prohibiting quotas and other forms of preferential treatment may provide an effective means of ending reverse discrimination,

NOW, THEREFORE, B'nai B'rith encourages and supports Federal and/or State legislation prohibiting the use of quotas, mathematical ratios, proportional representation, and other forms of preferential treatment in public and private employment and in university admissions.

Board of Governors
August 1973

NJCRAC Policy on Affirmative Action
(originally adopted in June 1973, and amended in 1975 and 1981)

We recognize that past discrimination and other deprivations leave their mark on future generations: that, in the words of the late President Lyndon B. Johnson, "Until we overcome unequal history, we cannot overcome unequal opportunity."

Members of racial, religious, ethnic and other groups have all too often been the victims of such unequal history in our country. American Indians are the victims of the most severe discrimination. By far the largest of the groups are the blacks, whose history in America began in slavery and has been marred—in law as well as in practice—by denial, deprivation and segregation solely because of race. Many Spanish-speaking persons, including Puerto Ricans, Mexican-Americans and other Hispanics, also are grossly discriminated against, as members of a group.

Sex discrimination, too, has long been practiced in our society, depriving women of equality of opportunity.

A just society has an obligation to seek to overcome the evils of past discrimination and other deprivations—inferior education, lack of training, inadequate preparation—by affording special help to its victims, so as to hasten their productive participation in the society.

If it fails to do so, our society will harbor inequality for generations, with attendant increases in inter-group hostility. The security of Jews as a group will not be immune from those consequences.

We reaffirm our support of affirmative actions, by both government and the private sector, that provide:

- a) Compensatory education, training, retraining, apprenticeship, job counseling and placement, financial assistance and other forms of help for the deprived and disadvantaged, to enable them as speedily as possible to realize their potential capabilities for participation in the main stream of American life. The sole criterion of eligibility for such special services must be individual need; the services must not be limited or offered preferentially on the basis of race, color, national origin, religion or sex.
- b) Intensive recruitment of qualified and qualifiable individuals, utilizing not only traditional referral sources, but all those public and private resources that reach members of disadvantaged groups.
- c) An ongoing review of established job and admissions requirements, including examinations and other selection methods, to make certain that they are performance-related and free of bias.

Among the relevant qualifications for certain posts in certain circumstances, a special ability to deal with a particular race or religion or ethnic group or sex may be one. However, we reject the proposition that race, color or ethnicity is a qualification or disqualification for any post.

Merit and Qualification: We believe that individual merit is the touchstone of equality of opportunity. At the same time, we recognize that individual merit is not susceptible of precise mathematical definition and that test scores, however unbiased, are not the only relevant criteria for determining merit and qualifications. Also relevant in determining merit and qualifications are such factors as poverty, cultural deprivation, inadequate schooling, discrimination or other deprivation in the individuals' experience, as well as such personal characteristics as motivation, determination, perseverance and resourcefulness; and we believe that all such factors should be taken into account.

Quotas: Experience has shown that implementation of affirmative action programs has resulted in practices that are inconsistent with the principle of nondiscrimination and the goal of equal opportunity such programs are designed to achieve. We oppose such practices, foremost among which is the use of quotas and proportional representation in hiring, upgrading and admission of members of minority groups.*

We regard quotas as inconsistent with principles of equality; and as harmful in the long run to all, including those groups, some individual members of which may benefit from specific quotas under specific circumstances at specific times.

The government is responsible for vigorously enforcing affirmative action programs. It is equally responsible for preventing abuses in such programs. Measures to help meet these responsibilities must be built into all affirmative action programs. We urge that steps be taken to assure that field personnel are familiar with this policy and comply with its provisions. Grievance procedures should be set up to provide speedy and effective adjudication of all complaints.

We recognize the need for numerical data and statistical procedures to measure and help assure the effectiveness of affirmative action programs. However, such data and procedures must not be used to conceal the application in fact of quotas or other discriminatory practices. Such information must be gathered and compiled without infringing upon the principles of privacy and nondiscrimination.

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NJCRAC Policy on Affirmative Action
(continued)

Periodic enumerations of work forces or student bodies, based on observation or other techniques, may properly be used to evaluate affirmative action policies, provided that 1) questions concerning race, color, ethnicity, place of birth or religion do not

appear on application forms, 2) individuals are at no time required to identify themselves by any of the above, and 3) no records of any individual's race, religion or ethnic origin are maintained by an employer or educational institution.

**The 1984 NJCRAC Plenary Session requested that NJCRAC review the question of court orders directing the use of quotas for specified time periods in cases in which this is deemed by the court the only available remedy for systematic, sustained discrimination. This position was rejected by the NJCRAC Executive Committee in October, 1981.*

BBW RESOLUTION
TERRORISM
EXECUTIVE BOARD MEETING
OCTOBER 26 29, 1985

BACKGROUND

The hijacking of the Achille Lauro earlier this month was only the latest in a long and ever widening stream of terrorist acts. For over 15 years terrorism has been rampant in the western world. Originally aimed at Jews or diplomats, recent victims have been ordinary citizens of many of the western nations. In 1984 alone, according to one count, there were over 2600 terrorist incidents that involved the deaths of more than 7500 people.

RESOLUTION

B'nai B'rith Women deploras the spread of recent terrorist acts and rejects random violence as an acceptable way to express political aims. Acts of terrorism require a united effort by the United States and all other democratic countries of the world to bring pressure on governments which encourage or harbor terrorists, to impose sanctions on recalcitrant nations, and to punish perpetrators of terrorist crimes. Until and unless we mobilize our civilian and military forces to deal with such acts, we all remain hostages to the blackmail of terrorists.

Topic A

After the Hijacking

Jeane J. Kirkpatrick

We Can Do Something About Terrorism

It seemed last week that terrorism was proliferating as rapidly as AIDS and that, like the disease, it can affect anyone, though certain people, mainly traveling Americans, are an especially high-risk group. The hijacking of the Achille Lauro, the heartless murder of an elderly, crippled American, the threats, the terror—all recalled the ordeal of TWA Flight 847 and other terrorist attacks of recent years.

But, this time there was a difference. This time the U.S. government responded. The hijackers were intercepted. They are in jail. The Italians may not extradite, the hijackers may not even be punished. But at least this time the U.S. government made clear that it could not be counted on to remain passive when terrorists attacked Americans.

There were other differences as well. For the first time ever, the Soviet Union joined in a statement of the U.N. Security Council condemning terrorism. And Yasser Arafat himself solemnly assured American TV audiences that he deplored this sort of thing.

To be sure, the U.N. Security Council didn't condemn the attack on the Achille Lauro the way it condemned Israel's retaliation against the PLO headquarters in Tunis. That was a real condemnation—with a resolution (which has the force of law) proclaiming Israel to be guilty of aggression and in violation of the U.N. charter. The condemnation of the hijacking of the Achille Lauro was a less censorious "presidential statement." Still, the Soviets didn't block it as they have always blocked statements deploring terrorist attacks.

This doesn't mean that either the Soviets or the PLO has undergone a change of heart, but there has at least been a change in tactics. It also doesn't mean that the United Nations has become an effective instrument for fighting terrorism—a presidential statement is not binding. Moreover, U.N. corridors buzz with suggestions that, in intercepting the Egyptian plane, the United States may have violated international law. There is even less reason to believe that the PLO has forsworn terrorism. The Achille Lauro hijackers acted in the name of the Palestine Liberation Front, which is closely associated with the PLO. This is doubtless one reason that the hijackers spent time informing their American hostages, "Reagan no good, Arafat good." The Israeli government has stated officially that it possesses "absolute, complete and irrefutable proof" that Arafat had advance knowledge that Palestine guerrillas would attack the Achille Lauro.

Meanwhile, Soviet and American hostages are still being held by rival Lebanese groups. But the seizure of Soviets in Beirut does not alter the fact that terrorism remains, above all, a Western problem. Few Western nations have escaped terrorist attacks on their citizens.

And the problem has become progressively serious as terrorist groups understand just how difficult it is for modern Western nations to defend themselves against this type of violence.

Terrorism causes us problems because we are open societies, because we travel a lot and tend to trust each other. Terrorism defies our familiar categories of war and peace, friend and foe, civilian and combatant. It attacks unexpected people in unexpected places. It resembles war, but it is undeclared, and its targets are unsuspecting, unarmed and unprotected. It resembles crime, but unlike simple crime, it has political motives. It aims to affect the composition of governments and the policies of states. Sometimes it succeeds.

What can we in the Western democracies do to protect ourselves against bands of violent men who mock our restraint?

Well, we can try to be clear about the issue. The issue is not, as some commentators have suggested, whether there will be a Palestinian state in the Middle East. That was not the issue for the Khomenites who held our embassy and its employees hostage for so long. It was not the issue for the Hezbollah, who beat to death an American serviceman and terrorized the passengers of TWA 847, or the suicide bombers who drove their truck into the U.S. Marine barracks in Beirut, or those who hold American journalists and educators and officers in Beirut. It was not the issue for those who bombed the seaside resort that held the British cabinet. It is not the issue for those who shoot Spanish policemen in cold blood.

The issue is violence as a form of political action. The issue is whether ordinary people—all of us—are to be targets and victims in endless undeclared wars. What can we do?

We cannot simply declare war on terrorists because often we do not know who they are or where they are, and when we find them, they have hidden out among civilians. We cannot treat terrorists as they treat us, because we care more than they about human life and about law. Like our own forebears, and like modern Israelis, we can learn again to protect ourselves and each other—with sky marshals, tour marshals and cruise marshals "riding shotgun," with intensified inspections and insulated flight crews, with vigilance. We can refuse to travel in conveyances and to countries that do not take adequate precautions. And when we are serious, mobilized and determined enough our government will know it and the terrorists will know it.

Meanwhile, the capture of the Achille Lauro hijackers is a large step in the right direction.

BBW RESOLUTION
INTERNATIONAL FAMILY PLANNING
EXECUTIVE BOARD MEETING
OCTOBER 26-29, 1985

BACKGROUND

Family planning efforts have contributed to the betterment of the health and welfare of women around the world and greatly reduced the number of dangerous, often fatal, abortions.

Today, U.S. support for international family planning agencies is seriously threatened. First, a new policy of the Agency for International Development (AID) allows family planning groups to withhold information from clients on the full range of planning options. This reverses a previous policy that required all agencies receiving family planning funds from the U.S. to provide the full range of options to women seeking family planning advice. Some funding now will go to agencies who advocate only the rhythm method, which is widely viewed as the least effective means of family planning. A bill is pending in Congress to reverse AID's new policy and reinstate the old.

Second, the U.S. is withholding \$10 million of funds earmarked for the United Nations Fund for Population Activities. This action originated when Congress attached language to a funding bill expressing concern about alleged coercive abortion and forced sterilization (in China). Congress expressed a wish that no U.S. money go to agencies that support management of such programs and directed that no one under the rank of Secretary of State determine which, if any, agencies this might include. Following passage of this bill, the Administrator of the Agency for International Development, an agency of the State Department, froze money to UNFPA. That action is being challenged in the courts both because the decision was made at too junior a level, and because there is no proof that UNFPA manages such programs in China, or anywhere else. Family planning advocates see the AID move as penalizing women in the 133 countries where UNFPA operates programs and as a thinly-disguised attempt to cut back on international family planning programs in general.

RESOLUTION

B'nai B'rith Women affirms the rights of all women, throughout the world, to have access to information on the full range of options in family planning and to be able to make the choices on family planning that most directly affect

their own lives. Particularly where the U.S. is helping women in other countries, it must not impose its own views on them, but allow women to decide for themselves on family planning.

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Anne L. Radigan
Executive Director

Congressional Caucus

for

Women's Issues

Congress of the United States

Washington, D.C. 20515

SPONSORS SOUGHT FOR INFORMED CONSENT BILL
October 9, 1985

Dear Colleague:

We are writing to ask you to join us in cosponsoring legislation, which will be introduced next week, to restore the integrity to a voluntary program providing family planning assistance to women in developing countries. We believe that these women deserve the same professional treatment, patient information, and ultimate choice among contraceptive methods which we provide to our own citizens.

Until this past summer, the U.S. Agency for International Development (AID) administered the international population assistance program based on two fundamental principles: voluntarism and informed consent. The policy, as stated in the 1982 Policy Paper on Population Assistance, had been that "[a]ll AID-supported population programs must demonstrate that they are free of coercion regarding not only the practice of family planning, but also the choice of methods."

On July 8, 1985, without notice, explanation, or the concurrence of Congress, AID abandoned this policy and will now permit organizations offering only "natural" family planning (periodic abstinence) to withhold information on any or all of a woman's other available and effective choices. Previously, under AID policy, natural family planning groups, who for reasons of conscience could not provide "artificial" contraceptive methods, were required to refer women elsewhere for further information and care. Now, the requirement to refer has been eliminated.

AID's policy directly affects the health of women, and indeed their very lives. In developing countries, death during pregnancy occurs at rates up to 100 times greater than in the U.S. Moreover, medical ethics always require an explanation of all medically approved options. To coerce women into reliance on abstinence, by denying them knowledge about other birth control methods, is an unethical exposure to a high risk of death or disability.

Natural family planning organizations overseas have cross-referral systems which they have used effectively under the old policy. Within the U.S., organizations offering only "natural" family planning have long worked cooperatively with clinics providing the full range of contraceptive services.

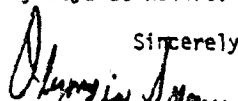
We defend the right of any woman, here and abroad, to have the option of "natural" family planning available to her. We assert, however, that this single method cannot be promoted over all others by virtue of allowing all other information to be withheld.

This country was founded on the belief that given complete and accurate information, an individual will make the right choice. Congress has provided for informed consent in its domestic family planning law, Title X of the Public Health Service Act. We strongly urge you to cosponsor this bill to amend the Foreign Assistance Act so that we may provide the same safeguards to women overseas.

If you are interested in signing on to the bill, please contact Lesley Primmer at X56306 or Kathy Ceja at X54476.

Sincerely,


Patricia Schroeder,
Co-Chair


Olympia Snowe,
Co-Chair


Nancy Johnson,
Executive Committee Member

BBW RESOLUTION
WOMEN AND TAX REFORM
EXECUTIVE BOARD MEETING
OCTOBER 26-29, 1985

BACKGROUND

Tax reform has become the subject of a major national debate. The Reagan Administration has announced that it is the Administration's number one legislative priority for this Congress. Several plans have been introduced in Congress with potentially sweeping changes in the nation's tax structure. Included in the proposals for tax overhaul are provisions that would have a particular impact on women.

Tax Thresholds. In recent years increasing numbers of poor families--many of which are headed by women--have become subject to federal taxes. Because of inflation, the official poverty level has risen, but the annual income figure for paying federal taxes has not. Thus, the poverty level which was \$3,689 in 1979, rose to \$5,061 in 1983. But the annual income at which you pay taxes, which was \$3,300 in 1979, was still \$3,300 in 1983. To assure that the tax system works for, rather than against, women and their families it is important that the tax threshold, or entry point, at which people begin to pay taxes, be raised.

Earned Income Tax Credit. The Earned Income Tax Credit (EITC) is available to low income workers with children. The credit is designed to encourage work force participation and provide benefits to families with incomes under \$11,000. This credit benefits many low income women with children, allowing them to realize greater economic gains from their work effort. Various tax proposals deal with the issue in different ways--from decreasing their benefit to keeping it as is, to increasing it.

Dependent Care Tax Credit. The Dependent Care Tax Credit under current law helps cover some dependent and child care expenses. This is an especially important tax credit for women, because the lack of acceptable and affordable options for dependent care often limits their employment and educational opportunities. The credit is calculated on a sliding scale basis.

There have been proposals that deal in various ways with this issue. Some would convert this tax credit to a deduction, which would decrease its value to low income earners. Another proposal would keep this credit, worth about 15 percent to those in the lowest tax brackets, and at the same time open it to higher income families, allowing them up to a 35 percent credit. Still other plans would keep the credit--but make the rate the same for all. And yet another would eliminate the credit altogether.

Two-Earner Deduction for Married Couples. Married couples who both work frequently pay more tax than two single working persons. This so-called

marriage penalty is caused by two factors: 1) married couples are allowed a smaller standard deduction (or zero bracket amount) than two single taxpayers, and 2) a couple's tax rate is based on their combined incomes, which frequently pushes them just over the line into a higher tax bracket. This penalty can be a disincentive to women to work.

While the present law allows a deduction for two-earner families, it is only for those who do not itemize, it is not applicable to income from sources other than salary (such as pensions), and it does not cover all two-earner couples.

All proposed tax changes recognize the inequities of this situation, but address them in different ways and to different degrees.

Employer Provided Benefits. America's system of private employee benefits is one of the best in the world and is improving all the time. The success of this system is due in large part to the tax treatment that has been given to employers and employees. Sweeping changes in the long-established tax treatment of these socially valuable employee benefit programs are being proposed and will impact heavily on women. Women, especially, are less likely than men to receive fringe benefits. If the favorable tax treatment is eliminated, workers with lower incomes, who generally are women, will be in a poor position to bargain for continuation of these benefits. If these individuals had to pay a new tax, they would be the most likely group to drop their plans, and the least likely to buy individual insurance.

Under present law the value of health benefits is excluded from gross income of the employee and is a deductible business expense by the employer. Proposals are made to change this--benefits would be counted as income and employers would lose their deduction. The result will be less comprehensive protection for those who now have it, and less chance of securing protection for those who want it.

RESOLUTION

B'nai B'rith Women believes that any reform of the present tax system must result in a more equitable distribution of the tax burden and in particular should ease the burden on the poorest in our society. To assure that the tax system works for and not against women, B'nai B'rith Women supports provisions that raise the entry point at which people begin to pay taxes, retain the tax credit for dependent care for low and moderate income families, and eliminate the marriage penalty. Further, B'nai B'rith Women opposes provisions to tax employee benefits, which it views as a regressive, rather than progressive move.