



EXPANDING THE POSSIBILITIES

2008 - 2010 ANNUAL REPORT



Since 1972, the National Women's Law Center has expanded the possibilities for women and girls in this country. The Center uses the law in all its forms: getting new laws on the books and enforced; litigating groundbreaking cases all the way to the Supreme Court; and educating the public about ways to make the law and public policies work for women and their families. An experienced staff takes on the issues that cut to the core of women's and girls' lives in education, employment, family economic security, and health—with special attention given to the needs of low-income women and their families.

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MESSAGE FROM THE CHAIR



Brooksley Born
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This report spans two momentous years in the life of our nation—and in the life of the National Women's Law Center—from July 2008 through June 2010. The historic election of our nation's first African-American president created new opportunities for the Center to advance its agenda of opportunity and security for women and their families. At the same time, the worst economic crisis since the Great Depression posed enormous financial challenges for the nation and for non-profit organizations like ours, whose work on behalf of women and their families, especially those struggling to get by, became more critical than ever during these difficult times.

I am proud of the Center's accomplishments during these years of challenge and change, and I would like to highlight a few of the ways that it has made a difference. The Center:

- Won a major pay equity victory when President Obama signed the Lilly Ledbetter Fair Pay Act, following the Center's extensive multi-year campaign pushing for passage of the law, which restored legal protections for victims of pay discrimination after a harmful 5-4 Supreme Court decision.
- Helped many low-income women and families stay afloat in the recession by securing significant increases in financial assistance in the 2009 American Recovery and Reinvestment Act (ARRA)—including \$2 billion for child care; \$2.1 billion for Head Start and Early Head Start; an increase in tax benefits for low- and middle-income families, including an expansion of several tax credits and the creation of the Making Work Pay Tax Credit; restoration of funding for child support enforcement, and unemployment insurance reforms that expanded coverage for women and low-wage workers.
- Ended insurance companies' discriminatory practices of gender rating, excluding coverage for maternity care and treating domestic violence and Cesarean sections as pre-existing conditions by releasing a ground-breaking report, *Nowhere to Turn: How the Individual Health Insurance Market Fails Women*, and launching a national public awareness campaign, *Being a Woman Is Not a Pre-existing Condition*, which led to specific new protections in the 2010 national health care reform law.
- Raised national awareness about the problem of girls dropping out of school by issuing an award-winning report on Latinas and education, *Listening to Latinas: Barriers to High School Graduation*, which documented the scope of the problem and recommended ways to improve graduation rates and prepare Latinas for college, and began an effort to secure the needed improvements.
- Prepared early for the new Administration and many of these victories—and more to come—by releasing *A Platform for Progress*, a comprehensive agenda that outlines steps the federal government should take to address the unmet needs of women and their families and by educating policymakers and advocates about these initiatives.

These achievements were made possible through the support of the Center's committed donors and its dedicated staff of nearly 60. I am confident that the Center will add to these successes in the years to come.

Brooksley Born
Board Chair

MESSAGE FROM THE CO-PRESIDENTS

We are enormously gratified to have helped secure significant advances for women and their families during the last two years. Every success fortifies our resolve to build on these achievements in the year ahead because the challenges we face are great, even as the nation begins to emerge from the economic crisis.

We begin the new fiscal year celebrating the confirmation of Justice Elena Kagan as only the fourth woman in history to serve on the Supreme Court. It also will be the first time in 221 years that three women will serve together on the highest court in the land, moving the country one step closer to the day when it is not only accepted, but in fact expected, that women are just as likely as men to serve on the Supreme Court or in any prominent position.

The Center played a key role in the nomination, researching Elena Kagan's record, developing materials on women in the federal judiciary and on the difference that women make when they are better represented in leadership positions and on courts, and publicly supporting and advocating for her confirmation. We were honored to have been invited by the Senate Judiciary Committee to testify on her behalf during her confirmation hearing.

We also begin the year with a fragile economic recovery, high unemployment and suffering families. We are pressing Congress to fund programs that deliver assistance to those who need it the most and advocating for a fairer tax system to raise revenues to support those programs. With the 2001 and 2003 Bush tax cuts scheduled to expire in 2010, the Center will promote tax and budget policies that are reasonable and fair, reduce the federal deficit, and raise revenues responsibly to support programs and services that women and families need.

The Center will work to expand high-quality, affordable child care and early education for low-income women and their families and to strengthen Social Security to improve women's retirement security.

Even as we celebrated passage of advances for women in the landmark health care reform law, we began to focus on how it will be implemented, including special challenges around the coverage of reproductive health care services. The federal government will be required to issue hundreds of regulations implementing health reform, and the Center will be active on all fronts to protect and promote women's access to vital health services.

The Center's state-based work on health care reform and reproductive rights also will be a major priority. The states are the battlegrounds where many reproductive rights conflicts will play out, with potentially dire consequences for women. Efforts are already underway to restrict a woman's access to insurance coverage for abortion in a growing number of states.

The Center will follow up on the Lilly Ledbetter Fair Pay Act to ensure that women receive equal pay for equal work and have greater protections against sex discrimination in the workplace. Recognizing the importance of education to a woman's success in life, the Center will push for strong enforcement of Title IX, the law that prohibits sex discrimination in federally funded schools, and work to increase the odds that girls—especially girls of color—stay in school and go to college.

The Center has established itself as a leader on the importance of the judiciary and on other issues crucial to the dignity and well-being of women. With your support, the Center's skilled and savvy staff will continue to make gains for women and their families in the years to come. Thank you for sustaining the Center's work on behalf of the women, the girls, and the families who need it most.

Nancy Duff Campbell
Marcia D. Greenberger
Co-Presidents



Nancy Duff Campbell

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Marcia D. Greenberger

PHOTO CREDIT: CONNIE REIDER PHOTOGRAPHY

FAIR PAY FOR ALL

In these difficult economic times, every dollar counts. But women who work full-time are paid only 77 cents for every dollar paid to their male counterparts—an earnings gap that translates into \$10,622 less in salary per year. The numbers are significantly worse when gender and race are considered together: African-American women earn only 61 cents, and Latinas only 52 cents, for every dollar earned by White men.



Combined with sexual harassment on the job and other forms of gender discrimination, the wage gap shortchanges women and their families. So when the U.S. Supreme Court issued a decision that effectively prevented women from holding their employers accountable for gender-based wage discrimination, the Center mounted a major multi-year campaign to restore the way the law had been interpreted for decades. (The Court held in *Ledbetter v. Goodyear Tire and Rubber Co.* that employees have only 180 days after their first discriminatory paycheck to file a government complaint).

The Center organized and led a coalition pressing Congress to pass the Lilly Ledbetter Fair Pay Act, using rallies, press conferences, meetings with editorial writers, congressional testimony, and other advocacy to gain support for the bill. As Senator Barbara Mikulski, D-MD, memorably put it at one Capitol Hill rally, “Change in the federal law books means change in women’s checkbooks....It’s time for a new American revolution—we need to put on our lipstick, square our shoulders and fight together!”

In addition to public education and advocacy, the Center commissioned a poll that demonstrated overwhelming support for fair pay, with 77 percent of women surveyed saying that it is extremely or very important saying that it is extremely or very important to give women the legal protections they need to get equal pay.

The Center championed the bill before Congress and celebrated at a White House ceremony when President Obama signed the legislation—the first of his new administration. The law restores



protections of the Civil Rights Act of 1964 by allowing the 180-day statute of limitations for bringing an equal-pay lawsuit to reset with each new discriminatory paycheck.

The Center then worked to ensure that courts were implementing the law as Congress intended. In the Center's case, *Mikula v. Allegheny County of Pennsylvania*, the Third Circuit Court of Appeals made it clear that each discriminatory paycheck reset the clock for filing a pay discrimination claim. In that case, Mary Lou Mikula, hired by the Allegheny County Police Department in March 2001 as the grants coordinator, was paid \$7,000 less than her similarly situated male coworker. Despite her repeated requests for a pay increase, she continued to be paid less. The Center represented Mikula when the Third Circuit reheard the case and won a favorable ruling. Mikula and her employer settled the case out of court.

Now the Center is leading the fight for fair pay by championing the Paycheck Fairness Act, passed in the House of Representatives in January 2009 and pending, as of June 2010, in the Senate. The bill seeks to strengthen laws against wage discrimination and provides tools to enable the federal government to be more proactive in enforcing the law. Among other things, the Paycheck Fairness Act would close a major loophole in the Equal Pay Act of 1963 by allowing full compensation for wage-based discrimination and by prohibiting employers from retaliating against employees for sharing salary information with their coworkers.

I worked as a supervisor at the Goodyear Tire and Rubber Company plant in Gadsden, Alabama for nearly two decades.

I didn't know it then, but I was paid less than my male co-workers the entire time—even though I was doing the same work and doing it well. As I neared retirement, I received an anonymous note alerting me to the discrimination, and I decided to fight for justice.

In 1998, less than a month after receiving the note, I filed a complaint with the Equal Employment Opportunity Commission and then sued Goodyear in federal court under Title VII of the Civil Rights Act. A jury found that Goodyear had discriminated against me and awarded me \$3 million in damages.

But the company appealed and in 2007, the U.S. Supreme Court upheld a lower court ruling that I should have filed my complaint within 180 days of receiving my first discriminatory paycheck—even though I didn't know about it at the time.

The National Women's Law Center helped me fight back. Together we worked to pass the Lilly Ledbetter Fair Pay Act of 2009. The struggle for pay equity is not over, and I will continue to fight for it alongside the National Women's Law Center.

IMPROVING FAMILIES' ECONOMIC SECURITY

Food pantries running out of food. Big-box stores shuttering. Job fairs flooded with desperate job seekers. The Great Recession dealt a crippling blow to millions of American families. The Center was there to help ensure that government provided a safety net to those most affected by the economic crisis.

"I'm a single mother of a three-year-old son. I'm grateful to have a good, steady job but this past year has been a tough one financially. I unexpectedly got sick and I've been overwhelmed by steep medical costs. My ex-husband has yet to pay a dime of the court-ordered child support. I feel fortunate to be receiving child care assistance through an ARRA-funded program. When I'm at work, I don't worry about my son—I know that he's in good hands. I'm able to cover the rent more easily each month and have even begun to pay off medical bills. These funds lifted a huge weight off my shoulders."

— MOLLY, SINGLE MOTHER IN IOWA

Women are now the primary breadwinners in two-thirds of low-income families, struggling to make ends meet in a tough economic climate. And 40 percent of mothers are either the sole breadwinner or earn as much or more than their spouses.

As the economy worsened throughout 2008, the Center worked to secure significant assistance for struggling families by elevating attention to the recession's devastating effects on women and their families, researching and analyzing options, meeting with the Obama transition team, advocating for effective policy and funding solutions, finding congressional champions for different remedies, and mobilizing supporters.

As the public debate focused on rebuilding roads and bridges to stimulate the economy, the Center pressed for targeted assistance that would help low- and moderate-income women get and keep jobs as well as stimulate the economy, increased tax credits, child care and early education assistance, expanded unemployment insurance, and state fiscal relief to protect vital public services and the jobs of the mostly female workforce that provides them.

When this effort culminated in the passage of the American Recovery and Reinvestment Act of 2009 (ARRA), the Center worked to ensure the funds were used effectively and to make the case for maintaining ARRA funding beyond its



IN A TIME OF CRISIS



2010 expiration date. The Center also provided leadership to a coalition of groups pressing for additional revenues that are critical to maintain this funding and secure other important assistance for women and their families.

Helping women and their families through tough times

The Center spearheaded the effort to expand funding for child care and Head Start in ARRA, leading to the largest increase in support for these programs in a decade—\$2 billion for child care and \$2.1 billion for Head Start.

Immediately following enactment of ARRA, the Center prepared written materials, organized webinars and provided technical assistance to state advocates and policy makers on effective ways to use the new funds. The Center then documented in a detailed, state-by-state report, *Supporting State Child Care Efforts with American Recovery and Reinvestment Act Funds*, the ways in which ARRA funds are helping to avert cutbacks in child care assistance, improve the quality of care and save and create jobs—of the parents who can work because they have reliable

child care, of the child care providers who can maintain enrollment in their programs, and of the trainers, specialists, and others who help improve the quality and availability of child care.

The study, cited by *The New York Times* in a May 2010 front-page article, helped fuel efforts by the Center and its coalition partners to press the Obama Administration for increased funding. And it worked. Despite the Administration's proposed freeze in overall discretionary spending, its FY 2011 budget included major funding increases for child care and Head Start.

The Center's research, analysis and advocacy were also instrumental in securing significant improvements in the Child Tax Credit and Earned Income Tax Credit (EITC) in ARRA. The improvements in the Child Tax Credit mean a mother with two children working full time at a minimum wage job receives about \$1,500 more in her annual tax refund—a change that affects the families of more than 13 million children, including those of three million children who are receiving the credit for the first time. And about three million low-income families, including about 10 million children, are benefiting from the EITC improvements.

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“My husband Dustin and I have received child care assistance for six years, allowing us to hold full-time jobs and find solid child care for our three children. Last year Dustin got a new and better-paying job. We were both initially thrilled, but then realized that we were just over the income eligibility limit by \$60. We worried about how to stretch our salaries to cover child care. I considered dropping out of the workforce, but then I heard about an ARRA-funded program created for parents with incomes above the limit. We applied for assistance and were accepted into the program. We feel so fortunate to be getting help to pay for top-notch child care. We go to work feeling confident that our three kids, including our three-month-old, will be well cared for.

— BRANDY AND DUSTIN, PARENTS
OF THREE YOUNG CHILDREN IN IOWA



After helping secure the ARRA tax credit increases, the Center stepped up its outreach and public education about the new and expanded tax credits so more women and their families would know about the support available to them. These efforts enlisted more than 50 new community partners in more than half the states in the Center's 2010 Tax Credits Outreach Campaign. The community partners received and distributed the Center's user-friendly materials to millions of low-income families, informing them about available tax credits to help ease their financial burdens. In 2008, the most recent year for which data are available, the Center's campaign helped increase the number of families claiming the credits by 2.3 million and the amount of assistance provided by over \$5.6 billion.

The Center's efforts also helped secure \$7 billion in ARRA funding to encourage states to modernize their unemployment insurance programs and improve coverage in ways that are particularly important for women, including by covering part-time workers and workers who

must leave their jobs for urgent family reasons. Because states must adopt these improvements by August 2011, the Center conducted an extensive outreach campaign with advocates in targeted states, resulting in 8 states expanding their coverage in 2010 and bringing to 39 the number of states qualifying for ARRA incentive funds.

Finally, the Center pressed for state fiscal assistance in ARRA to help protect public services important to women and the mostly female workers who provide them. This assistance is helping more than 20 million low-income women and their families obtain health care through an \$87 billion increase in Medicaid funding. It is also shoring up child support enforcement efforts for more than 18 million children and their single parents, mostly women, by restoring money cut from the program by earlier deficit-reduction legislation.

Raising revenues needed for additional investments

The Center was an organizer and leader of a new collaborative effort, Americans for Responsible Taxes, to improve tax policies and secure the funds necessary to expand economic security and opportunity. Because action must be taken by December 2010 on a series of expiring tax provisions, including the tax credits temporarily expanded by ARRA, 2010 is a particularly important year for analysis and public education efforts to explain the impact of these provisions on women and families.

Working with advocacy partners in the states and in Washington, the Center conducted analysis, advocacy and public education to promote fair and responsible tax policies. As of June, 2010, the end of the Center's fiscal year, however, action had not yet been taken on the expiring tax provisions.

HELPING GIRLS SUCCEED IN SCHOOL AND REALIZE THEIR DREAMS

When girls drop out of high school—and one in four girls do—the challenges they face are daunting. Girls who drop out are more likely to be unemployed, and if they do find work, they typically earn lower wages. As a result, they have to rely more on public assistance to feed and care for themselves and their families. Those challenges are compounded for girls of color, who tend to drop out at higher rates and face even more dire economic consequences.

Yet when it comes to efforts to improve high school graduation rates, too little attention has been paid to girls at high risk. Several years ago, the Center set out to elevate the voices of girls in the public debate, producing a groundbreaking report that described the challenges faced by girls who don't graduate. Then the Center turned its sights on the particular barriers that Latinas—the fastest-growing population of girls—face in completing high school.

An unacceptably high number of Latinas—41 percent—do not graduate on time from high school with a standard diploma. The Center wanted to understand why and to develop recommendations to improve Latinas' chances for success.

Listening to Latinas

With its partner, the Mexican American Legal Defense and Education Fund (MALDEF), the Center conducted extensive research, including surveys, interviews and focus groups with Latina students, teachers and people who work with Latinas. The Center's report, *Listening to Latinas: Barriers to High School Graduation*, revealed the stark reality that, while Latinas overall have very high aspirations, too many doubt their ability to reach their goals.

Although 98 percent of Latinas surveyed said they want to graduate from high school and 80 percent said that they want to complete some form of post-secondary education, one-third said they do not expect to achieve their goals. As one girl said, "I'm trying to make it to the highest level I can make it to . . . but knowing me I'll probably make it a little lower."

One Latina who graduated and attended college said that she felt she was treated differently from others when she was in high school. "Generally, academic expectations are lower," she said. "You are supposed to get married and have kids and not set high academic goals for yourself. For example, at one point when I told a teacher I was heading away to college, he said he gave me two years before I was married and pregnant."

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The intersection between ethnicity and gender

As that young woman revealed, Latinas face particular challenges related to the intersection of their ethnicity and gender. Many Latinas are influenced by family and societal expectations, often based on stereotypes of Latinas as submissive underachievers and primarily as caretakers for siblings and grandparents. When these stereotypes are internalized, they often cause Latinas to doubt that they can succeed.

Latinas have the highest teen pregnancy and birth rates of any subgroup of girls in the United States, with 52 percent becoming pregnant before age 20; this significantly affects their graduation plans and chances for

economic security. Moreover, Latinas can be profoundly affected by the challenges faced by their communities, including poverty, schools with limited resources, immigration status, limited English proficiency, and lack of parental involvement in school.

The Center's report contained recommendations for schools and policymakers to improve graduation rates, from fully funding high-quality early childhood education to providing Latinas access to role models and mentors.

Listening to Latinas was covered by such media outlets as *USA Today*, *Newsday*, *Education Week*, CNN and National Public Radio and was cited by numerous policy-makers and advocates as a valuable resource.

Driven by its findings, the Center is working to ensure that the debate about school reform and the reauthorization of the Elementary and Secondary Education Act address the challenges faced by girls of color. A key goal is to collect and use better data on the performance and graduation rates of smaller groups of students when making changes intended to improve academic performance. Focusing school reforms on the needs of subgroups of students, including girls of color and teens who are pregnant and parenting, along with more effective teen pregnancy prevention and other efforts, will help ensure that these girls have the best possible chance to succeed.

Leveling the Playing Field

Another way to help girls succeed in school is by ensuring that they have ample opportunities to play sports. Studies show that playing sports leads to greater academic success, higher graduation rates, more responsible social behavior, and increased personal skills. Athletes also are less likely to smoke or use drugs and have lower rates of sexual activity and teen pregnancy than non-athletes.

Lucy Flores

Title IX, the landmark law that bars sex discrimination in federally funded education, has made it possible for girls to play sports in school. Despite these gains on the playing field, however, girls still don't receive equal opportunities to play sports or equal benefits when they do play. Those opportunities diminished further when the Bush Administration weakened Title IX protections for young women and girls by allowing schools to simply send out e-mail surveys to assess girls' interests in sports; if students failed to respond to the survey, as most do, schools were permitted to conclude that the young women were not interested in new sports opportunities and were considered to be in compliance with Title IX.

The Center's Title IX experts never gave up trying to fix this flawed policy. Their efforts paid off in 2010 when the Department of Education issued a new policy restoring Title IX protections. The policy reinstates previous standards requiring schools to truly demonstrate with real evidence that they are treating women and girls fairly.



I'm a first-generation Mexican-American, the youngest girl of thirteen kids.

My mom left when I was nine, and my father worked night and day to support us. I gravitated to gang life, which gave me a sense of belonging. Two of my brothers ended up in prison, and all my sisters became pregnant in their teens.

At age 12, I moved from petty thievery to breaking into homes to even more serious crimes, which landed me in a juvenile detention facility for nine months. After my release, I inevitably dropped out of school and began working to support my family: those were the expectations for Latinas—drop out, probably get pregnant, make a living as best as you can.

But my parole officer, and later my teachers, saw something positive in me and refused to treat me as “just another Latina” going through the system. I was encouraged to get my GED and then went to college and law school.

The National Women's Law Center's effective advocacy protecting marginalized communities inspires me to advocate for those who need a strong voice. Every day, I'm reminded that lives can be turned around. I started out on a perilous route, but with guidance and support, I became one of the lucky ones.

A HISTORIC ADVANCE FOR WOMEN'S

Hailed by many as an achievement as historic as the creation of Medicare and Social Security, passage of health care reform legislation in 2010 reflected, in key ways, the Center's long history of research and advocacy to improve the health of women and their families.

Thanks to the Patient Protection and Affordable Care Act, women will no longer be denied coverage by insurance companies if they have had a Cesarean section or suffered a beating or other violence by a partner under the guise that these were "pre-existing conditions." Women who buy individual health insurance plans will no longer be charged higher premiums than men and small companies or groups with predominantly female workforces will no longer pay higher premiums based on gender—a practice known as "gender rating." Women will no longer be subjected to insurance policies that exclude coverage for maternity care. Because the Center's research, public education and advocacy brought to light all of these practices, women will no longer be treated like a pre-existing condition simply because they are women.

As health care reform took center stage in the fall of 2008, the Center began laying the groundwork for women's advocates across the country to press for reforms. Center staff traveled the country to meet with advocates, held monthly conference calls to brief them about health reform issues important to women, and provided technical assistance such as analyzing policy proposals and drafting testimony about legislation in their states.

A ground-breaking report

In the fall of 2008, the Center released its ground-breaking report, *Nowhere to Turn: How the Individual Insurance Market Fails Women*. The Center's researchers documented little-known discriminatory practices and enormous disparities for women who purchased health insurance on their own. For example, women often paid higher premiums than men—in some cases, well over 50 percent more. Women who became pregnant were often left out in the cold, as the vast majority of plans on the individual market fail to cover maternity care at all. And in nine states and the District of Columbia, it was legal for insurers to reject applicants who are survivors of domestic violence.

The report would become a game changer. Editorials in *The New York Times* ("Gouging Women on Health Insurance") and elsewhere cited the Center's report and called for an end to gender-based premiums and discriminatory practices in the individual insurance market. This media coverage helped build awareness of unfair practices that harmed women and made the case for change.



HEALTH CARE

Center staff produced a toolkit, *Reform Matters: Making Real Progress for Women and Health Care*, and held a “policy boot camp” to prepare advocates for health care debates in state legislatures and the coming epic legislative battle in Congress. Over the next two years, the Center continued to engage advocates as the debate evolved by generating timely, relevant materials, including fact sheets on insurance reforms, health care affordability, women’s need for comprehensive health coverage and state-by-state women’s health data.

Pressing for change in the states

With the Center’s support and back-up, advocates pressed state legislatures to right the wrongs in their states’ individual insurance markets. In early 2009, Arkansas passed a law prohibiting health insurers from using a woman’s status as a domestic violence survivor to deny coverage. Later that year, California banned gender rating in the individual insurance market. In March 2010, New Mexico banned gender rating in the individual and small group markets. And the same month, Colorado became the 13th state to ban gender rating in the individual market.

In the nation’s capital, the Center was active on many fronts. It chaired a coalition on women and health care and had policy discussions with congressional staff involved in writing legislation. As the only policy-focused women’s organization on the steering committee of the leading progressive health care coalition, Health Care for America NOW!, the Center ensured that women’s health needs were included in the group’s policy objectives and advocacy efforts. Center experts testified before Congress and were invited by the White House to participate in the President’s Health Reform Summit.

Center staff also participated in pro-reform rallies and, as the health care debate heated up in Congress, activated the Center’s growing number of online supporters, urging them to contact their Members of Congress to push for an overhaul of the system to address women’s needs.

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In 2002, I was drugged and raped while on a business trip.

After the rape, my physician prescribed medication to help deal with the trauma as well as preventive anti-HIV drugs.

Several months later, I needed new health insurance. I was worried because I had worked as a health insurance agent, and every person I spoke with confirmed my fears—to get coverage, I had to be out of counseling for one to two years and have negative HIV tests for two to three years. Essentially, the rape I endured was considered a “pre-existing condition.”

My only option to get insurance coverage was through Florida’s high-risk insurance pool, which cost more than my rent, so I went without insurance for three years. I had to pay for everything—counseling, antidepressants, and all my health needs. I could get affordable insurance again only when I married and got coverage through my husband’s employer.

I’m so grateful to the National Women’s Law Center for helping this issue get the attention it deserves, and now we have a health care law that prohibits insurance companies from excluding coverage for women with “pre-existing” conditions.

Being a Woman Is Not a Pre-existing Condition

In October 2009, the Center launched a major public awareness campaign, *Being a Woman is Not a Pre-existing Condition*, which took the Center's concerns to a new level of attention. The campaign featured a new website, AWomanIsNotAPre-existingCondition.com, an engaging video that was seen more than 800,000 times, and events and opportunities for supporters to send messages to Congress; more than 187,000 messages were sent.

The campaign also featured the heartbreaking experience of Chris Turner (see related story on page 13), a health insurance agent who was raped and then could not find coverage because, as several insurance companies told her, they considered the rape to be a pre-existing condition.

The Center's campaign was featured on CNN, MSNBC, NBC and dozens of other media outlets and had a powerful and swift impact on the debate. *U.S. News and World Report* said just 10 days after the campaign began that "women

may seem to be the driving force of health reform, given all the attention recently paid to gender disparities in insurance premiums. In fact, the massive health reform bill unveiled by the House of Representatives yesterday contains ... prohibitions against excluding those with pre-existing conditions, specifically mentioning women who've been victims of domestic violence."

The Center worked to ensure that women remained a driving force during the debate for the next six months, and they were. The media often cited the Center's statistics and legislators used the Center's research to build the case for reform.

House Speaker Nancy Pelosi noted in her speech on the House floor before the final legislative votes that passage would mean that "being a woman will no longer be a pre-existing medical condition."

While the new law was not perfect in a number of respects, one particularly significant provision was a setback that targeted women: burdensome restrictions that could spur health plans to drop coverage for abortion care—essential reproductive health care that insurance companies often provide. The Center is working to remove these unacceptable barriers, just as it is working to improve the law and to ensure that all of the important and hard-won provisions that end the gender disparities and discrimination that women have faced for decades are properly implemented. The Center will work to ensure, for example, that health plans cover a broad range of preventive health services that are particularly important to women, such as family planning services.

The Center also will urge states to take advantage of new opportunities to expand Medicaid coverage for family planning. It will press for enforcement of a new protection in the law that bars insurance companies, health care providers, and health programs that receive federal financial assistance or are run by the government itself from discriminating on the basis of sex, race, national origin, age, or disability.



MAKING WOMEN'S VOICES HEARD

In the courts, our communities and the court of public opinion, the Center led the way in ensuring that women's voices were heard and their needs met by policy-makers. The 2008 presidential campaign gave the Center an opportunity to bring women's voices into the conversation about critical issues from health care reform to the economic crisis. The Center highlighted the impact of the economy, health care, education, employment, the judiciary and other issues on the lives of women and their families.

The Center released *Understanding What Women Want in 2008*, based on the findings of a Center poll conducted by Peter D. Hart Research Associates, which found that women were significantly more pessimistic than men about the status quo in America. Women were more likely than men to feel that they were falling behind economically and to be worried about their economic prospects, the study found.

Building on the poll results, the Center developed and distributed its comprehensive agenda for the new Administration and Congress, *A Platform for Progress: Building a Better Future for Women and Their Families*, which outlined steps that the federal government should take to address the unmet needs of women and their families in schools and in the workplace and to secure economic security and access to high-quality, affordable and comprehensive health care.

The Center also launched *Why Women Should Vote: What's at Stake in 2008*, a voter education website to help register voters and explain why voting matters to women. The site gave information about key women's issues and resources for getting involved in the electoral process and, in partnership with Rock the Vote, provided an easy-to-use online voter registration tool. As a non-partisan, multi-issue women's rights organization that works in key progressive coalitions, the Center was able to broadly

disseminate its information through state and national advocates and coalition partners, including Women's Voices Women Vote (WVWV), and through its growing base of online supporters.

Raising women's voices on judicial nominations

The Center elevated the voices and concerns of women during judicial nominations and provided analyses of each Supreme Court term's impact on women and on civil rights and of the impact that new justices can have on women's legal rights. The Center publicized materials on critical topics such as the Senate's role in judicial nominations and common myths and facts surrounding the judicial nominations process.

The Center continues to serve as an expert and go-to resource on the criteria for evaluating judicial nominees and the constitutional procedural issues of the confirmation process.

The Center was proud to support the historic nomination of Judge Sonia Sotomayor to the U.S. Supreme Court. It issued a report, *The Record of Judge Sonia Sotomayor on Critical Legal Rights for Women*, following an extensive review of her legal record and testimony before the Senate

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Judiciary Committee. The review revealed her to be an impressive judge who respects legal precedent, carefully articulates the legal precedents that she is following, and anchors her decisions in the details of the specific factual record. The Center concluded that her record was a reflection of her fairness, her open mind, and her willingness to fully apply the hard-won legal rights upon which women rely. The Center also produced a resource, *The Thinking Woman's Guide to the Supreme Court Confirmation Hearings*, an online publication that provided advocates and the public with the tools they needed to learn more about Judge Sotomayor and her legal perspectives.

The Center also was proud to support the Supreme Court nomination of another extraordinary woman, Solicitor General Elena Kagan, an exceptionally qualified woman who is known for being fair-minded and possessing formidable legal skills. The Center was honored to have been invited to testify at the Senate Judiciary Committee hearing of this trailblazer who was the first woman to serve as Dean

of Harvard Law School and the first to serve as Solicitor General. On the first Monday in October, Kagan will be seated with Justice Sotomayor and Justice Ruth Bader Ginsburg—the first time three women will serve together on the nine-person Court. The Court will better reflect the nation's diverse population and give women and their families greater confidence that the Court, when applying the law, will understand how its decisions affect their lives and their futures.

Training a new generation of women leaders

The Center works to build a cadre of leaders to become a voice for low-income women and their families. Through the Center's Progressive Leadership & Advocacy Network (PLAN) Institutes, about 20 emerging leaders are selected, on a competitive basis, each year to attend the PLAN Spring Institute to gain skills to engage actively in their communities and to press for improved public policies and increased investments in programs such as Head Start, Social Security, and Medicaid. They learn effective strategies for shaping the public agenda on these issues, develop policy expertise, build leadership and advocacy skills, and join a network of committed advocates.

As a result of their training, these rising leaders brought new voices to debates at the federal, state, and local levels. And they strengthened the Center's connection to individuals and organizations providing services to women and families in communities across the country.

OTHER HIGHLIGHTS FROM 2008 TO 2010

The Center:

- Helped win a \$17 million **increase in Title X funding** for family planning services for low-income women, the third largest increase in the program's history, and ensure that deceptive and medically inaccurate abstinence-only sex education programs did not receive an increase in federal funding, by working with coalition partners to press for this advance.
- Helped secure the **opening of submarine service to women** and a revitalized Defense Advisory Committee for Women in the Services, by widely circulating a position paper, meeting with key government officials, and conducting other outreach and advocacy with key partner organizations.
- Contributed to **two U.S. Supreme Court employment victories**, serving as co-counsel on *amicus* briefs in *Crawford v. Metropolitan Government of Nashville and Davidson County, Tennessee*, which established that employees are protected from retaliation for cooperating with an employer's internal investigation of sexual harassment, and in *Levitt v. City of Chicago*, which upheld workers' rights and promoted equal workplace opportunities by reversing a harmful Seventh Circuit decision and ruling that the time period for filing a Title VII claim resets each time an employer decides to hire or promote some individuals and not others based on the discriminatory employment practice.
- Contributed to a **Supreme Court gender discrimination victory** by serving as co-counsel on an *amicus* brief in *Fitzgerald v. Barnstable School Committee*, which safeguarded women's and girls' rights by allowing them to pursue constitutional, in addition to Title IX, claims of gender discrimination in schools.
- Advanced an important strategy for **improving compensation and working conditions for home-based child care providers through unionization**, by documenting in a comprehensive study updating the Center's 2007 groundbreaking report, *Getting Organized: Unionizing Home-Based Child Care Providers*, that the number of states authorizing unionization had doubled in the last few years and spearheading strategy discussions among various stakeholders.

(continued on page 18)





- Submitted an *amicus* brief in the **largest sex discrimination class-action lawsuit** in U.S. history, *Dukes v. Wal-Mart*, in which the Ninth Circuit Court of Appeals upheld a decision allowing the case to go to trial as a class action on behalf of as many as one million former and current women Wal-Mart employees who allege discrimination in pay and promotions.
- Secured the **reversal of the “global gag rule” and passage of the Prevention Through Affordable Access Act**, which sharply lowers birth control prices on college campuses and in community clinics, by playing a leadership role in a reproductive rights coalition and providing information and technical analyses on these measures to the Obama Administration.
- Worked with state-based advocates to **defeat onerous abortion restrictions**, including abortion bans, in North Dakota, West Virginia, Arizona and Louisiana by providing technical assistance and mobilizing supporters around the country.
- Helped state advocates **win insurance coverage battles**, including an Equal Employment Opportunity Commission ruling that North Carolina college Belmont Abbey’s elimination of contraceptive coverage from its employee benefit plan constituted illegal sex discrimination, and defeat an effort to repeal a Montana law requiring insurers to provide contraceptive coverage.
- **Contributed to a Title IX victory** by submitting an *amicus* brief in *Mansourian v. UC Davis* in which the Ninth Circuit Court of Appeals rejected a burdensome standard imposed on athletes who file lawsuits challenging discrimination and reinstated the claims of women wrestlers who had sued their university for violating Title IX after they were barred from wrestling.
- **Contributed to victories for pregnant women** by submitting an *amicus* brief on behalf of Ina Cochran in a case before the Kentucky Supreme Court, which ruled that the state cannot use its criminal endangerment statute to prosecute women for using drugs while pregnant, and by assisting in a case successfully preventing the dismissal of a student from the U.S. Naval Academy because she was pregnant.
- Secured in the Early Learning Challenge Fund passed by the House of Representatives several **key components of the Agenda for Affordable, High-Quality Child Care** developed and promoted by the Center as leader of a nationwide coalition of early care and education advocates.

CENTER SUPPORTERS

The victories won on behalf of women and their families would not have been possible without the support that many individuals and organizations provided to the Center. The Center deeply appreciates these contributions and looks forward to continuing to work together to expand the possibilities for women and their families in the years to come. The following lists the Center's supporters over the last two fiscal years ending June 30, 2010.

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STATEMENT OF ACTIVITIES

For the Year Ended June 30, 2009

	Unrestricted			Temporarily Restricted	Permanently Restricted	2009 Total
	Operating	Reserves	Total			
REVENUE AND SUPPORT						
Grants	\$1,098,602	\$—	\$1,098,602	\$5,860,490	\$17,490	\$6,976,582
Investment income (loss)	38,078	(2,673,460)	(2,635,382)	—	(170,137)	(2,805,519)
Contributions	1,228,033	—	1,228,033	—	23,358	1,251,391
Donated goods and services	553,909	—	553,909	—	—	553,909
Rental income	128,630	—	128,630	—	—	128,630
Other	77,115	—	77,115	—	—	77,115
Legal fees	—	—	—	1,112,580	—	1,112,580
Net assets released from restrictions:						
Appropriation of endowment income	—	—	—	—	—	—
Satisfaction of time restrictions	316,193	—	316,193	(316,193)	—	—
Satisfaction of program restrictions	6,340,169	—	6,340,169	(6,340,169)	—	—
TOTAL REVENUE AND SUPPORT	9,780,729	(2,673,460)	7,107,269	316,708	(129,289)	7,294,688
EXPENSES						
Program Services						
Health and Reproductive Rights	3,276,297	—	3,276,297	—	—	3,276,297
Family Economic Security	1,771,088	—	1,771,088	—	—	1,771,088
Women's Legal Rights	1,187,358	—	1,187,358	—	—	1,187,358
Education and Employment	1,146,695	—	1,146,695	—	—	1,146,695
Total Program Services	7,381,438	—	7,381,438	—	—	7,381,438
Supporting Services						
Administration	820,422	—	820,422	—	—	820,422
Development	601,248	—	601,248	—	—	601,248
Total Supporting Services	1,421,670	—	1,421,670	—	—	1,421,670
TOTAL EXPENSES	8,803,108	—	8,803,108	—	—	8,803,108
CHANGE IN NET ASSETS						
CHANGE IN NET ASSETS	977,621	(2,673,460)	(1,695,839)	316,708	(129,289)	(1,508,420)
NET ASSETS, BEGINNING OF YEAR	670,525	4,415,349	5,085,874	5,324,031	14,299,901	24,709,806
NET ASSETS, END OF YEAR	\$1,648,146	\$1,741,889	\$3,390,035	\$5,640,739	\$14,170,612	\$23,201,386

STATEMENT OF FINANCIAL POSITION

JUNE 30, 2009

ASSETS

Cash and cash equivalents	\$5,299,461
Investments	14,956,890
Accounts receivable	4,056
Grants and contributions receivable, net	2,501,739
Legal fees settlement receivable, net	626,208
Prepaid expenses	167,347
Property and equipment, net	824,903
Security deposits	25,386
TOTAL ASSETS	\$24,405,900

LIABILITIES AND NET ASSETS

Liabilities

Accounts payable and accrued expenses	\$342,906
Deferred compensation	296,290
Sub-tenant security deposit	10,719
Deferred rent and incentive allowance	554,689
TOTAL LIABILITIES	1,204,604

Net Assets

Unrestricted	3,390,035
Temporarily restricted	5,640,739
Permanently restricted	14,170,612
TOTAL NET ASSETS	23,201,386
TOTAL LIABILITIES AND NET ASSETS	\$24,405,900

STATEMENT OF ACTIVITIES

For the Year Ended June 30, 2010

	Unrestricted			Temporarily Restricted	Permanently Restricted	2010 Total
	Operating	Reserves	Total			
REVENUE AND SUPPORT						
Grants	\$1,630,463	\$—	\$1,630,463	\$5,945,036	\$7,901	\$7,583,400
Investment (loss) income	28,024	555,632	583,656	1,331,980	—	1,915,636
Contributions	1,046,199	—	1,046,199	90,000	6,634	1,142,833
Donated goods and services	943,078	—	943,078	—	—	943,078
Rental income	131,532	—	131,532	—	—	131,532
Other	75,761	—	75,761	—	—	75,761
Legal fees	—	20,470	20,470	—	—	20,470
Net assets released from restrictions:						
Appropriation of endowment income	—	466,681	466,681	(466,681)	—	—
Satisfaction of time restrictions	2,201,459	—	2,201,459	(2,201,459)	—	—
Satisfaction of program restrictions	3,221,440	1,112,580	4,334,020	(4,334,020)	—	—
TOTAL REVENUE AND SUPPORT	9,277,956	2,155,363	11,433,319	364,856	14,535	11,812,710
EXPENSES						
Program Services						
Health and Reproductive Rights	3,283,004	—	3,283,004	—	—	3,283,004
Family Economic Security	1,996,411	—	1,996,411	—	—	1,996,411
Women's Legal Rights	1,546,490	—	1,546,490	—	—	1,546,490
Education and Employment	945,681	—	945,681	—	—	945,681
Total Program Services	7,771,586	—	7,771,586	—	—	7,771,586
Supporting Services						
Administration	814,405	—	814,405	—	—	814,405
Development	668,840	—	668,840	—	—	668,840
Total Supporting Services	1,483,245	—	1,483,245	—	—	1,483,245
TOTAL EXPENSES	9,254,831	—	9,254,831	—	—	9,254,831
CHANGE IN NET ASSETS						
CHANGE IN NET ASSETS	23,125	2,155,363	2,178,488	364,856	14,535	2,557,879
NET ASSETS, BEGINNING OF YEAR	1,648,146	1,741,889	3,390,035	5,640,739	14,170,612	23,201,386
NET ASSETS, END OF YEAR	\$1,671,271	\$3,897,252	\$5,568,523	\$6,005,595	\$14,185,147	\$25,759,265

STATEMENT OF FINANCIAL POSITION

JUNE 30, 2010

ASSETS

Cash and cash equivalents	\$5,920,995
Investments	18,478,892
Accounts receivable	15,245
Grants and contributions receivable, net	1,673,674
Prepaid expenses	207,117
Property and equipment, net	652,100
Security deposits	25,386
TOTAL ASSETS	\$26,973,409

LIABILITIES AND NET ASSETS

Liabilities

Accounts payable and accrued expenses	\$336,697
Deferred compensation	329,426
Sub-tenant security deposit	10,719
Deferred rent and incentive allowance	537,302
TOTAL LIABILITIES	1,214,144

Net Assets

Unrestricted	5,568,523
Temporarily restricted	6,005,595
Permanently restricted	14,185,147
TOTAL NET ASSETS	25,759,265
TOTAL LIABILITIES AND NET ASSETS	\$26,973,409

BOARD OF DIRECTORS

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*Affiliations, current as of the time of service on NWLC's board, are listed for identification purposes only

**Board tenure ended during the period covered by this annual report

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7/1/2008—6/30/2010

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Marcia D. Greenberger

Co-President

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Vice President, Family Economic Security

Fatima Goss Graves

Vice President, Education & Employment

Mano Koilpillai

Vice President, Administration & Finance

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Vice President, Development

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Dina Lassow

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Grace Lesser

Program Assistant

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Jill Morrison

Senior Counsel

Chad Newcomb*

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Ellen Newcomb*

Program Associate

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Fellow

Rio Romero

Program Assistant

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Senior Counsel

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Fellow

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Director, Government Affairs and Senior Advisor

Jennifer Swedish**

Fellow

Christina Turner**

Fellow

Rachel Vogelstein*

Senior Counsel

Julie Vogtman

Counsel

*Departed during reporting period

**Fellowship ended during reporting period

NWLC STAFF

continued

Communications Staff

Adrienne Ammerman*
Communications Manager

Stephanie Drahan
Outreach Associate

Patrick Furey
Online Outreach Associate

Lisa M. LeMair
Art Director

Melanie Ross Levin
Senior Outreach Manager

Andrea Maruniak
Program Assistant

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Project/Web Manager

Thao Nguyen
Senior Outreach Manager

Nicole Oxendine
Director of Outreach

Maria Patrick
Media Director

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Senior Online Outreach Manager

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Program Associate

Megan Tackney
Program Associate

Valerie Vilott
Outreach Associate

Candace Webb*
Outreach Manager

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Development Associate

Nancy Delahoyd
Director of Special Events

Kathryn Dixon
Senior Manager of Foundations Relations

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Development Associate

Ashley Houstens*
Development Associate

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Carolyn Lisbon
Development Associate

Jodi Michael
Director of Foundation Relations

Katharine Potts-Dupre*
Development Associate

Carolyn Rutsch
Senior Manager of Foundation Relations

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Controller

Nancy Boyd
Executive Assistant

Patricia Byrams
Receptionist/Secretary

Angela Day
Office Assistant

Daris Coleman
Director of Finance

Cherilynn Ellis*
Network Administrator

Julie Altenburger
Program Associate

Lakisha Matthews
Accounting Associate

Rhonda McIntyre-Malone*
Director of Information Systems

Gloria Moses
Director of Human Resources and Administration



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