

Capitol Feminism: Work, Politics, and Gender in Congress, 1960-1980

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## The Political Is Personal: An Introduction to “Capitol Feminism”

High politics itself is a gendered concept, for it establishes its crucial importance and public power, the reasons for and the fact of its highest authority, precisely in its exclusion of women from its work. – Joan Wallach Scott, 1986<sup>1</sup>

[W]omen inside of government in mainstream positions are crucial to the success of the outside women in affecting policy. They alert women’s organizations to changes in regulations, to shifts in policies, to the timing of congressional hearings. They suggest the need for letters or phone calls advocating women’s interests. But if they are too open in their support of women’s issues, their effectiveness may be reduced. – Irene Tinker, 1983<sup>2</sup>

In 1976, Rep. Alphonso Bell (R-CA) gave in to the women’s liberation movement and voted to support legislation supporting enforcement of Title IX, the landmark law establishing women’s right to equal opportunities in education. Explaining his decision, Bell asserted that “There’s no way I can vote wrong on this bill. My administrative assistant is in there, and cares with her guts.”<sup>3</sup> His aide was one of many staffers pulling for Title IX. As one lobbyist described, the bill benefitted from “a new phenomenon”: the conference committee room “was replete with professional women.”<sup>4</sup> Title IX was not the only piece of legislation helped by the feminist advocacy of staffers. Through the 1970s, women on the Hill adopted and adapted the rhetoric, ideological precepts, and policy goals of the women’s movement. Some staffers worked to change the congressional workplace. Others worked to research, write, and lobby for feminist legislation with national ramifications, using their relationships with male colleagues to pass dozens of bills to establish sex equity. In the U.S. Congress during the 1970s, the politics of women’s rights was deeply personal.<sup>5</sup>

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<sup>1</sup> Joan Wallach Scott, “Gender: A Useful Category of Historical Analysis,” *Gender and the Politics of History*, revised ed. (New York: Columbia University Press, 1999): 48.

<sup>2</sup> Irene Tinker, ed. *Women in Washington: Advocates for Public Policy* (Sage Publications, 1983): 11.

<sup>3</sup> The quotation is secondhand, related in an interview conducted for and quoted in Arlene Kaplan Daniels, “Careers in Feminism,” *Gender and Society* 5:4 (Dec 1991): 593.

<sup>4</sup> Ibid.

<sup>5</sup> Though debates about the feminist slogan “the personal is political” rage to this day, there is relatively little work done on politics as a personal process, outside of analyses of consciousness-raising amongst radical feminists. For studies that cast their net a little more widely, see William H. Chafe, *Private Lives/Public Consequences: Personality and Politics in Modern America* (Cambridge: Harvard University Press, 2005); Myra McPherson, *The*

On the Hill, advocates for women's rights wielded feminism and the specter of the feminist movement as tools to legitimate a new area of policymaking: women's issues. Wives, staffers, lobbyists, and legislators slowly convinced Congress that sex discrimination did, in fact, exist. They fought an uphill battle. Hill feminists had to combat the perception that women were already equal, that demands for bills combatting sex discrimination were laughable while Congress struggled with the problem of eradicating racial discrimination. Indeed, a whole host of other issues – the Vietnam War, civil rights, the War on Poverty – demanded central stage on Capitol Hill during the 1970s, and all were arguably more important than women's plight. Most legislators only slowly recognized the need for feminist legislation, convinced by a combination of personal appeals, hard research documenting patterns of discrimination, and the threat of an angry female vote.

Congresspersons formed their opinions about feminism and sex discrimination on Capitol Hill, a grassroots community as much as a place of policymaking for the nation. Half of this community was female. Like clerical and professional women in other American offices, staffers came to view their office environment as the embodiment of male privilege. Like other office workers, they repackaged the rebellious, insistent politics of feminism and used it to make sense of their own world.<sup>6</sup> Female congressional staffers argued for equal rights using their own problems and concerns as illustrations of broad, documented trends. They made feminist complaints about unequal access to educational and employment opportunities real for men on the Hill. In 1977, Maren Lockwood Carden asserted that “if the [women's] movement had not found many sympathetic listeners and workers with the institutionalized segments of society, it

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*Power Lovers: An Intimate Look at Politics and Marriage* (New York: GP Putnam's Sons, 1975); Nancy Olson, *With a Lot of Help from Our Friends: The Politics of Alcoholism* (New York: Writers Club Press, 2003).

<sup>6</sup> For similar observations about other female office workers in the 1970s, see Nancy MacLean, “The Hidden History of Affirmative Action: Working Women's Struggles in the 1970s and the Gender of Class,” *Feminist Studies* 25:1 (Spring 1999): 42-78.

probably would have disintegrated during the early 1970s.”<sup>7</sup> This observation is especially pertinent when it comes to Congress, the body responsible for writing laws for the nation.

Following Joan Wallach Scott’s argument that “high politics” is defined by the “exclusion of women,” feminist historians have long depicted the state as male, in some ways naturalizing the government’s history as a writer and an upholder of laws and cultural norms that privilege men. Political history has not helped counter this assumption; especially when it comes to congressional studies, most scholarship still focuses on white male elites.<sup>8</sup> Bureaucracies seemed the only place of entry for women looking to directly influence the state.<sup>9</sup> Otherwise, women were left to picket and protest outside the halls of power.<sup>10</sup> Only recently have historians

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<sup>7</sup> Maren Lockwood Carden, *The New Feminist Movement* (New York: Russell Sage Foundation, 1974): 7. Sociologist Mary Fainsod Katzenstein and historian Susan Hartmann have looked at how the women’s movement changed institutions like the Catholic Church and the Ford Foundation. Though they did not always call themselves feminists, women within these institutions pushed for greater gender equity within their workplaces and promoted women’s issues as legitimate. In the process, they expanded the scope and impact of the women’s movement. Hartmann looks at the American Civil Liberties Union, the National Council of Churches, the Ford Foundation, and the International Union of Electrical Workers, all of which are part of what she calls “the liberal establishment.” Katzenstein looks at the military and the Catholic Church. Susan M. Hartmann, *The Other Feminists: Activists in the Liberal Establishment* (New Haven, CT: Yale University Press, 1999); Mary Fainsod Katzenstein, “Feminism within American Institutions,” *Signs*, From Hard Drive to Software Special Issue 16:1 (Fall 1990): 27-54; Mary Fainsod Katzenstein, *Faithful and Fearless: Moving Feminist Protest inside the Church and Military* (Princeton, NJ: Princeton University Press, 1998).

<sup>8</sup> As political scientist Georgia Duerst-Lahti notes, congressional scholars still do not consider gender to be within “the realm of debatable topics.” Georgia Duerst-Lahti, “Knowing Congress as a Gendered Institution: Manliness and the Implications of Women in Congress,” *Women Transforming Congress*, ed. Cindy Simon Rosenthal (University of Oklahoma Press, 2002): 22. The one exception is Karen Foerstel and Herbert N. Foerstel, *Climbing the Hill: Gender Conflict in Congress* (Westport, CT: Praeger Publishers, 1996). However, Foerstel & Foerstel focus on the experiences of women in the 1980s and 1990s Congress. This bias is upheld in Julian Zelizer’s recent look at the state of political history. See Zelizer, *Governing America: The Revival of Political History* (Princeton, NJ: Princeton University Press, 2012).

<sup>9</sup> Policy historians interested in women’s rights have generally focused on the executive branch and the federal bureaucracy, and all end their analyses before or with Congress’ approval of the ERA. See Hugh Graham Davis, *Civil Rights and the Presidency: Race and Gender in American Politics, 1960-1972* (New York: Oxford University Press, 1992); Georgia Duerst-Lahti, “The Government’s Role in Building the Women’s Movement,” *Political Science Quarterly* 104:2 (Summer 1989): 249-68; Cynthia Harrison, *On Account of Sex: The Politics of Women’s Issues, 1945-1968* (Berkeley, CA: University of California Press, 1989); Kathleen Laughlin, *Women’s Work and Public Policy: A History of the Women’s Bureau U.S. Department of Labor, 1945-1970* (Boston: Northeastern University Press, 2000); Patricia G. Zelman, *Women, Work, and National Policy: The Kennedy-Johnson Years* (Ann Arbor, MI: UMI Research Press, 1982).

<sup>10</sup> Most studies of modern feminist politics look at grassroots organizing. For good examples, see Maryann Barakso, *Governing NOW: Grassroots Activism in the National Organization for Women* (Ithaca, NY: Cornell University Press, 2004); Donald Critchlow, *Phyllis Schlafly and Grassroots Conservatism: A Woman’s Crusade* (Princeton, NJ: Princeton University Press, 2008).

begun to investigate women's role inside parties and legislatures.<sup>11</sup> Even in these studies, a focus on elites remains. Female politicians and legislators stand in the fore as "surrogate representatives" of a broader constituency of women, lonely amongst a sea of male colleagues.<sup>12</sup> Government is still depicted as the province of culturally conservative white men.

This narrow definition precludes seeing legislative work as an important part of women's labor history. Scholars have depicted politics as a calling and an intellectual endeavor, rather than a job, in large part because their studies have been confined to elites.<sup>13</sup> Meanwhile, labor

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<sup>11</sup> Jo Freeman, *A Room at a Time: How Women Entered Party Politics* (New York: Rowman & Littlefield Publishers, 2002); Jo Freeman, *We Will Be Heard: Women's Struggles for Political Power in the United States* (New York: Rowman & Littlefield Publishers, 2008); Catherine Rymph, *Republican Women: Feminism and Conservatism from Suffrage through the Rise of the New Right* (The University of North Carolina Press, 2006).

<sup>12</sup> This focus was reinforced after 1992's "Year of the Woman," in which twenty-eight women were newly elected to Congress, bringing the overall number of congresswomen to thirty-four. See Barry M. Horstman, "Women Poised to Make Big Political Gains," *Los Angeles Times* (24 Aug 1992). The term "surrogate representation" can be applied to any group that operates as a minority within a legislature. For a discussion of surrogate representation for women and blacks in Congress, see political scientist Jane Mansbridge, "Should Blacks Represent Blacks and Women Represent Women? A Contingent 'Yes,'" *Journal of Politics*, 61 (1999): 628-57. The roots of this now a substantial body of literature on women's default representation of a national women's constituency can be traced to political scientist Susan Carroll. Her seminal book on the subject is *Women as Candidates in American Politics*, 2<sup>nd</sup> ed. (Bloomington, IN: University of Indiana Press, 1994). For more recent work, see Susan Carroll, "Representing Women: Congresswomen's Perceptions of Their Representational Roles," presented at "Women Transforming Congress: Gender Analyses of Institutional Life," Carl Albert Congressional Research and Studies Center, University of Oklahoma (13-15 Apr 2000). There is still almost no historical work on female politicians after a small burst of 1970s literature. For this work, see Hope Chamberlin, *A Minority of Members: Women in the U.S. Congress* (New York: Praeger, 1973); Susan Tolchin, *Women in Congress* (Washington, D.C.: GPO, 1976).

<sup>13</sup> Even scholarship on 1970s congressional reform focuses on whether these changes made Congress a less democratic institution. See Sarah A. Binder, *Minority Rights, Majority Rule: Partisanship and the Development of Congress* (Cambridge University Press, 1997); Roger H. Davidson and Walter Oleszek, *Congress against Itself* (Indiana University Press, 1977); Walter Kravitz, "The Advent of the Modern Congress: The Legislative Reorganization Act of 1970," *Legislative Studies Quarterly* 15:3 (Aug 1990): 375-99; Norman J. Ornstein, "Towards Restructuring the Congressional Committee System," in *Annals of the American Academy of Political and Social Science* 411 (Jan 1974): 147-57; Leroy N. Rieselbach, *Congressional Politics: The Evolving Legislative System*, 2<sup>nd</sup> ed. (Westview Press, 1995); David Rohde, "Committee Reform in the House of Representatives and the Subcommittee Bill of Rights," *Annals of the American Academy of Political and Social Science* (Jan 1974): 39-47; David W. Rohde, *Parties and Leaders in the Postreform House* (University of Chicago Press, 1991); Arthur G. Stevens, Jr., Arthur H. Miller, and Thomas E. Mann, "Mobilization of Liberal Strength in the House, 1955-1970," *American Political Science Review* 68:2 (Jun 1974): 667-81; James L. Sundquist, *The Decline and Resurgence of Congress* (The Brookings Institution, 1981); Julian Zelizer, *On Capitol Hill: The Struggle to Reform Congress and Its Consequences* (New York: Cambridge, 2004). For the body of work on staffing in the 1960s and 1970s, see Harrison W. Fox, Jr. and Susan Webb Hammond, *Congressional Staffs: The Invisible Force in American Lawmaking* (The Free Press: New York, 1977); Susan Webb Hammond, "Personal Staffs of Members of the U.S. House of Representatives" (The Johns Hopkins University Diss., 1973); Susan Webb Hammond, "Legislative Staffs," *Legislative Studies Quarterly* 9:2 (May 1984): 271-317; Michael J. Malbin, "Our Unelected Representation – Congressional Committee Staffs: Who's in Charge Here?" *The Public Interest* 47 (Spring 1977): 16-40; Michael J. Malbin, *Unelected Representatives: Congressional Staff and the Future of Representative Government* (New York:



historians have depicted the state as a writer and arbiter of labor legislation, rather than a place of work.<sup>14</sup> But for most staffers on the Hill, congressional work was a way to support themselves. Their concerns and needs as workers shaped how Congress thought about working women and clerical labor. As a result, female Hill staffers directly influenced the content of laws to ensure women's rights in the workplace, even as they were excluded from coverage under those laws. The history of congressional workers' rights is not just a case study – this history is integrally connected to the entire nation's political and labor history.

By focusing on the Hill as a working community, rather than a collection of mostly white male political elites, this dissertation helps to solve an historical conundrum. During the early 1970s, the number of successful feminist bills skyrocketed, just as the number of female legislators in Congress plummeted. Meanwhile, feminist organizations failed to establish a consistent presence on the Hill, instead focusing on grassroots organizing. Attempting to explain the success of feminist bills, political scientists have focused on the development and actions of feminist lobbies.<sup>15</sup> Sidestepping the problems with these explanations, historians have cast

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Basic Books, 1979); Samuel C. Patterson, "The Professional Staffs of Congressional Committees," *Administrative Science Quarterly* 15 (Mar 1970): 22-37; Steven H. Schiff and Steven S. Smith, "Generational Change and the Allocation of Staff in the U.S. Congress," *Legislative Studies Quarterly* 8:3 (Aug 1983): 457-67; Robert H. Salisbury and Kenneth A. Shepsle, "U.S. Congressmen as Enterprise," *Legislative Studies Quarterly* 6 (Nov 1981): 559-76.

<sup>14</sup> For good examples, see Ruth Milkman, ed., *Women, Work, and Protest: A Century of U.S. Women's Labor History* (New York: Routledge & Kegan Paul, 1985): 259-322; Nancy F. Gabin, *Feminism in the Labor Movement: Women and the United Auto Workers, 1935-1975* (Ithaca, NY: Cornell University Press, 1990).

<sup>15</sup> Political scientist Jo Freeman was the first to identify an "incipient network" of wives, staffers, government bureaucrats, and lobbyists forged during the push for the ERA and Title IX. Though small in size, this group of "woodwork feminists" was comprised of individuals close to congresspersons and well-versed in legislative politics. But Freeman does not tell us about the feminist development of these women. In her narrative, advocates for women's rights are simply present and ready to form into a broad and powerful lobby by the time the ERA arrives on the Hill. Furthermore, her book's analysis does not address changes in the network after the passage of the ERA and Title IX. Freeman ended her analysis in 1974, before the rise of congressional anti-abortion politics or the election of feminist-friendly Jimmy Carter to the presidency. Her work offers a guide to further research, rather than a full analysis of feminist policymaking in the 1970s. See Jo Freeman, *The Politics of Women's Liberation: A Case Study of the Emerging Movement and Its Relation to the Policy Process* (Lincoln, NE: iUniverse Publishers, 2000). Analyses that hew closely to Freeman's book include Janet A. Flammang, *Women's Political Voice*: 253-96; Janet Boles, "Local Feminist Policy Networks in the Contemporary American Interest Group System," *Policy Sciences* 27:2/3, *Feminism and Public Policy* (1994): 161-78; Sarah A. Soule and Braydon G. King, "The Stages of the Policy Process and the Equal Rights Amendment, 1972-1982," *American Journal of Sociology* 111:6 (May 2006): 1871-

feminist policymaking as a natural byproduct of the women's movement, almost an afterthought.<sup>16</sup> This approach is inadequate. It was not an all-male cadre that drafted legislation to establish women's rights in the 1970s. Secretaries and female aides helped to research, write, and lobby for these bills.

Their work demonstrates just how the feminist movement empowered women who worked with already powerful men. The slogan "the personal is political" legitimated drawing conclusions about women's needs from personal experiences. And Hill advocates worked from a very particular frame of reference; most of them were middle or upper-class white women with college degrees. These women depicted themselves as the representatives of a diverse national constituency numbering in the millions. They quickly focused on attacking discrimination that they themselves had experienced. This agenda stretched far beyond the Equal Rights Amendment (ERA) and abortion, the two issues that have heretofore dominated historical accounts of the movement's politics.<sup>17</sup> Their arguments made sense to the men around them because of pre-existing personal relationships, as well as a shared racial and class background. Congressmen and male staffers had wives, daughters, and friends voicing the exact same set of

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1909. Other analyses can be split into two groups: resource mobilization and political process theory. The best resource mobilization analysis of feminist policymaking is Joyce Gelb and Marian Lief Palley, *Women and Public Policies: Reassessing Gender Politics* (Charlottesville, VA: University of Virginia Press, 1996). For the best and clearest example of political process theory, see Anne Costain, *Inviting Women's Rebellion: A Political Process Interpretation of the Women's Movement* (Baltimore: The Johns Hopkins University Press, 1992).

<sup>16</sup> As historian Sara Evans puts it, "the U.S. Congress seemed hell-bent on figuring out just what women wanted and giving it to them." Sara Evans, *Tidal Wave: How Women Changed America at Century's End* (New York: Free Press, 2004): 62-63. For similar interpretations, see Ruth Rosen, *The World Split Open: How the Modern Women's Movement Changed America* (New York: Viking Press, 2000); J. Zeitz, "Rejecting the Center: Radical Grassroots Politics in the 1970s – Second-wave Feminism as a Case Study," *Journal of Contemporary History* 43:4 (Oct 2008): 673-688.

<sup>17</sup> In 1970, women went on strike across the country in commemoration of the fiftieth anniversary of the Equal Suffrage Amendment and in support of the Equal Rights Amendment. The 1970 Women's Strike for Equality is generally perceived as the height of women's movement activism. See Susan Douglas, *Where the Girls Are: Growing Up Female with the Mass Media* (New York: Three Rivers Press, 1994): 166-168; Alice Echols, *Daring to Be Bad: Radical Feminism in America, 1967-1975* (Minneapolis, MN: University of Minnesota Press, 1989): 197-198; Sara Evans, *Tidal Wave*: 61-97; Rosen, *The World Split Open*: 92-93.

arguments. For both men and women, politics was personal just as much as the personal was political. And both the political and the personal were heavily shaped by race and class.

The reliance on powerful men meant that Hill women had to maintain positive relationships with male legislators and staffers. The history of the Hill's staffer rights movement illustrates why the fight for workplace rights was more fraught and less immediately successful than the fight for feminist legislation. Men in Congress wanted to be the heroes rather than the villains of the women's movement. Feminist tactics had to be polite, and no workplace activism was going to qualify as polite. Reacting against these strictures, Hill feminists personalized the political in another way. Congress' central place in national politics helped to shield its members from culpability as bad employers, but it also opened them up to increased scrutiny from the press, especially in the years during and after Watergate. And sex scandals garnered incredible media coverage. Given this tool, female staffers attacked the intertwined nature of work and sex on the Hill.<sup>18</sup> This scrutiny would not push Congress to change its workplace practices. Media attention did, however, get legislators to publicly admit that sex discrimination was a serious problem, both on and off the Hill.

Flipping the proposition "the personal is political" allows scholars to look at feminism, work, and politics in a whole new way. As scholars have observed, the divisions between private and public, political and nonpolitical, home and work are constructed and often transgressed.<sup>19</sup>

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<sup>18</sup> Yet their efforts were met with opposition from both legislators, who denied a culture of sexual harassment, and other female staffers, who did not want their work and positions sullied by association. This perhaps inevitable situation is, I suspect, part of why labor unions are generally so reluctant to pursue sexual harassment class action suits. Dorothy Sue Cobble, "More Intimate Unions," *Intimate Labors: Cultures, Technologies, and the Politics of Care*, ed. Eileen Boris and Rhacel Salazar Parreñas (Stanford, CA: Stanford University Press, 2010): 291.

<sup>19</sup> For an overview of separate spheres, see Linda Kerber, "Separate Spheres, Female Worlds, Woman's Place: The Rhetoric of Women's History," in *Toward an Intellectual History of Women*, 2<sup>nd</sup> ed. (Chapel Hill, NC: University of North Carolina Press, 1997): 159-99. For examinations of how women's traditional roles as wives, mothers, and caretakers have been used to activist ends, see Temma Kaplan, "Female Consciousness and Collective Action: The Case of Barcelona, 1910-1918," *Signs* 7:3 (Spring 1982): 545-66; Patricia Hill Collins, *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment*, 2<sup>nd</sup> ed. (New York: Routledge, 2000): 173-201;

Gendered patterns of behavior, social hierarchies, and beliefs about what is masculine and what is feminine move back and forth across these divides.<sup>20</sup> These lines are blurred most dramatically for what historian Dorothy Sue Cobble calls “intimate workers,” those who performed personal service work.<sup>21</sup> In many ways, government workers fall into this category. Legislators had unique autonomy over their offices and viewed their staffers as a second family, a personal support system necessary for good policymaking. Congressional staffers often performed intimate labor or simply had close personal relationships to the people who ran the most important policymaking institution in the country. Some wives worked as political aides or office managers for their husbands, strengthening these bonds between family and work.

The women’s movement forced everyone on the Hill to see both personal and work relationships in a new way. “Capitol Feminism” is a story about the small things that tens of dozens of men and women on the Hill did to advance the cause of feminism. Ultimately, most of the men and women who appear in this dissertation saw themselves as part of the congressional family. Legislators and staffers alike were proud of their positions within the federal government. They had friends and family working on the Hill. They were familiar with the ebb and flow of congressional work. This integration into Congress’ social and work worlds was a powerful political tool for feminists. Advocates for women’s rights could bring up sex discrimination during policy discussions or everyday conversations.<sup>22</sup> As men and women

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Dorothy Sue Cobble, *The Other Women’s Movement: Workplace Justice and Social Rights in Modern America* (Princeton, NJ: Princeton University Press, 2004): 3.

<sup>20</sup> Cynthia Cockburn points to this connection in her book *Machinery of Dominance*, elaborating further in Cynthia Cockburn, “On the Machinery of Dominance: Men, Women, and Technical Know-How,” *Women’s Studies Quarterly* 37:1-2 (Spring/Summer 2009): 269-73. Historian Catherine Rymph observes that much of campaign politics was domesticated in the 1950s and ‘60s. Female campaigners literally brought politics into their homes, through events like “Kitchen Kabinet” and “Operation Coffee Cup,” which rotated campaigning politicians and club meetings through the living rooms of partisan women. See Rymph, *Republican Women*: 137-41.

<sup>21</sup> Cobble, “More Intimate Unions,” *Intimate Labors*: 281.

<sup>22</sup> Political scientists have examined the role of female legislators in more forcibly bringing up and fighting for policies categorized as “women’s issues.” See Debra Dodson, *The Impact of Women in Congress* (Oxford University

renegotiated what home and work should look like, they changed congressional work patterns and inscribed their new understandings of women and family in legislation.

The local nature of this work helps to explain why feminism's policy successes both enabled and survived the rise of the New Right. Historians are just now rehabilitating the 1970s from its reputation as the "Me Decade."<sup>23</sup> To date, they have done so primarily by emphasizing the politicization and mobilization of conservatives at the grassroots.<sup>24</sup> Yet Congress was resistant to this movement. The Right's famous histrionics did not mesh with the legislature's historic emphasis on staid compromise. Perhaps more importantly, as conservatives regularly griped, feminists were inside of government, pushing the legislature to support women's rights.<sup>25</sup> The gap between Congress, which slowly changed some of its cultural, employment, and policymaking practices to suit feminists, and the growing, fiercely anti-feminist New Right widened through the decade and into the 1980s, even after the election of Ronald Reagan.

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Press, 2006); Janet A. Flammang, *Women's Political Voice: How Women Are Transforming the Practice and Study of Politics* (Temple University Press, 1997); Irwin Gertzog, *Congressional Women: Their Recruitment, Integration, and Behavior* (1995); Sue Tolleson Rinehart, *Gender Consciousness and Politics* (1992); Cindy Simon Rosenthal, ed., *Women Transforming Congress* (University of Oklahoma Press, 2002); Michelle Swers, *The Difference Women Make: The Policy Impact of Women in Congress* (University of Chicago Press, 2002); Karin Tamerius, "Sex, Gender, and Leadership in the Representation of Women," *Gender, Power, Leadership and Governance*, ed. Georgia Duerst-Lahti and Rita Mae Kelly (University of Michigan Press, 1995); Sue Thomas, *How Women Legislate* (1994); Christina Wolbrecht, *The Politics of Women's Rights: Parties, Positions, and Change* (Princeton University Press, 2000). My research extends this tendency to female staffers, though a certain number of male staffers were certainly supportive.

<sup>23</sup> Tom Wolfe coined the phrase in his article "The 'Me' Decade and the Third Great Awakening," *New York Magazine* (23 Aug 1976), available at <http://web.archive.org/web/20131127072351/http://nymag.com/news/features/45938/> (accessed 29 Jul 2014). For books challenging this characterization, see Bruce Schulman, *The Seventies: The Great Shift in American Culture, Society, and Politics* (Boston: De Capo Press, 2002); Edward Berkowitz, *Something Happened: A Political and Cultural Overview of the Seventies* (New York: Columbia University Press, 2007).

<sup>24</sup> Lisa McGirr, *Suburban Warriors: The Origins of the New Right in American Politics* (Princeton, NJ: Princeton University Press, 2002); Bruce J. Schulman and Julian E. Zelizer, eds., *Rightward Bound: Making America Conservative in the 1970s* (Cambridge, MA: Harvard University Press, 2008).

<sup>25</sup> Phyllis Schlafly's politics propagated associations between a large, intrusive federal bureaucracy and the Equal Rights Amendment, dubbing the ERA a "blank check" for government officials located in far-off Washington. Phyllis Schlafly, quoted in Rebecca Klatch, *Women of the New Right* (Philadelphia, PA: Temple University Press, 1987): 140.

The dissertation thus begins by describing the pre-movement work and policymaking culture on the Hill. Through much of the 1960s, the national legislature was reluctant to address women's issues, much less pass sweeping feminist legislation.<sup>26</sup> This reluctance was based in a congressional culture and set of employment practices that were heavily structured by traditional gender norms. But many women saw opportunities in the congressional workplace. Serving as office helpmeets to the nation's most powerful men, female staffers could end up running the offices of the greatest legislative body in the world. Meanwhile, congresswomen struggled to socially integrate into a Congress built for and run by their male counterparts. Though congresswomen were increasingly willing to propose bills ensuring women's rights, they did not possess the resources or the male allies to pursue a broader feminist agenda.<sup>27</sup>

As chapter two demonstrates, numerous women attempted to sensitize their male colleagues to feminism during the 1970s. Women acted in pragmatic ways within a culturally conservative workplace run almost solely by men and in which civil rights, equal pay, and workplace safety laws did not apply. Most women used the women's movement to enact small changes in their corner of the legislative workplace. Congresswomen and female staffers alike contested the aspects of congressional culture that they felt most prevented them from doing their jobs to the best of their abilities. All of these women worked to establish more equitable social and employment practices on the Hill. Most of these women did not trumpet their new gender consciousness. Only a few women – mostly younger legislators – saw open identification with feminism as beneficial to their careers within a changing but still fundamentally conservative

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<sup>26</sup> Instead, politicians dealt with women through family-oriented policy which assumed a male head of household. Alice Kessler-Harris does a wonderful job of exploring the contours of and reasons for policymakers' institutionalization of the normative definition of "family" as a heterosexual marital unit with a male breadwinner in her gender history of Social Security. See Alice Kessler-Harris, *In Pursuit of Equity: Women, Men, and the Quest for Economic Citizenship in Twentieth-Century America* (New York: Oxford University Press, 2003).

<sup>27</sup> This work was left to the Women's Bureau in the executive. For this history, see Georgia Duerst-Lahti, "The Government's Role in Building the Women's Movement," *Political Science Quarterly* 104:2 (Summer 1989): 249-68; Cynthia Harrison, *On Account of Sex*; Patricia G. Zelman, *Women, Work, and National Policy*.

Congress. The rest remained what political scientist Jo Freeman called “woodwork feminists,” supportive but not visibly affiliated with the women’s movement.<sup>28</sup>

Other women worked collectively, providing a more visible force for feminism on the Hill. Chapter three describes the formation of the Capitol Hill Women’s Political Caucus (CHWPC), a group that tried to improve working conditions in Congress for women. Most of its members participated anonymously; staffers were afraid that open affiliation with the Caucus would hamper their work or result in termination from their jobs. Unable to deploy a physical presence, the Caucus relied on amassing research demonstrating the scope of sex discrimination in the congressional workplace. This research began to gain traction during the latter half of the 1970s, when sex scandals and ensuing press coverage of Hill employment practices drove Congress to reevaluate its approach to female staff. While most male legislators were unwilling to lessen their control over their offices, the Caucus’ work did effectively illustrate to members that sex discrimination was a problem, both within and outside of the national legislature.

Chapter four argues that the formation of a feminist lobby was initially a local phenomenon. The 1970s was a time of cross-pollination between local chapters of feminist organizations and the congressional workplace. The wives, daughters, and aides of legislators formed small groups to read feminist literature, engage in consciousness-raising, and educate themselves about the inequities built into the law and federal programs. These women also joined local chapters of national feminist organizations, connecting themselves with the developing women’s movement. Although they actively supported women’s rights, many women avoided calling themselves feminists. Rather than discard the power that came with their close relationships to male legislators and staffers, women conformed to the socially

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<sup>28</sup> Freeman, *The Politics of Women’s Liberation*: 222. Other scholars have lifted this term for their own studies. See Costain, *Inviting Women’s Rebellion*: 39-40; Fishel and Pottker, *National Politics and Sex Discrimination in Education*: 2; Flanning, *Women’s Political Voice*: 222-23.

conservative congressional environment. Yet at the same time, this group saw itself as the local face of the women's liberation movement, providing representation for a national constituency of women. Even a feminist needed to go along to get along on the Hill.

In contrast with worker rights activism, feminist policymaking looked tame and fit perfectly into Congress' daily grind. Chapter five argues that female Hill workers were particularly interested in using their placement within Congress to support legislative remedies for sex discrimination. Often driven by their own experiences, a number of female staffers wrote drafts of, found sponsors for, and headed congressional lobbying to approve feminist bills that spanned educational, economic, and employment legislation. In this effort, they were assisted by congresswomen and a group of progressive male legislators and staffers. Advocates for women's rights built a research base and lobbying networks for feminist bills, leaning heavily on Congress's assumption that to be anti-woman in the 1970s was bad politics. As the decade wore on, feminist laws multiplied, and the research on the contours of sex discrimination piled up. Pushed by their female staffers and the growing feminist lobby, the national legislature slowly accepted sex discrimination as a real problem that demanded legislative remedies.

Chapter six covers the rise of abortion politics, which complicated advocacy for policies to establish women's rights. The presence of Hill feminists ensured that the women's legislative agenda would survive the rise of abortion politics. Most of Congress wanted nothing to do with the abortion issue, correctly afraid that there was no political middle ground to be found. Yet the abortion lobby's control over a number of pressure points on the Hill, including the House HEW Appropriations Subcommittee, ensured that anti-choice riders would proliferate. Many legislators felt uncomfortable voting for abortion riders, in no small part because they were deeply uncomfortable with the prospect of alienating half of the population. While feminist



staffers did not have the resources to counter the anti-choice movement, they could and did use Congress' ambivalence about the abortion issue as a tool to push the institution towards greater support for other less controversial bills for women's rights. While anti-choice amendments continued to pass, legislators trumpeted their commitment to policies like the Pregnancy Disability Act and the Equal Rights Amendment.

"Capitol Feminism" is the first attempt to write a history of feminist policymaking in the 1970s.<sup>29</sup> This history is indisputably important to women across the nation. These laws reshaped every facet of American life, from business to the educational system to hospital practices to foreign policy. Every woman in the country has benefitted in some way from the 1970s congressional embrace of anti-sex discrimination legislation. Yet until now, women's and gender historians have ignored national political institutions.<sup>30</sup> Scholars need to look at the Hill more closely. Congress' decision to pass bills to establish women's rights was not an inevitable side effect of the women's movement. An array of legislators and staffers worked hard to change how their workplace dealt with women locally and legislatively.

It is important to note that a number of these changes began in the 1960s.<sup>31</sup> "Capitol Feminism" only touches on the edges of work to integrate persons of color into congressional

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<sup>29</sup> Historian Suzanne Kahn recently lamented that no "comprehensive history of women's rights legislation in the 1970s" exists. Kahn provides an overview of 1970s legislative attempts to improve women's post-divorce retirement security. Suzanne Kahn, "Valuing Women's Work in the 1970s Home and the Boundaries of the Gendered Imagination," *Harvard Journal of Law & Gender* 36:1 (2013), available at [http://harvardjlg.com/wp-content/uploads/2013/02/KahnComment.Final\\_.2.15.13.pdf](http://harvardjlg.com/wp-content/uploads/2013/02/KahnComment.Final_.2.15.13.pdf) (accessed 20 Apr 2014).

<sup>30</sup> Accounts of the women's liberation movement include Sara Evans, *Born for Liberty* (New York: Free Press, 1997): 263-86; Flora Davis, *Moving the Mountain: The Women's Movement in America since 1960* (Springfield, IL: University of Illinois Press, 1999); Ruth Rosen, *The World Split Open*; Sara Evans, *Tidal Wave*. Even Anne Valk's otherwise excellent history of feminist politics in Washington, D.C. gives Capitol Hill only passing mention. Anne M. Valk, *Radical Sisters: Second-Wave Feminism and Black Liberation in Washington, D.C.* (Springfield, IL: University of Illinois Press, 2010).

<sup>31</sup> In this way, this dissertation bolsters the argument that activism did not stop in 1968, but continued on through the 1970s in different forms. Of course, the history of the feminist movement and its roots in the civil rights and anti-war movements speaks to this point. For the most famous origin story, see Sara Evans, *Personal Politics: The Roots of Women's Liberation in the Civil Rights Movement & the New Left* (New York: Vintage, 1980). Nevertheless, the notion that the 1970s was a period of declining activism is still prevalent in historical literature. For a variety of

work. But in the 1970s, feminist policymakers benefitted enormously from preceding desegregation on the Hill, the presence of progressive coalitions, and legislative victories. Advocates for female Hill workers recycled civil rights arguments, demanding greater integration into the congressional workplace. Feminist bills often copied the language of and were tacked onto updates of civil rights and labor laws. Advocates for these measures could also take advantage of preexisting legislative coalitions comprised of a rising number of progressive legislators, many of whom achieved new power within Congress after victories in the 1960s. And demands for women's rights seemed very tame indeed, arriving amidst the militancy of Black Power, the upheaval of the Delano grape strike, the growing anti-war movement, the riots lighting cities across the nation on fire.<sup>32</sup>

Historians have not examined the fact that feminism was successful in part because most of its proponents were not revolutionaries. Feminist scholars celebrate breaking the rules and defying authority.<sup>33</sup> This sympathy is especially prominent in scholarship on the modern women's movement, which has tended to view involvement in institutional politics as a co-optative and de-radicalizing experience.<sup>34</sup> Yet feminism's success is most often gauged by its legislative accomplishments. The women responsible for that legislative success understood that compromise was the only way to get things done. Indeed, the need for compromise demonstrated that Congress was having serious conversations – and disagreements – about bills to eradicate sex discrimination. Driven by women on the Hill, these conversations proliferated. By the end of

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perspectives and arguments against that challenge this assumption, see *Journal of Contemporary History* 43:4 (Oct 2008): 617-700.

<sup>32</sup> For an overview of the 1960s, see David Farber, *The Age of Great Dreams: America in the 1960s* (New York: Hill and Wang, 1994).

<sup>33</sup> Historian Laurel Thatcher Ulrich's assertion that "Well-behaved women seldom make history" has become a mantra that encapsulates and institutionalizes this affinity for rule-breakers. Ulrich herself actually takes the opposite tack, noting that historians should pay more attention to the lives of ordinary women. See Laurel Thatcher Ulrich, *Well-behaved Women Seldom Make History* (New York: Vintage, 2008): 223-29.

<sup>34</sup> The most explicit argument in favor of this approach to feminism and the movement is Echols, *Daring to Be Bad*.

the 1970s, feminist policymaking was part of Congress' daily grind. In order to achieve radical legislative results, advocates for women needed to be the very definition of non-radical.

For congressional wives, staffers, and legislators, feminism was a tool to be picked up and used when necessary, rather than an ideology consistently applied over time. Politicos could not use the same language or tactics of protest employed by activists outside of government. Not if they wanted to effectively promote feminist bills. For this reason, I have chosen to identify all individuals who consciously assisted women's issues on the Hill as feminists.<sup>35</sup> Congressional men and women described themselves as feminists, activists for women's rights, advocates for women's issues, and supporters of the women's movement, sometimes in the same conversation or letter. These advocates tailored their language to suit conservatives and liberals, Democrats and Republicans, those in the movement and those outside of it. They strategically elided the difference between advocating for the movement and advocating for women. Feminist legislators, staffers, and wives often seemed openly sympathetic to but not of the movement – the best position for policy advocacy.

In 1983, a group of feminist lobbyists, congressional staffers, and federal agency bureaucrats published *Women in Washington: Advocates for Public Policy*. The volume provided a number of first-hand accounts of pragmatic feminist policymaking, illustrating the ways in which advocates for women's rights worked within government. This work was not easy, even in the 1970s, when the women's movement loomed in the background. Washington was, after all, a place described by journalist Meg Greenfield as “a man's town” with a long history of laughing at bills to eradicate sex discrimination.<sup>36</sup> These facts structured the feminism of these women, as well as the ways in which they engaged in activism on behalf of women's rights. Irene Tinker,

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<sup>35</sup> For a history of the term “feminist,” see Estelle B. Freedman, *No Turning Back: The History of Feminism and the Future of Women* (New York: Ballantine, 2002): 3-6.

<sup>36</sup> Meg Greenfield, *Washington* (New York: Public Affairs, 2001): 114.

editor of the *Women in Washington* volume, ended her introduction by noting that “these problems of the inside women are mentioned only in passing. They deserve another book.”<sup>37</sup> I hope this dissertation is a good start.

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<sup>37</sup> Irene Tinker, *Women in Washington*: 11.

## Chapter 1

### “A Man’s Town”: Gender, Office Politics, and the Swinging Sixties on Capitol Hill

“Respect the institution of Congress – its history and heritage. It is easier to change that which is right, than undo a change that is wrong” – *Roll Call*, Jan 1979<sup>38</sup>

The 1960s congressional workplace was, as longtime *Washington Post* columnist and congressional reporter Meg Greenfield describes, a “man’s town,” a community run by and catering to men who had moved to the Capitol in order to represent their constituencies and run the federal legislature.<sup>39</sup> Proud of their positions in Congress, these legislators sought to uphold centuries of political and cultural traditions central to the nation’s history. These traditions were heavily gendered.<sup>40</sup> A multitude of spatial restrictions, discursive slights, and everyday difficulties signaled to women that they were not a natural element within congressional life.<sup>41</sup> In the 1970s, the coincident success of the women’s movement and congressional reformers would provide the tools necessary for feminist legislators and staffers to challenge these social norms

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<sup>38</sup> “Freshman Congressman’s Creed,” *Roll Call* 24:25 (25 Jan 1979): 4. I would like to thank Katherine A. Scott, Assistant Historian in the Senate Historical Office, for giving me access to the Senate Library with its full run of *Roll Call*. The Senate Historical Office also generously opened its file cabinets to me. Assistance and encouragement from Katherine and the Senate Historical Office have contributed enormously to this dissertation.

<sup>39</sup> Meg Greenfield, *Washington* (New York: Public Affairs, 2001): 114.

<sup>40</sup> The founders of the American Republic and the United States Congress were in many ways different from congresspersons of the 1960s and 1970s, but the assumption of whiteness, gentlemanliness, and leadership quality remained. For information on early American congressional culture, see Joanne Freeman, *Affairs of Honor: National Politics in the New Republic* (New Haven, CT: Yale University Press, 2002); Rachel Sheldon, *Washington Brotherhood: Politics, Social Life, and the Coming of the Civil War* (Chapel Hill, NC: The University of North Carolina Press, 2013). While this paper will focus primarily on the shifting gendered demarcations of the U.S. Congress during the 1970s, gender and race were and are intertwined and integrated into the norms, beliefs, routines, and self-definitions of the people who constituted the social fabric of the 1970s congressional work world. Historian E. Anthony Rotundo specifically identifies the U.S. Congress as a place where traditions founded in an all-male setting have persisted, “elaborate[ing] the masculine culture established in the 1800s.” See E. Anthony Rotundo, *American Manhood: Transformations in Masculinity from the Revolution to the Modern Era* (New York: Basic Books, 1994): 8. See also Shirin Rai, in the forward to the special issue on Ceremony and Ritual in Parliament in *The Journal of Legislative Studies* 16:3 (Sep 2010): 281; James March and Johan Olson, *Rediscovering Institutions: The Organizational Basis of Politics* (New York: Free Press, 1989): 56.

<sup>41</sup> Here, I draw on political scientist Jane Mansbridge’s understanding of discursive identity. While Mansbridge uses this term to describe activist communities, I believe that it is equally applicable to those who identify with an empowered community. Congress – via its legislators and staff – demands devotion from its employees. Many identified Congress as a kind of second home from the 1940s through the Reagan Revolution in the 1980s. See Jane Mansbridge, “Should Blacks Represent Blacks and Women Represent Women: A Contingent ‘Yes,’” *The Journal of Politics* 61:3 (Aug 1999): 628-57.

and gendered hierarchies. But through the 1960s, congressional tradition ensured that power would remain in the hands of long-serving legislators who were not particularly sympathetic to anything that could be categorized as feminist policymaking.

Politics was always personal on the Hill. Like many other workplaces, congressional offices consciously mimicked familial structures. But there were also major differences. Congress was not simply a social and work space – it was the seat of national politics. Members saw themselves as benevolent employers, overseers of a congressional community bound together by comity and love of country. Congress could only overcome partisan divisions by maintaining a stable, friendly work world, an especially important goal given the volatility of the 1960s political agenda. This emphasis on stability reinforced gendered and raced hierarchies on the Hill. Legislators placed men in policy-making positions, defined women's work as secretarial and relegated blacks to service work on the fringes of congressional life. Acceptance of these hierarchies translated into a reluctance to pursue policymaking to ensure women's rights.<sup>42</sup>

The 1960s has been depicted as a time of extreme friction and change in Congress, largely due to famous fights over civil rights, the War on Poverty, and the Vietnam War. Yet the

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<sup>42</sup> The histories of congressional reform, legislative culture, and feminist policy are integrally connected. These are connections that have been largely ignored in previous analyses of both congressional process and feminist policymaking. Political scientists have embedded analyses of the relationship between policymaking, congressional reform, and sociability in broader studies, without specifically examining how gender defined the boundaries of respectable politicking in the 1960s. Studies that address the importance of sociability on the Hill in the 1960s include Charles Clapp, *The Congressman: His Work as He Sees It* (Washington, D.C.: The Brookings Institution, 1963); Donald Tacheron and Morris K. Udall, *The Job of the Congressman: An Introduction to Service in the U.S. House of Representatives*, 2<sup>nd</sup> ed. (New York: Bobbs-Merrill Company, Inc., 1970); Daniel Rapoport, *Inside the House* (Chicago: Follett Publishing Company, 1975); Scholarly studies of congressional reform and procedure that incorporate some of these observations about sociability include Charles E. Lindblom, *The Policy-Making Process* (New York: Prentice-Hall, Inc., 1968); James L. Sundquist, *The Decline and Resurgence of Congress* (Washington, D.C.: The Brookings Institution, 1981); David W. Rohde, *Parties and Leaders in the Postreform House* (Chicago: University of Chicago Press, 1991); Leroy N. Rieselbach, *Congressional Politics: The Evolving Legislative System*, 2<sup>nd</sup> ed. (Boulder, CO: Westview Press, 1995); Julian Zelizer, *On Capitol Hill: The Struggle to Reform Congress and Its Consequences* (New York: Cambridge University Press, 2004).

politics of women's issues were treated in much the same way as previous decades.<sup>43</sup> Most legislators – often congresswomen as well as congressmen – approached the development and promotion of feminist policy reluctantly. Their reticence was pragmatic. The traditions that politicians worked so hard to uphold ensured that legislators saw women not as an important constituency, but as members of families headed by male breadwinners. Bills to eradicate sex discrimination were viewed as unnecessary and often humorous fringe issues. As Rep. Patsy Mink (D-HI) noted in 1979, newer members of the Hill women's movement “don't realize how difficult it was to get some of these issues even *raised* in the years before the women's movement became an identifiable entity.”<sup>44</sup>

#### Flocking to the Hill: Congressional Offices and Modernization

In 1962, Democrats coalesced to vote for Rep. John McCormack (D-MA) as Speaker of the House. Rep. Sam Rayburn's (D-TX) twenty-two year reign over the House was at an end. In the succeeding years, McCormack would prove himself less capable of controlling his troops, due in part to the changing demographics of his party. McCormack was faced with a liberalizing Democratic membership, as Southern Democrats were steadily replaced by Republicans and the number of non-southern Democrats, often younger liberals, increased. These liberals were empowered by expanding staffing resources, support that gave individual legislators more time

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<sup>43</sup> Feminist scholars have constructed excellent histories of the 1963 Equal Pay Act and Title VII of the 1964 Civil Rights Act, but do not examine the congressional climate in which this legislation was passed. The most important analysis of these policy histories is Cynthia Harrison, *On Account of Sex: The Politics of Women's Issues, 1945-1968* (Berkeley, CA: University of California Press, 1989). Most other feminist policy analyses focus on the 1970s and give only cursory attention to these initial measures. For slightly longer treatments of these two policies, see Georgia Durest-Lahti, “The Government's Role in Building the Women's Movement,” *Political Science Quarterly* 104:2 (Summer 1989): 249-68; Jo Freeman, *The Politics of Women's Liberation: A Case Study of an Emerging Social Movement and Its Relation to the Policy Process* (Lincoln, NE: Backinprint.com, 2000): 174-90; Anne E. Costain, *Inviting Women's Rebellion: A Political Process Interpretation of the Women's Movement* (Baltimore: The Johns Hopkins University Press, 1992): 36-40.

<sup>44</sup> Patsy Mink, quoted in Fern Ingersoll, “Congresswomen Look Back,” *Women in Washington: Advocates for Public Policy*, ed. Irene Tinker (Beverly Hills, CA: Sage Publications, 1983): 205.

to pursue legislative research and production.<sup>45</sup> Yet the office environment, especially within the more slow-growing personal offices of legislators, remained stolid: small, built on loyalty to members, and highly advantageous for women interested in devoting their lives to congressional bosses in exchange for substantial power on the Hill.

The 1946 Legislative Reorganization Act created the basis for massive demographic, procedural, and cultural change in the workplace of Congress. Often described as the “advent” of the “modern era on Capitol Hill,” the 1946 Act overhauled the rules and practices that made up the legislative work world, creating the grounds for a shift in the social life and political culture of the Hill.<sup>46</sup> Confronted with a growing workload and concerned about burgeoning executive power, the traditionally impassive institution began to increase its staffing.<sup>47</sup> There was a clear need for clerical staffers who could deal with the growing amount of constituency work, labor that comprised a substantial percentage of every office’s workload.<sup>48</sup> Though committee staffs would increase through the 1960s, they did so at a far slower rate than personal office staffs.<sup>49</sup>

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<sup>45</sup> Nelson Polsby, *How Congress Evolves: Social Bases of Institutional Change* (Oxford Scholarship Online, 2011): 78 (accessed 12 Feb 2014).

<sup>46</sup> The two best shorter summaries of the bill and its effects are George B. Galloway, “The Operation of the Legislative Reorganization Act of 1946,” *The American Political Science Review* 45:1 (Mar 1951): 41-68; Roger H. Davidson, “The Advent of the Modern Congress: The Legislative Reorganization Act of 1946,” *Legislative Studies Quarterly* 15:3 (Aug 1990): 357-73. Galloway was the staff director for the La Follette-Monroney Joint Committee responsible for drafting the legislation.

<sup>47</sup> Harrison W. Fox, Jr. and Susan Webb Hammond, *Congressional Staffs: The Invisible Force in American Lawmaking* (New York: The Free Press, 1977): 3, 14. Prior to the 1946 Act’s enactment, the House and Senate committees altogether employed a mere 356 clerks, most of whom had obtained their positions through patronage networks and whose jobs entailed administrative and typing duties. See Ibid: 368. By 1950, clerk-hire in the House had nearly doubled and would double again by 1970. House members’ clerk-hire numbers grew from 1,396 in 1946 to 2,441 in 1957, jumping again to 3,071 by the beginning of the 1960s and continuing to rise to 4,301 by the end of the decade. See Table IV-1, Susan Webb Hammond, “Personal Staffs of Members of the U.S. House of Representatives” (Baltimore: The Johns Hopkins University Diss., 1973): 78. Senate staff increased at a similar rate through the 1960s, as the chamber attempted to remain in step with its liberalizing legislative partner. Fox and Hammond, *Congressional Staffs*: 24-26.

<sup>48</sup> Rieselbach, *Congressional Politics*: 404; J.R. Johannes, *To Serve the People: Congress and Constituency Service* (Lincoln, NE: University of Nebraska Press, 1984): 62-63. Recognizing its office flow problems, the Senate specifically passed a separate bill allowing senators to hire one administrative assistant (AA) each, in order to enhance constituency services. Senators responded eagerly to this provision. Policymaking experts moved onto the Hill more slowly. See Ibid: 41.

<sup>49</sup> Rieselbach, *Congressional Politics*: fig. 4.1, 96.



Without a simultaneous reform of the committee system, conservative Democrats retained control over full committees.<sup>50</sup> Understandably, these members were reluctant to devolve power to a younger, professionalized band of staffers or make increased staffing assistance available to their junior colleagues.<sup>51</sup>

These Hill jobs were considered highly desirable. Coming from as far as Hawaii, Montana and Texas, men and women flocked to Capitol Hill in enormous numbers, in search of careers within the national legislature in the years following World War II. Almost four hundred people applied for jobs on the Hill in 1960. Explaining the trend, one reporter argued that “[j]obs on the Hill are among the most attractive in Washington. They offer more excitement than the huge and colorless agencies ‘downtown.’ More important, they pay better.”<sup>52</sup> And as the seat of national government, the District was exciting. Former page Donald Anderson remembers walking across Capitol grounds for the first time as “a thrilling experience.”<sup>53</sup> Capitol policeman Leonard Ballard asserted that he would “never get over” seeing the Capitol building at night.<sup>54</sup> Staffers believed deeply that congressional work was not simply typing or filing – this was work integral to the proper functioning of the nation.

Capitol Hill work may have allowed men to broaden their worlds, but it allowed women to both broaden their worlds and to postpone marriage. The ability to travel and experience a

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<sup>50</sup> Liberal Democrats did succeed in depriving two Dixiecrat legislators of their seniority after they supported Barry Goldwater in the 1964 presidential election.

<sup>51</sup> Roger H. Davidson, “The Advent of the Modern Congress: The Legislative Reorganization Act of 1946,” *Legislative Studies Quarterly* 15:3 (Aug 1990): 357-73. The handful of “supposedly temporary” subcommittee staffers only became permanent by the end of the 1950s, and these “semipermanent slots” remained “under the *de facto* control of the chairman.” See Michael J. Malbin, “Congressional Committee Staffs: Who’s in Charge Here?” *The Public Interest* 47 (1977): 20.

<sup>52</sup> Tom Wicker, Special to The New York Times.. “Many Seek Jobs on Capitol Hill: Congress Staff Work Pays Well and Attracts Young and Experienced Alike,” *New York Times* (27 Nov 1960): <http://www.proquest.com/> (accessed October 25, 2010).

<sup>53</sup> “Donald K Anderson Home,” Office of History and Preservation, Office of the Clerk, U.S. House of Representatives. <http://oralhistory.clerk.house.gov/interviewee.html?name=anderson-donn> (accessed 10 Oct 2010): 5.

<sup>54</sup> “Leonard H. Ballard, Inspector, United States Capitol Police, 1947-1984,” Oral History Interviews, Senate Historical Office, Washington, D.C.: 260.

new place of residence was in and of itself a treat. As Rep. Philip Burton (D-CA) staffer Judith Nies pointed out in her 2008 autobiography, “travel . . . was a privilege largely enjoyed by men.”<sup>55</sup> Ruth Watt, the former chief clerk for the Senate Subcommittee on Investigations, related that “I was engaged to be married and I wasn’t quite sure that I wanted to go back to Maine for the rest of my life, and I couldn’t think of an out. . . . So I jumped at the chance [to work in Congress].”<sup>56</sup> And once in D.C., women’s options expanded further. Adequate congressional wages and the availability of affordable housing combined to sustain a sizeable single women’s community in Washington, D.C.<sup>57</sup>

Jobs available to women were largely concentrated in the secretarial category at the beginning of the 1960s. Indeed, secretaries comprised the majority of Hill staffers. As one former secretary noted, “My Congressman’s predecessor had two girls on his office staff when he first came to Congress – no [chief of staff]. He supervised the office himself, and gave whatever had to be done to the girls. He also might end up typing something himself.”<sup>58</sup> But by the mid-1960s, congresspersons were finding it increasingly difficult to handle their work with such limited staff.<sup>59</sup> One member claimed that after he had acquired “a good staff that seems to function,” his constituency work dropped from “105%” of his time to ten percent.<sup>60</sup> Having

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<sup>55</sup> Judith Nies, *The Girl I Left Behind: A Narrative History of the Sixties* (New York: Harper, 2008): 40.

<sup>56</sup> “Ruth Young Watt, Chief Clerk, Permanent Subcommittee on Investigations, 1948-1979,” Oral History Interviews, Senate Historical Office, Washington, D.C.: 10.

<sup>57</sup> The *Roll Call* advertisements section frequently contained requests for single female housemates, and many Hill women roomed with one another in neighborhoods close to their workplace.

<sup>58</sup> Quoted in Susan Webb Hammond, “Personal Staffs of Members of the U.S. House of Representatives”: 16. Given the small sums allocated to congresspersons for their staffs as well as their high likelihood of obtaining reelection, some legislators initially declined to expand their staffs, preferring a hands-on approach that gave them complete control over the administrative and legislative functions of their office. See Fox and Hammond, *Congressional Staffs*: 24-25, 41; Foerstel and Foerstel, *Climbing the Hill*: 146.

<sup>59</sup> For information on the quantity and of constituency work, see Warren Butler, “Administering Congress: The Role of the Staff,” *Public Administration Review* 26:1 (Mar 1966): 5-7; Charles Clapp, *The Congressman*: 51-54

<sup>60</sup> Indeed, it seems clear that the increased focus on legislative production following World War II was predicated on handing many of these constituency caretaking roles off to women in the office. See Lorraine Petty, “Job Hunters, Givers Try for Togetherness,” *Roll Call* 12:22 (24 Nov 1966): 1, 8. For the quotation in the main text, see Charles Clapp, *The Congressman*: 54.

failed to hire a caseworker, one office simply did not answer its mail, instead bringing it into the House Employment Office to ask about “what they should do with it.” Other offices could not access stationary, stamp, and telephone privileges until they hired knowledgeable secretaries who knew where to find and how to fill out congressional request forms.<sup>61</sup>

Congresspersons assumed that men who held professional degrees in law or political science would hold the newer policy-oriented positions. Congress began to offer wages competitive with private businesses and law firms, in order to lure these men away from potentially lucrative careers outside government.<sup>62</sup> Former lawyers and newsmen constituted the bulk of male staffers by the mid-sixties.<sup>63</sup> Some women did possess the outstanding academic pedigrees necessary to gain legislative research and policy-writing jobs in Congress.<sup>64</sup> But as Carol Mayer Marshall recalled of her early 1960s Hill job search, “I knew that as a woman the only way I could get a job up there [on the Hill] was if I took shorthand.”<sup>65</sup> Slightly over eighty

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<sup>61</sup> Lorraine Petty, “Job Hunters, Givers Try for Togetherness,” *Roll Call* 12:22 (24 Nov 1966): 1, 8.

<sup>62</sup> Spencer Rich, “Slowly Women Are Climbing to New Heights on the Hill,” *Washington Post* (4 Mar 1973): in the Staff Members Subfolder, Women in the Senate Folder, Senate Historical Office Files, Senate Historical Office, Washington, D.C.

<sup>63</sup> “Attorneys, Newsmen Grab Key Hill Jobs,” *Roll Call* 12:46 (25 May 1967): 1. This trend held true through the early 1970s. See “What’s Average AA Like?” *Roll Call* 17:2 (24 Jun 1971): 1. For a good description of these new staffers, see also, Larry King, “Washington’s Second Banana Politicians,” *Harper’s* 230:1376 (Jan 1965): 41-47, <http://pao.chadwyck.com> (accessed 28 May 2013).

<sup>64</sup> I’ve found a few of these resumes scattered in the papers of former congresspersons. Mary Jane Cecchi, Vassar College and University of Chicago Law graduate, was one such woman. Before attending Vassar, Cecchi gained certificates in typing and shorthand from the Gardiner School of Business. After graduating from Vassar in 1967, Cecchi simultaneously worked on a graduate degree in American literature from Georgetown and a law degree from Chicago, eventually moving to full-time legal work, which she completed in 1970. While working on her law degree, Cecchi worked in a variety of secretarial and research capacities for her local senator, Joseph Tydings (D-MD). See Mary Jane Cecchi’s resume in “Employment – Work” Folder, Box 176, William Fitts Ryan Papers, Seeley Mudd Manuscript Library, Princeton University, Princeton, NJ.

<sup>65</sup> Carol Mayer Marshall, oral history interview transcript (Menlo Park, CA, 17 Nov 2003): 7 in “Carol Mayer Marshall, Nov. 17, 2003” Folder, “A Few Good Women” Oral History Project Files, Eberly Family Special Collections Library, Pennsylvania State University, University Park, PA, hereafter referred to as the “A Few Good Women” Oral History Project Files. One woman who advertised her clerical services in a 1961 issue of *Roll Call* noted that she was an “[a]ttractive, mature young woman experienced in private enterprise and the government,” adding that she had both a Bachelor’s and Master’s degree from Columbia University. “Position Wanted” advertisement in *Roll Call* 7:6 (26 Jul 1961): 7. Another had tried to get work in public relations after college, but was turned down because of her sex and moved into the Hill secretarial corps. “Hill Pin-up,” *Roll Call* 10:42 (22 Apr 1965): 5.

percent of staffers earning less than \$10,000 were women by the early 1970s. These women kept Congress running on a day-to-day basis.<sup>66</sup>

A failure to standardize the relationship between staffers' job titles and their duties obscured the fact that job titles and salaries were primarily defined by gender. Every office maintained its own practices regarding job titles and job responsibilities. In 1965, Congress contained twenty-six kinds of secretary and eighteen assistant types, and some titles like "Executive Secretary-Administrative Assistant" bridged the gap between these categories. Other employees had no title outside of "Aide" or the even less well-defined "In Charge."<sup>67</sup> Former Rep. Mo Udall (D-AZ) observed in 1970 that congresspersons generally employed one top assistant who was well-acquainted with the district, one legislative matters person, one good writer, and one caseworker, though labels might vary across offices.<sup>68</sup> Secretaries often performed many of these tasks, but did not receive the status or salary of workers with a formal "aide" label.<sup>69</sup>

Job labeling was a Catch-22 for Hill women. Most occupied secretarial roles and wanted their colleagues to respect their labor. As Tillie Fowler recalled of her time as one of the few female legislative aides (LA) on the Hill, "[t]here were no openings, and very few women in

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<sup>66</sup> Susan Webb Hammond, "Personal Staffs of Members of the U.S. House of Representatives": 186.

<sup>67</sup> Tacheron and Udall, *The Job of the Congressman*: 44-45. See also Tillie Fowler's observations in Foerstel and Foerstel, *Climbing the Hill*: 150-51.

<sup>68</sup> Ibid. Congresspersons generally hired women as caseworkers, because they performed personal relations work with constituents. This work was acknowledged to be the heart of congressional labor. Jane Hart, Sen. Philip Hart's (D-NY) wife, recalled staffers' beliefs that approximately seventy percent of congressional office work was casework. See "Jane Hart: Interview Transcript" (1981): 28 "Jane Hart: Interview Transcript, 1981" Folder, Box 3, Jane Briggs Hart Papers, Bentley Historical Library, University of Michigan, Ann Arbor, MI. See also Rapoport, *Inside the House*: 87-88.

<sup>69</sup> This fact made documenting sexist hiring and work practices on the Hill very difficult for women in the 1970s. For instance, Federally Employed Women (FEW) generally disaggregated positions into five categories: professional, administrative, technical, clerical, and blue collar. This was not a set of groupings that worked for Hill workers, who were frequently asked to do multiple jobs, regardless of their status as secretary, aide, or press secretary. For a FEW report on female labor segregation, see Federally Employed Women, "The Advancement of Women in the Federal Government: A Progress Report" (FEW, 1987).

really professional positions.”<sup>70</sup> However, some of these clerical women also insisted that they performed work that overlapped with and was similar to male office work. *Roll Call* noted that “female staffers . . . claim they do all the work while male AA’s hog the credit.”<sup>71</sup> As one woman asserted, “[i]n our office, the men just ‘supervise’ and we [the women] do all the typing, filing, dealing with constituents and working on cases. . . . We do all the thinking, too.”<sup>72</sup> Women in Congress were caught between celebrating the secretary as integral to congressional offices and insisting that they did work beyond that of the “average secretary.” Yet many women saw the power in their positions. As secretary Sharon Yard averred, “Every congressional office is like a separate corporation. Capitol Hill gives women a chance to become an executive.”<sup>73</sup>

Some women actively resisted strict differentiations between the various job labels, noting that the responsibilities associated with these titles were actually often quite similar. Besides, all staffers were supposed to follow marching orders from their employers. As Nina Sullivan asserted, “[i]f we are looking for prestige, we should run for Congress ourselves. If we do a good job for our bosses, the title should be immaterial.” This was certainly an opinion shared by congresspersons and staffers alike.<sup>74</sup> Yet Sullivan’s letter seemed to undermine her point. *Roll Call* joked that she was “undoubtedly the first Congressional secretary to voluntarily identify herself as ‘Clerk.’”<sup>75</sup> Labels did matter, and the wall between male aides with professional degrees and prominent policy-oriented positions and female secretaries with support

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<sup>70</sup> Tillie Fowler, quoted in Foerstel and Foerstel, *Climbing the Hill*: 150.

<sup>71</sup> “Seems Like There’s No Equality for Distaffers,” *Roll Call* 8:42 (24 Apr 1963): 8.

<sup>72</sup> Quoted in Oscar Johnson, “Liberty, Equality and Sorority,” *Roll Call* 8:7 (1 Aug 1962): 7

<sup>73</sup> Philip Warden, “Women Keep Capitol Hill Working for Congress,” *Chicago Tribune* (3 Aug 1970): <http://www.proquest.com/> (accessed October 27, 2010).

<sup>74</sup> Former staffer Donna Brazile would note of staffers’ roles that “It’s difficult to be a staff person in a system designed for members. In this form of democracy, the member has the absolute authority and power. The role of the staff member is to enhance that member’s position and effectiveness.” Donna Brazile, quoted in Foerstel and Foerstel, *Climbing the Hill*: 154.

<sup>75</sup> Nina Sullivan, “Letter to the Editor: A Clerk Is a Clerk Is a Clerk,” *Roll Call* 8:6 (25 Jul 1962): 8.

roles only seemed to grow over time, as congressional staffing expanded and these gendered differentiations became clearer.

The small staffs of the 1960s did create opportunities for women who were comfortable taking on extra duties without assuming titles that reflected the scope of their work. Carol Mayer Marshall's career trajectory is an illuminative example how women worked their way into policymaking positions on congressional staffs.<sup>76</sup> Marshall's first Hill job was as a secretary in Rep. Dick Schweiker's (R-PA) office. But she took advantage of the small staff accorded to Schweiker and began, in addition to her daily clerical duties, to "do his legislative work and to brief the bills as they were coming up on the House floor." This unpaid extra labor impressed Schweiker, who told his colleagues about Marshall's legislative assistance and helped her "gain a little bit of a name for myself."<sup>77</sup> She then rolled this reputation over into new positions on the Hill. Marshall's experience makes the meaning of these sex-based job categorizations abundantly clear, but also demonstrates the flexibility and opportunities present in the congressional workplace.

#### "Little Fiefdoms": Public Trust, Private Control, and Congresspersons as Employers

As Marshall's story demonstrates, the reputations and power that staffers had in Congress were integrally tied to the reputations and power of their employers. Congress' guiding principle of "public trust" emphasized members' principle responsibility to their constituencies and to the American public. In order to execute constituency demands efficiently, legislators required

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<sup>76</sup> It is difficult to document women who worked their way into policymaking positions. One other example I have found is Jane Swanson, who worked as a legislative clerk in Sen. George McGovern's (D-SD) office. The position of "legislative clerk" was likely the same thing as "assistant legislative assistant" in practice. Swanson actually seems to have begun Hill work as a patronage employee with Post Office and as an elevator operator. She was eventually promoted to LA, and her work focused on women, families, and child care. See George McGovern to "Mr. Wannall" (30 Sep 1975)

<sup>77</sup> Carol Mayer Marshall, oral history interview transcript (Menlo Park, CA, 17 Nov 2003): 8 in "Carol Mayer Marshall, Nov. 17, 2003" Folder, "A Few Good Women" Oral History Project Files.

absolute devotion from their staffers. The 1960s saw the passage of landmark workplace safety and anti-discrimination laws, yet neither the House nor the Senate considered applying these new safeguards to congressional offices. Members of Congress believed that the national legislature was special, bound together by a common mission to pass policy for all Americans. This status as a tightly-knit, loving community personalized the relationships between employers and employees. Instead of seeing themselves as managers of a growing professional staff system, legislators viewed themselves as servants of the public, assisted by aides who were practically family.

A series of scandals pushed legislators to define public trust. In 1962, the Bobby Baker scandal broke. Baker was the Senate's Democratic Party secretary, having risen on the coattails of Lyndon Baines Johnson from page to become one of the more powerful staffers in Congress.<sup>78</sup> Details about Baker's central role in influence-buying emerged, and widespread outcry over the common "conflicts of interest" between the public and private roles of congresspersons ensued.<sup>79</sup> As other scandals emerged, *Washington Post* journalist Laurence Stern noted, Congress was "on

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<sup>78</sup> The relationship between Johnson and Baker was mutually beneficial and persisted over the course of nearly two decades. Baker initially moved from page to Assistant in the Democratic Cloakroom, a title specifically designed to allow Baker to spend his days gathering information for Johnson. From there, Bobby Baker climbed to a position as Secretary of the Senate Felton "Skeeter" Johnston's assistant. When LBJ was elected Vice President, he made sure that Baker would retain his position as Secretary for the Majority under new Majority Leader Sen. Mike Mansfield. For an extensive treatment of the relationship between Baker and LBJ, see Robert A. Caro, *Master of the Senate: The Years of Lyndon Johnson*, reprint (Vintage, 2003): 392-94, 408-09, 513, 1036-37.

<sup>79</sup> Willard Edwards, "How Bird Dogs Get Your News: Reporter Details Work-Week on Capitol Hill," *Chicago Tribune* (27 Oct 1963): 4. A simple ProQuest search for the year 1963 yields 156 articles. For good examples, see Laurence Stern, "Bobby Baker Mirrors the Senate He 'Ran,'" *Washington Post* (13 Oct 1963): E1; "Senate Unit to Hear of Party Girl's Affairs," *Chicago Tribune* (28 Oct 1963): B9 (accessed 8 Oct 2012); "The Nation: Investigation – Senators Study Case of Baker," *Los Angeles Times* (3 Nov 1963): L4; Laurence Stern, "Congress on Trial: To an Already Cynical Public, the Baker Case Recalls the Old Question: Quis Custodiet Ipsos Custodes?" *Washington Post* (17 Nov 1963): E1 (accessed 8 Oct 2012); "Baker Inquiry Seen as Aid to Disclosure Bill," *Washington Post* (18 Nov 1963): A5; "The Pressure of Opportunity," *Wall Street Journal* (17 Dec 1963): 20. Baker was to serve sixteen months in federal prison, emerging to write the autobiography *Wheeling and Dealing*, which detailed his various relationships with congresspersons. See Robert Baker and Larry King, *Wheeling and Dealing: Confessions of a Capitol Hill Operator* (New York: W. W. Norton, 1978).

public trial.”<sup>80</sup> Both the House and Senate played defense, formally establishing public trust as “the ideal concept of public office” in which a legislator was empowered to work “only for [the constituency’s] benefit and never for the benefit of himself or a few.”<sup>81</sup> These resolutions changed nothing about how power was acquired and wielded in Congress. Power was the basis of effective legislating, and effective legislating remained the very definition of working for one’s constituency.

The ideology of public trust contained an implicit message that staffer loyalty was essential to the successful functioning of congressional offices. Staffers worked as extensions of their individual employers, whose positions as representatives of their constituencies legitimated their unilateral control over the workplace. An emphasis on the autonomy of individual congresspersons and their ultimate responsibility to their constituents deprived congressional

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<sup>80</sup> Laurence Stern, “Congress on Trial: To an Already Cynical Public, the Baker Case Recalls the Old Question: Quis Custodiet Ipsos Custodes?” *Washington Post* (17 Nov 1963): E1 (accessed 8 Oct 2012). The Senate launched an investigation into the Baker scandal and almost immediately was caught up in a second scandal, when information about Sen. Thomas Dodd’s (D-CT) habit of appropriating campaign funds for personal use surfaced. The Senate did vote to censure Dodd for activities “contrary to accepted morals.” See Willard Edwards, “Congress and the Question of Ethics,” *Chicago Tribune* (6 Aug 1967): H24 (accessed 24 Apr 2013). There was far greater consternation over requiring that members disclose financial information. Minority Leader The Senate Rules Committee did consider a financial disclosure law, but it garnered opposition from most senators. See Laurence Stern, “Disclose Plan Draws Senate Fire: Proponents Claim Congress Prestige Has Hit ‘New Low,’” *Washington Post* (20 Nov 1963): A1; Russell Freeburg, “Sift Income of Senate’s Democratic Employees,” *Chicago Tribune* (20 Nov 1963): 11 (accessed 8 Oct 2012); Jerry Landauer, “The Bobby Baker Affair: Despite Its Lessons, Congress Scuttles Meaningful Reforms,” *Wall Street Journal* (6 Aug 1964): 10 (accessed 8 Oct 2012); 10; Cabell Phillips, “Rules Panel Softens Code on Finances of Senators,” *New York Times* (30 Jun 1964): 1 (accessed 8 Oct 2012). The House followed suit, as a method of evicting “congressional irritant” Rep. Adam Clayton Powell (D-NY) for similar offenses. For information on Powell’s censure, see James F. Clarity, “Celler Will Ask Seating and Censure of Powell,” *New York Times* (15 Apr 1967): 29 (accessed 24 Apr 2013). For a broader investigation of the systematic targeting of black elected officials by white politicians during the 1960s, see George Derek Musgrove, *Rumor, Repression, and Racial Politics: How the Harassment of Black Elected Officials Shaped Post-Civil Rights America* (Atlanta: University of Georgia Press, 2012). For information on Powell, see pages 27-41. For a biography of Adam Clayton Powell, see Charles V. Hamilton, *Adam Clayton Powell, Jr.: The Political Biography of an American Dilemma* (Rowman & Littlefield Publishers, 2001). Hamilton coined the phrase “congressional irritant” as a description of Powell’s approach to Congress.

<sup>81</sup> S. Res. 266, 90<sup>th</sup> Congress, 2<sup>nd</sup> Session, Folder 8, Box 101, Patsy Mink Papers, Manuscript Division, Library of Congress, Washington, D.C. Hereafter referred to as PMP Papers.



staffers of rights.<sup>82</sup> This assumption allowed House and Senate members to systematically exempt themselves from workplace safety, civil rights, and equal employment legislation, leaving individual offices as – as employees phrased it – “little fiefdoms.”<sup>83</sup> Cloaked in the language of public trust was a requirement that congressional staff be absolutely trustworthy and obedient, in order to best serve their legislators – and thus the public at large.<sup>84</sup>

This logic was especially useful in thwarting collective labor activism. Through the 1960s, a poorly paid and mostly black population of restaurant employees fought to unionize and pressure legislators to apply workplace safety and civil rights legislation to Congress. Faced with unionization, legislators emphasized the need for the government to stay in operation – without strikes – for the good of the country. Other employers used similar logic but lacked the compelling importance of national policymaking; even as Congress stifled local activism, legislators passed an increasing number of bills protecting workers and unions.<sup>85</sup> Actually, demands for rights and higher pay surprised many congresspersons.<sup>86</sup> They viewed the work of these men and women as public service, paid in part through the pride of working for the nation’s foremost legislative body. Much like staffing, restaurant and janitorial work was

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<sup>82</sup> A good overview of the financially-oriented tenor of the House Select Committee on Standards of Official Conduct is contained in Democratic Study Group, “Democratic Study Group Fact Sheet 19 – Ethics” (29 Mar 1968) in Folder 8, Box 101, PMP Papers.

<sup>83</sup> Florence Graves, “The Congressional Double Standard,” *Common Cause* (Oct 1980) in the Government Employment Folder, Box 11, Ms. Magazine Papers, Sophia Smith Collection, Smith College, Northampton, MA. Hereafter referred to as Ms. Magazine Papers. The persistence of this language is striking, as Carmen Delgado Votaw referred to congressional offices as “fiefdoms” during an oral history interview. Phone interview with Carmen Delgado Votaw (4 Apr 2011).

<sup>84</sup> Sen. Ernest Holling, in Judith Nies McFadden, “Women’s Lib on Capitol Hill,” *The Progressive* (Dec 1970): 22-25 in the Politics – Congress Folder, Box 25, Ms. Magazine Papers. “Public trust” was a well-worn phrase used by politicians and journalists alike to describe the perceived mandate of congresspersons. This language backfired in the scandal-ridden late 1970s, ridiculed prominently in books like Marion Clark’s and Rudy Maxa’s *Public Trust, Private Lust: Sex, Power, and Corruption on Capitol Hill* (William Morrow and Company, 1977), which used the Liz Ray scandal of 1976 as a jumping-off point for a broader critique of sexual intrigue as a cultural norm on the Hill.

<sup>85</sup> Michael Wallace, Beth A. Rubin, and Brian T. Smith, “American Labor Law: Its Impact on Working Class Militancy, 1901-1980,” *Social Science History* 12:1 (Spring 1988): 25, n. 8.

<sup>86</sup> Solveig Eggerz, “Restaurant Workers Get Attention of the Congress,” *Roll Call* 15:3 (10 Jul 1969): 1, 3.

characterized as both a privilege and a responsibility for the worker. This characterization partially obscured legislators' role as employers, while allowing the intangible prestige of congressional labor to stand in for fair pay.<sup>87</sup>

Many office staffers freely gave the loyalty that congresspersons demanded of them. Dorothy Fosdick, aide to Sen. Henry "Scoop" Jackson (D-WA) for twenty-eight years, ran Jackson's office and worked behind the scenes to draft legislation and speeches for the senator. Similarly, Dorthye Scott devoted decades to three different secretaries of the Senate.<sup>88</sup> Nancy Olson worked first for Sen. Harold Hughes (D-IA) and then Sen. Harrison Williams (D-NJ), serving through the 1960s and 1970s.<sup>89</sup> All three wrote books glorifying their employers and the Senate at large.<sup>90</sup> While perhaps extreme examples of office wives, these women were representative of a secretarial helpmeet culture that emphasized lifetime devotion. Almost always female, executive secretaries existed in over a quarter of senatorial offices, had long tenures, and were highly paid.<sup>91</sup> Some male aides also spent decades working for Congress.<sup>92</sup> A culture of devotion to the congressional workplace spanned gender and job hierarchies.

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<sup>87</sup> "Success Is Claimed by 'Food Power' Bloc," *Roll Call* 14:11 (29 Aug 1968): 6.

<sup>88</sup> These men were Felton "Skeeter" Johnson, Emery Frazier, and Frank Valeo. See the preface to Dorthye Scott's oral history, "Dorthye G. Scott, Administrative Assistant to the Senate Democratic Secretary and to the Secretary of the Senate (1945-1977)," Oral History Interviews, Senate Historical Office, Washington, D.C.

<sup>89</sup> Nancy Olson, *With a Lot of Help from Our Friends: The Politics of Alcoholism* (New York: Writers Club Press, 2003): xxiv.

<sup>90</sup> Ibid; Dorothy Fosdick, ed., *Staying the Course: Henry M. Jackson and National Security* (Seattle: University of Washington Press, 1987); Dorothy Fosdick, ed., *Henry M. Jackson and World Affairs: Selected Speeches, 1953-1983* (Seattle: University of Washington Press, 1990); Dorthye Scott, *When the Senate Halls Were Hallowed* (Los Angeles, CA: Carillon Press, 2000).

<sup>91</sup> Statistical representation of this trend is documented in a study by the Capitol Hill Women's Political Caucus (CHWPC) in the 1970s, which analyzed the concentration of highly paid women in executive secretary positions throughout the House and Senate. See *Sexists in the Senate? A Study of Differences in Salary by Sex Among Employees of the U.S. Senate* (Washington, D.C.: Capitol Hill Women's Political Caucus, May 1975): 20. For information on both the House and Senate, see *The Last Plantation?: How Women Fare on Capitol Hill* (Washington, D.C.: Capitol Hill Women's Political Caucus, Sep 1980).

<sup>92</sup> For a good example, see "Joe Bartlett Home," Office of History and Preservation, Office of the Clerk, U.S. House of Representatives. <http://oralhistory.clerk.house.gov/interviewee.html?name=bartlett-joe> (accessed 10 Oct 2010). Similar stories appear in other House and Senate Oral History Office interviews, revealing astonishing career longevity.

Though legislators regarded both male and female staffers as extensions of themselves, men and women engaged in different kinds of legislative work, mimicking familial gender roles. Low-level male aides strove to master the policymaking process and make political friends in high places in preparation for the pursuit of electoral or administrative careers of their own later in life.<sup>93</sup> Men who made congressional work their career were placed in policymaking positions and given breadwinner salaries, since it was assumed that they would marry and support a family. Meanwhile, women aides – particularly those who attained a great deal of responsibility, influence, and higher salaries – tended to be older, unmarried, and absolutely devoted to their bosses.<sup>94</sup> As Ruth Watt asserted, “I was more or less a liaison, or a housekeeper, let’s put it that way. I kept away from the political and the controversial, there was no point to it, my job was not to ask the reason why.”<sup>95</sup>

Women’s caretaking function reflected the fluid boundaries between politics and personal life for Hill employees. Secretaries attended campaign events in D.C. and their employers’ home district. They also worked “as stand-ins for their boss’ wives” at dinners and other events.<sup>96</sup> Familial duties could extend even further. Ann Bolton, secretary to Rep. Edward Derwinski (R-

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<sup>93</sup> The most obvious and famous example of this trajectory is Lyndon Baines Johnson, who came to Congress in 1931 to work as an AA for Richard Kleberg, a job that primed him for his later domination of the Senate. Male staffers used the LBJ trajectory as a model in later years. See Kenneth Schlossberg, “The Ablest Men in Congress,” *The Washingtonian Magazine* (Aug 1968): 61-63, 72-75.

<sup>94</sup> For good examples, see the Dorothy Fosdick’s papers, Fosdick Family Papers, Sophia Smith Collection, Smith College, Northampton, MA, hereafter referred to as DF Papers. See also Dorthye Scott and Ruth Watt interviews in the Senate Oral History Interviews, Senate Oral History Office, Washington, D.C. All three of these women devoted decades to specific congressmen or committees, eventually achieving both high salaries and enormous power and prestige within Congress. One woman who had worked for Sen. Fulbright for seventeen years was devastated when he lost re-election and refused to work for his successor. See Theresa Terrell-Smith, “Theme for ’74: Brother Can You Spare a Job?” *Roll Call* 20:20 (21 Nov 1974): 1, 5. For a statistical analysis of these trends, see the Capitol Hill Women’s Political Caucus’s two publications, *Sexists in the Senate? A Study of Differences in Salary by Sex Among Employees of the U.S. Senate* (Capitol Hill Women’s Political Caucus, May 1975) and *The Last Plantation?: How Women Fare on Capitol Hill* (Capitol Hill Women’s Political Caucus, Sep 1980).

<sup>95</sup> “Ruth Young Watt, Chief Clerk, Permanent Subcommittee on Investigations, 1948-1979,” Oral History Interviews, Senate Historical Office, Washington, D.C.: 195.

<sup>96</sup> Philip Warden, “Women Keep Capitol Hill Working for Congress,” *Chicago Tribune* (3 Aug 1970): <http://www.proquest.com/> (accessed October 27, 2010).

IL), often babysat for her boss' children and, as one journalist averred, "loves them like a mother."<sup>97</sup> Other female staffers ended up babysitting for the children of constituents.<sup>98</sup>

Possessiveness could rear its ugly head. Sen. Mendel Rivers (D-SC) attempted to cajole one of his secretaries to stay in the office instead of moving to be near her new husband, while other secretaries were carefully watched by their employers, who feared that they would move to other offices without permission.<sup>99</sup> Some congresswomen used their aides in the same way; in the 1940s, Evelyn Chavoor both worked and lived with Rep. Helen Gahagan Douglas (D-NY).<sup>100</sup>

For most legislators, this caretaker role also dictated that secretaries be white. Service and staffing work was starkly divided along racial lines. Only a handful of black secretaries existed, and these women worked almost exclusively within the offices of black representatives.<sup>101</sup> Most legislators believed that just as it was up to persons of color to elect "their own" to Congress, so too was it up to black legislators to hire "their own" as secretaries and aides.<sup>102</sup> As a consequence, almost no LAs or AAs were persons of color, which meant that almost no black

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<sup>97</sup> Ibid. Babysitting was not an unusual assignment for congressional secretaries. For other instances of secretarial babysitting, see "Mary Hornbeck Retires," *Roll Call* 16:8 (30 Jul 1970).

<sup>98</sup> Malvina Stephenson, "Babysitting in Day's Work for Rep. Edmondson's Staff," *Roll Call* 13:7 (27 Jul 1967): 1.

<sup>99</sup> William "Fishbait" Miller and Frances Spatz Leighton, *Fishbait: The Memoirs of the Congressional Doorkeeper* (Prentice-Hall, Inc., 1977): 84; phone interview with former staffer (4 May 2009).

<sup>100</sup> "Juanita Terry Barbee," in the Helen Gahagan Douglas Oral History Project, Volume II: The Congress Years, 1944-1950. Regional Oral History Office, University of California, The Bancroft Library, Berkeley, CA. [http://www.archive.org/stream/helengahaganpro02doughrich/helengahaganpro02doughrich\\_djvu.txt](http://www.archive.org/stream/helengahaganpro02doughrich/helengahaganpro02doughrich_djvu.txt) (accessed 2 Apr 2011): 17.

<sup>101</sup> Juanita Barbee was the first black woman hired to work for a white House member – Rep. Helen Gahagan Douglas (D-CA). She was hired in 1947. Barbee was preceded by two black secretaries – Maxienne Dargans in William Dawson's office and Christine Davis in Adam Clayton Powell's office – both of whom worked for black legislators. Paul Douglas hired the first black man as a Senate staffer in 1949, and Stuart Symington hired the first black woman to work as a Senate secretary in 1952. By 1974, fifteen out of nine hundred Senate staffers were black. See "Black Women on Capitol Hill," *Ebony* (Jun 1974): 122-27; "Juanita Terry Barbee," in the Helen Gahagan Douglas Oral History Project, Volume II: The Congress Years, 1944-1950: 5; Preface to "Christine S. McCreary, Staff of Senator Stuart Symington, 1953-1977 and Senator John Glenn, 1977-1998," Oral History Interviews, Senate Historical Office, Washington, D.C.

<sup>102</sup> Elliott M. Rudwick, "Oscar DePriest and the Jim Crow Restaurant in the U.S. House of Representatives," *Journal of Negro Education* 35:1 (Winter 1966): 77-82. Elliott Rudwick's footnotes demonstrate how difficult it is to understand whether or not blacks were excluded from the House restaurant over time. Rudwick must rely on interviews with black lobbyists. See especially n. 1 on page 77.

men worked as office staffers.<sup>103</sup> Instead, black workers were concentrated in the service sectors on the Hill as congressional chauffeurs, cooks and waiters in the House and Senate restaurants, barbers in the House and Senate barber shops, and other positions with low pay and little prestige.<sup>104</sup> Persons of color remained spatially separated from the small, close-knit congressional offices.

Secretaries worked very closely with legislators. While generally thought of as typists and filers, some longtime secretaries also performed policymaking work. Their contributions to policy debates and legislative production were and are nearly invisible. Tellingly, Dorothy Fosdick's individual political sensibilities are subsumed under the Scoop Jackson name even within her archival collection, which is prefaced with a note reading

During the 'Jackson Years,' Dickie worked so closely with the senator that it is impossible to separate her contributions from his. She did most of the background/research/leg-work for speeches, negotiations, meetings, etc. on issues of mutual concern. He put them into effect.<sup>105</sup>

Other women worked for their employers in a similar way. Especially in the offices of long-term legislators who clung to their small, largely female staffing systems, it is likely that female staffers were doing some amount of policy research.

Like Fosdick, women who achieved the title of executive secretary were often the resident political experts of their offices. Though they often started in poorly-paid, low-level

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<sup>103</sup> Bryce Nelson, "Study Discovers Few Blacks or Latinos on Staffs of U.S. Lawmakers from Illinois," *Los Angeles Times* (1 Mar 1976): 4 (accessed 23 Feb 2013).

<sup>104</sup> A good overview can be found in Alice Dunnigan's "A Visit to the Nation's Capitol", a four part series published in *Service* published by the Tuskegee Institute. See issues for November 1949: 9–12, 30–31; December 1949: 11–16; January 1950: 17, 20–21; and February 1950: 11–12, 21–22. Dunnigan noted that the divisions between clerical and service work were about as fluid as those between clerical and professional office work. She observed that "Although a very small percentage of the Negro employees are given clerical positions, a number of them are doing work similar to that done by the clerks, although they are classified as messengers or laborers. It is very difficult to distinguish between the so-called 'white-collar' workers and those often referred to as 'menial laborers' on jobs like this, because most of the employees are always well dressed and apparently engaged in dignified work." See Alice Dunnigan, "A Visit to the Nation's Capitol," *Service* (Dec 1949): 16.

<sup>105</sup> See DF Papers.

positions, these women worked to master office administration and the local politics of their legislator's district. As *Washington Post* reporter Spencer Rich observed, "[t]he woman [executive secretary] often is a combination office manager, speech scheduler, appointment maker and what amounts to a political adviser with excellent knowledge of the politics of the home state."<sup>106</sup> Arvonne Fraser's position as her husband's administrative assistant meant that she was also in control of office flow. As she said to one reporter, "[h]e's the final boss but I may put people in that I want him to see, or people who come to me with a special problem that I think he should know about or might be able to do something about."<sup>107</sup> Like female office managers in other workplaces, these women regulated access to their male bosses. Unlike these other managers, the decisions of Hill women affected the national legislative process.

While powerful secretaries may not have been able to place their names on legislation or speeches for their employers, working within the paradigm of the office wife gave them control over other staffers in the office – both male and female. The closer and more familial the relationship to the congressperson, the more power and career longevity one had within the office. The longer female staffers stayed in Congress, the more likely it was that their knowledge of the legislative process and the personalities, proclivities, and schedules of congresspersons outstripped the knowledge of their male counterparts.<sup>108</sup> As journalist Meg Greenfield observed,

whatever they were titled, many of [these secretaries] were the person to see or at least know the name of if you wanted to do any business with Senator Glotz or Commissioner Plotz. "Call Angie" was the invaluable guidance a person in the

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<sup>106</sup> Spencer Rich, "Slowly Women Are Climbing to New Heights on the Hill," *Washington Post* (4 Mar 1973): in the Staff Members Subfolder, Women in the Senate Folder, Senate Historical Office Files, Senate Historical Office, Washington, D.C.

<sup>107</sup> Arvonne Fraser, quoted in Hillary Johnson, "Arvonne Fraser: For Her, Congress Is a Family Affair," *Minneapolis Tribune* (21 Aug 1975): 10C in "Clippings, 1970-1977" Folder, Box 1, Arvonne Fraser Papers, Minnesota Historical Society, Saint Paul, MN. Eleanor Roosevelt was also known for controlling access to her husband. See Susan Ware, *Beyond Suffrage: Women in the New Deal* (Cambridge: Harvard University Press, 1981).

<sup>108</sup> For a congressperson's observations about these women, see Tacheron and Udall, *The Job of the Congressman*: 41.

know might give a friend. “Call June. Use my name.” “Call Roberta; she’ll know the answer to that.” “Call Lillian. Lillian will handle it.”<sup>109</sup>

Women were the information center of many congressional offices.

There were downsides to this role as both buffer and proxy. Legislators began complaining immediately after the Rayburn House Office Building was completed in 1959, claiming that the office layout forced representatives to “sashay” through their office’s waiting room, “exposed to the pleading eyes, rapid tongues, and clutching hands of his constituents.”<sup>110</sup> Wives and secretaries maintained the public face of a congressional office. They dealt with the unimportant or unpleasant visitors to the office. Secretaries were also the first staffers members discarded when a scandal surfaced. The Bobby Baker affair resulted in not just Baker’s fall from grace, but the firing of his secretaries as well.<sup>111</sup> Especially for clerical staffers, loyalty to individual legislator-employers was assumed to trump devotion to the institution of Congress itself.

Yet this loyalty could pay off in important ways. If women dedicated their lives to work in Congress, they could use the personalized nature of congressional work to weather unexpected financial and personal storms. One woman who worked for the House Administration Committee developed relationships on the committee that resulted in an extremely high salary. Former congressional doorkeeper “Fishbait” Miller related that Carol Clawson’s husband had gone through a “tragic job situation” and then suffered a stroke, leaving him incapable of

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<sup>109</sup> Greenfield, *Washington*: 137.

<sup>110</sup> “The Newest House Office Building: Why It Is so Widely Criticized,” *The Washington Post* (29 Dec 1963).

<sup>111</sup> “A Word on Carole Tyler,” *Roll Call* (13 May 1965): 2. This problem persisted into the 1970s. When Rep. Wayne Hays’ scandalous employment of his mistress broke in the newspapers in 1976, his former secretaries found it difficult to find new jobs on the Hill. See Peggy Love, transcript, Charlie Wilson Oral History Project Interview I, 25 Mar 2011, by Perky Beisel, Stephen F. Austin State University. Available at <http://www.sfasu.edu/heritagecenter/6408.asp> (accessed 28 Feb 2013).

supporting his wife and three children.<sup>112</sup> Clawson then negotiated for a breadwinner salary, which allowed the family to make ends meet through the 1970s.<sup>113</sup> Similarly, Ruth Watt escaped having to pay for her car accident on Capitol grounds after a number of senators threatened retaliation against the Architect of the Capitol, who had initiated court proceedings against her.<sup>114</sup> Having friends in high places mattered.

Personal relationships especially mattered to employees of color, who worked through the 1960s to desegregate Congress. As *Roll Call* reported in September of 1964, “Speaker McCormack ended ‘segregation’ in the Capitol barbershops after one employee worked up a lather, a one-man Civil Rights crusade.”<sup>115</sup> House Democratic photographer Dev O’Neill noted that “‘It’s not a matter of what you know, it’s a matter of who you know’ is an old saw that everybody uses around here. That’s wrong. . . . It’s a matter of who knows you. I know the King of Siam, but he doesn’t know me.”<sup>116</sup> Yet because Congress almost exclusively hired white staffers also meant that individual blacks could very rarely get close enough to politely ask anything of their congresspersons. Most persons of color were concentrated in basements and behind closed doors, virtually invisible to most white employees and legislators.<sup>117</sup>

Not so with the women who populated offices on the Hill. In Congress, female staffers gained a sense of involvement in a caring community. Secretaries who remained on the Hill

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<sup>112</sup> Ken Clawson lost his job due to his involvement in the Nixon Administration’s Watergate break-in and subsequent cover-up. For information on Clawson’s involvement in Watergate, see David Stout, “Ken W. Clawson, 63, Director of Communications for Nixon,” *New York Times* (20 Dec 1999): <http://www.nytimes.com/1999/12/20/us/ken-w-clawson-63-director-of-communications-for-nixon.html> (accessed 10 May 2013).

<sup>113</sup> Miller and Leighton, *Fishbait*: 85-86.

<sup>114</sup> “Ruth Young Watt, Chief Clerk, Permanent Subcommittee on Investigations, 1948-1979,” Oral History Interviews, Senate Historical Office, Washington, D.C.: 290.

<sup>115</sup> This bit of desegregation was contrasted with the “250 demonstrators [who] appeared in the Capitol and were decidedly unsuccessful in bringing about the unseating of Mississippi’s Congressional delegation.” Sid Yudain, “Sid-Bits,” *Roll Call* 11:14 (23 Sep 1964): 6.

<sup>116</sup> Quoted in Karen Feld, “Around the Hill,” *Roll Call* 15:33 (26 Mar 1970): 8.

<sup>117</sup> The CSC did notice when “Thelma in the Folding Room” retired, and the Board made sure to write a letter of appreciation on behalf of the Board. See CSC Board Minutes (11 Feb 1969), Box 4, CSC Records, Manuscript Division, Library of Congress, Washington, D.C. Hereafter referred to as CSC Records.



earned high enough salaries to live independently while working a job that provided them with a very important and influential extended family. Indeed, Dorthye Scott described her congressional network in explicitly familial terms:

They [Sen. Aiken and Lola Aiken] were the ‘sweethearts of the Senate.’ His wife had died some years before, and he used to have lunch with us all the time. We used to call it our ‘family’ because it was Ruth Watt and Walter Watt – we used to call them ‘mother and father.’ And there were Lola and a lot of the others, and we were all the ‘daughters,’ all the ‘sisters.’<sup>118</sup>

These were not your usual moms and pops. Together with these men, female staffers constructed an entire social world where they did important national work and maintained familial relationships that lasted their entire lives.<sup>119</sup>

#### Family Values: Socializing, Sexual Objectification, and Community on the Hill

The intermingling between the residents of the several hundred congressional offices produced a social whirl, lifelong friendships, and marriages. In 1968, *Roll Call* celebrated Sen. Strom Thurmond’s (R-SC) marriage to his former intern, noting that the marriage legitimated “the dream of many a starry-eyed Congressional job seeker – that a dashing, single Congressman will fall in love with her and live [the] exciting and fun-filled life in the top echelon of Washington society.”<sup>120</sup> Congress’ community changed during the 1960s. As staffing expanded, legislators and their staffs got younger and cultural mores changed. Men and women went to

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<sup>118</sup> “Dorthye G. Scott, Administrative Assistant to the Senate Democratic Secretary and to the Secretary of the Senate (1945-1977),” Oral History Interviews, Senate Historical Office, Washington, D.C.: 54.

<sup>119</sup> This definition of family contrasts with the more clubby male definition of family. Former aide William Hildenbrand noted that the Senate was familial because staffers had to “know that you can have somebody support something because of something that somebody did for them totally unrelated to what it is that you’re working on. You have to know those personalities, you have to know who likes who, and who doesn’t like who. You have to know that an individual senator has fifteen votes against him, just by saying his name. . . . You have to live with it in order to be able to understand it.” For male staffers, familial relationships were both friendly and combative, placing aides and congressmen on slightly more equal footing. “William F. Hildenbrand, Secretary of the Senate, 1981-1985,” Oral History Interviews, Senate Historical Office, Washington, D.C.: 272.

<sup>120</sup> “Sen. Thurmond (D, R) Now in Wedding Party,” *Roll Call* 14:26 (12 Dec 1968): 8.

cocktail parties, dances, fundraisers, and other events designed to bring the Hill together.

Political and social clubs abounded. All of these relationships and events blurred the lines between political labor and socializing, reinforcing loyalty to Congress.

The surge in secretarial hiring in the early 1960s brought numerous younger women to the Hill. The women in congressional offices were often attractive, single, young women whom everyone assumed were on the hunt for powerful husbands. As journalist and editor of *Roll Call* Sid Yudain declared, “Many a girl comes to Capitol Hill in the ever-glowing hope of marrying a Congressman.”<sup>121</sup> Indeed, *Roll Call* regularly advertised eligible bachelors with articles like “Hey Girls! New Solon Is Single” and “Hey Girls! Bachelors Elected to Congress.”<sup>122</sup> The level of devotion congresspersons required of their staffs reinforced the belief that secretaries had crushes on their employers. When in 1962 *Roll Call* asked five secretaries who was the most handsome congressman, each cited her own boss’ attractiveness.<sup>123</sup>

The long hours and distance from home and family made intimate relationships an inevitable part of Hill life. Three marriages between congressmen and secretaries took place in 1967 alone. Two of the three couples had worked in an employer-employee capacity until their nuptials.<sup>124</sup> Congressional intermarriage seems to have increased during the 1960s.<sup>125</sup> A congressional mate was particularly capable of understanding the stress of legislative work.

Given their long hours and transplanted status, secretaries, aides, and legislators spent a great

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<sup>121</sup> Sid Yudain, “Sid-Bits,” *Roll Call* 10:8 (13 Aug 1964): 4.

<sup>122</sup> “Hey Girls! New Solon Is Single,” *Roll Call* 10:21 (12 Nov 1964): 5; “Hey Girls! Bachelors Elected to Congress,” *Roll Call* 12:23 (1 Dec 1966): 1. See also “Rep. Bill Stanton to Wed TV Reporter,” *Roll Call* 12:12 (15 Sep 1966): 1, which discusses the fact that four of the six incoming single congressional “freshman” have married, leaving only two as targets for secretarial wooing.

<sup>123</sup> Julia Kogut and Nancy Roseberry, “Inquiring Camera,” *Roll Call* 7:37 (14 Mar 1962): 5.

<sup>124</sup> “‘Lud’ Ashley Weds Ex-L.A.,” *Roll Call* 13:12 (31 Aug 1967): 1. Other years are well-documented as well, particularly in the gossip columns of *Roll Call*.

<sup>125</sup> Stories about congressmen marrying secretaries include Sid Yudain, “Sid-Bits,” *Roll Call* 10:32 (11 Feb 1965): 7; “Yes, Virginia, Secretaries Do Marry Their Bosses,” *Roll Call* 15:25 (22 Jan 1970): 5; “2 Congressmen Drop Off ‘Eligible’ Rolls,” *Roll Call* 16:21 (19 Nov 1970):1.

deal of time together at congressional receptions and hall parties.<sup>126</sup> By 1968, *Roll Call* was even advertising potential divorcees: “Hill rumors have it that at least one attractive Senator and at least one middle-aged Representative are on the verge of divorces, thus opening possible new avenues for romance for the starry-eyed.”<sup>127</sup> Starry-eyed or not, secretaries were supposed to be on the hunt.

Male staffers picked up the marital slack. Congress was a small world, and employees had little time to find romance off the Hill. *Roll Call*’s “Around the Hill” column regularly featured “Capitol Hill romances” between staffers.<sup>128</sup> There were a number of male staffers that the *Roll Call* staff labeled as the “most eligible,” and it was widely acknowledged that “husband-and-wife teams” were a natural part of the congressional landscape.<sup>129</sup> These relationships affected the working careers of men and women, tying them to the Hill but also granting them additional flexibility and contacts within Congress. After moving from Texas to D.C. in 1937 to work as a secretary for Sen. Hatton Sumners (D-TX), Annie Cunningham met and married her coworker J. Frank Cunningham and eventually took her husband’s job when he left to become

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<sup>126</sup> While in the past, legislators and journalists attributed divorce and remarriage to a D.C. woman as a potentially fatal electoral liability, attitudes towards and laws governing divorce liberalized through the decade. In 1961, Rep. Merwin Coad, a Democrat from Iowa, divorced his wife in order to marry a woman who had previously worked as a staffer in his office. Coad’s new wife had only recently obtained a divorce from her own husband, who had also worked in the Coad office. Coverage of the divorce mushroomed in D.C., and the press attributed Coad’s subsequent electoral loss to the public’s declining trust in his character and belief that his connection to the district was strained by marriage to a District woman. Worries about the electoral repercussions of divorce continued into the 1970s. When popular Rep. Donald Riegle divorced his second wife to marry one of his staffers, Rep. Florence Dwyer warned him of Rep. Catherine May’s failure to gain re-election after her divorce. For information on the Coad divorce and failed reelection effort, see “Coad Marries Aide’s Spouse,” *Roll Call* 7:1 (21 Jun 1961); “Rep. Coad’s Plans Remain Deep Secret,” *Roll Call* 7:2 (28 Jun 1961). For information on Dwyer’s warning to Riegle, see Don Riegle with Trevor Ambriester, *O Congress* (Doubleday & Company, Inc., 1972): 253. There remained an element of danger in marrying a Capitol Hill secretary though. Journalist Larry King noted that alongside Rep. Mo Udall’s Mormonism, his marriage to a secretary was a liability in his campaigns for the House speakership. See Larry L. King, “The Road to Power in Congress,” *Harper’s* 242:1453 (Jun 1971): 45, <http://pao.chadwyck.com> (accessed 28 May 2013).

<sup>127</sup> “Sen. Thurmond (D, R) Now in Wedding Party,” *Roll Call* 14:26 (12 Dec 1968): 8.

<sup>128</sup> For a good example, see “Around the Hill” for *Roll Call* 9:7 (7 Aug 1963) in Folder 8, Box 7, CSC Records.

<sup>129</sup> Karen Feld articles appear in most issues of *Roll Call* through the 1960s. Louis Hurst observes the frequency of married Hill staffers in Louis Hurst and Frances Leighton, *The Sweetest Little Club in the World: The U.S. Senate* (Englewood Cliffs, NJ: Prentice-Hall, Inc., 1980): 84.

special assistant to the Attorney General. The Cunninghams remained closely tied to the congressional social world through Anniel's activities in the Congressional Singers and the Congressional Secretaries' Club (CSC).<sup>130</sup>

As in the rest of the United States, the pressure to marry was a diffuse but constant force that combined with the assumption that for men, it was a buyer's market. And if men wanted to maintain a dating pool of marriageable women, they needed to systematically hire single, white, pretty women.<sup>131</sup> When Hannah Margetich interviewed in 1963, she was asked whether she was "happily married."<sup>132</sup> Many offices used the various employment services in and around the Hill to screen out women of color.<sup>133</sup> Older women were often not hired if they were new to the Hill.<sup>134</sup> As a result, many on the Hill believed that secretaries were a bevy of women hired for appearances rather than for clerical skills or intelligence.<sup>135</sup> As *Roll Call* noted, secretaries were getting younger, skirt hems were rising, and both representatives and senators "have been demonstrating an eye for living office decoration as well as efficiency."<sup>136</sup>

Sexual objectification was a visible aspect of politicking on the floors of the House and Senate. Elected in 1967, Rep. Donald Riegle (D-MI) fondly related typical banter and behavior in his 1972 political autobiography, recalling that "Thigh watching is one of the most popular

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<sup>130</sup> "30<sup>th</sup> Anniversary Year Congressional Secretaries Club" Shoreham Hotel (3 Apr 1965): 11 in the Hyde Murray Papers, Baylor Collections of Political Materials, Baylor University, Waco, TX. Hereafter referred to as the Murray Papers.

<sup>131</sup> "Discrimination by Congressmen in Hiring Office Staffs Reported," *Los Angeles Times* (18 Aug 1974): 1 (accessed 23 Feb 2013).

<sup>132</sup> Hannah Margetich, quoted in Foerstel and Foerstel, *Climbing the Hill*: 160.

<sup>133</sup> Peter Masley, "No Inquiry On Hiring Bias Seen," *Washington Post* (19 Aug 1974): A1 (accessed 25 Oct 2012)

<sup>134</sup> *Ibid.*

<sup>135</sup> Some legislators invited beauty queens and Playboy Bunnies to work as secretaries in their offices. For a story on beauty queens on the Hill, see Teddy Vaughn, "Teen Age Intern Is Queen of May Office," *Roll Call* 13:9 (10 Aug 1967): 10; "Hippity Hop Hooray, Bunny Lands on Hill," *Roll Call* 10:35 (4 Mar 1965): 3. This trend continued through the 1970s, eventually culminating in the Elizabeth Ray scandal. In 1975, Sen. Edwin Garn's (R-UT) secretary Joanne Snow was offered a job at the Capitol Hill Club as Playboy Bunny, "and she politely turned down the offer," since she had just been promoted to LA in the office. See "Hilltopics," *Roll Call* 21:2 (17 Jul 1975): 5. Another former Bunny – Michelle Kroll, LA to Rep. Andy Jacobs – was featured as well. See "Hill Personalities," *Roll Call* 21:12 (9 Oct 1975): 8.

<sup>136</sup> "Hill Girl-Watchers Look for a Good Year," *Roll Call* 8:30 (30 Jan 1963): 5.

diversions in the House.”<sup>137</sup> At times, these discussions spilled out of male spaces like the House and Senate cloakrooms, where joking, napping, drinking, and card-playing proliferated and female presence was anathema. In 1967, Rep. Tom Steed (D-OK) reported that some men had come up with a joke “cloakroom bill” to regulate Hill clothing. As Steed asserted, “[l]et’s face it. The miniskirt on the wrong people just does not contribute to beautification.” Members jested that the bill’s execution was foiled over disagreements about “how to pick the Board, not the broads.”<sup>138</sup> *Roll Call* also regularly reported on “Hill Girl Watchers,” who in 1965 were “having a bonanza year in the cafeterias this session. New crop of secretaries is rated high by the veteran watchers.”<sup>139</sup>

This kind of behavior contributed to journalist Meg Greenfield’s opinion that Congress was very much like a high school.<sup>140</sup> A number of traditional congressional practices directly supported that observation. In the early 1960s, Congress began to hold an annual “Roll Call night” to celebrate the annual baseball game between Republicans and Democrats.<sup>141</sup> The game garnered substantial attention from both parties and consciously mimicked high school, with a pre-game “dogs n’ kraut” party in the Longworth Building cafeteria and buses to the game. Female staffers worked as cheerleaders. Congressmen played on the field of Washington D.C.’s

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<sup>137</sup> Ibid: 55-56.

<sup>138</sup> Malvina Stephenson, “Miniskirt Issue Raised by Steed,” *Roll Call* 13:3 (29 Jun 1967): 3.

<sup>139</sup> Sid Yudain, “Sid-Bits,” *Roll Call* 10:40 (8 Apr 1965): 4; “Hill Girl-Watchers Look for a Good Year,” *Roll Call* 8:30 (30 Jan 1963): 5.

<sup>140</sup> This was a fairly widespread analogy. William “Fishbait” Miller refers to Congress as “535 high-school class presidents with a few prom queens thrown in” in Miller and Leighton, *Fishbait*: 3.

<sup>141</sup> This baseball game is still held today, and was exclusively male until Bella Abzug demanded that she be allowed to play in the 1970s. *CSC Bulletin* 31:25 (13 Jun 1966), Box 34, CSC Records. The annual game formally began in 1909. <http://www.congressionalbaseball.org/> (accessed 15 May 2014). As the “History” section of this website relates, the game was discontinued by Speaker Sam Rayburn (D-TX) in 1958 because he thought it had become too physical. The new Speaker John McCormack (D-MA) restarted the game with the help of *Roll Call* in 1962.

major league team, the Senators. Legislators and staff then stayed for the MLB game that immediately followed. The event was bipartisan, and everyone on the Hill was invited.<sup>142</sup>

Classes and clubs contributed to this community feeling. There was a weekly Wednesday bridge game through the 1960s and 1970s, run alternately by Rep. Page Belcher (R-OK) or staffer William Hildenbrand. Everyone could take art classes in the Rayburn cafeteria on Tuesdays.<sup>143</sup> Golf, bowling, and tennis provided mixed-sex activities for staffers and their employers.<sup>144</sup> Women dominated traditionally feminine charity organizing and exercise classes. While men traveled as part of their work for various committees, female staffers could participate in a wide variety of group travel via the CSC. And activities that might fall into a traditionally male category were carefully gendered. While women's auto classes were led by a "leading female expert in automobile mechanics," separate automobile repair classes for men assured potential students that "[t]he course WOULD BE FOR MEN WHO ALREADY BASICALLY UNDERSTAND ENGINES."<sup>145</sup>

While the CSC provided activities for both men and women, political clubs were created to prepare male staffers for future employment higher up the political food chain. The Republican Bull Elephants and the Democratic Party Burros existed as semi-formal networking and policy-making groups. In the 1940s, Lyndon Johnson's work as a staffer had begun a career that ended in the White House. Staffers were not blind to the possibilities inherent in networking

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<sup>142</sup> *CSC Bulletin* 31:24 (6 Jun 1966), Box 34, CSC Records.

<sup>143</sup> "30<sup>th</sup> Anniversary Year Congressional Secretaries Club" Shoreham Hotel (3 Apr 1965): 19 in Murray Papers; *CSC Bulletin* 31:32 (1 Aug 1966), Box 34, CSC Records.

<sup>144</sup> "36<sup>th</sup> Anniversary Year Congressional Secretaries Club" Shoreham Hotel (3 Apr 1971), "30<sup>th</sup> Anniversary Year Congressional Secretaries Club" Shoreham Hotel (3 Apr 1965): 17 in Murray Papers.

<sup>145</sup> *CSC Bulletin* 31:43 (24 Oct 1966), Box 34; *CSC Bulletin* 34:35 (22 Sep 1969), Folder 1, Box 34, CSC Records. Capitalization in original. The CSC also provided karate and judo classes for "the womanly art of self-protection." "Elbows Fly for the Camera: Judo Gals Meet the Press," *The Evening Star* (22 Apr 1965):A4, "Longworth HOB – Newspaper and Magazine Articles, 1910-1973" Folder, Architect of the Capitol Files, Office of the Architect of the Capitol, Washington, D.C. (Hereafter referred to as AoC Files); *CSC Bulletin* 31:4 (17 Jan 1966), Box 34, CSC Records.

within Congress, familiarizing themselves with congressional procedures and personalities before their elected careers even began.<sup>146</sup> The Bull Elephants had a regular speakers' series, and invited prominent Republicans from the states and federal government to speak at their lunchtime meetings. Both clubs assiduously guarded the maleness of their membership. The assumption was that if women were admitted, the club's networking capacity would quickly erode.<sup>147</sup> Women were left to form their own partisan groups – groups that often fundraised for their male counterparts.<sup>148</sup>

Persons of color were almost entirely excluded from this social and political world. Segregated from white staffers, the mostly black service sector comprised hundreds of workers tucked away and out of sight in jobs folding Congressional Records in the basement Folding Room, chauffeuring legislators, performing janitorial work relegated to nighttime hours, and preparing cafeteria food behind closed doors. Yvonne Price, former civil rights staffer for Sen. John F. Kennedy (D-MA), recalls that “When I first went to the Hill in the early ‘60s, the only people I had to talk to were cooks and cleaning women. There were so few of us blacks up here at that time.”<sup>149</sup> Some workers were so well tucked away that it seems they had few acquaintances regardless of their tenure. In 1973 Roll Call eulogized Harry (Tommy) Thomas,

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<sup>146</sup> This is a point strongly made by former staffer and journalist Larry King, who observed the “cannibalistic” tendencies of staffers on the Hill, who often challenged their former bosses later in their careers. See Larry King, “Washington’s Second Banana Politicians,” *Harper’s* 230:1376 (Jan 1965): 41-47, <http://pao.chadwyck.com> (accessed 28 May 2013).

<sup>147</sup> The fear that women would impede sociability was even greater than the fear of press members infiltrating the meetings, something that happened on a somewhat regular basis through the 1960s. For instances in which Bull Elephant complain about seeing materials from their meetings in news stories, see Robert Bradford to Barry Goldwater (24 Aug 1967), Folder 2, Box 1, Bull Elephants Records, Manuscript Division, Library of Congress, Washington, D.C. Hereafter referred to as the Bull Elephants Records

<sup>148</sup> The duties of Republican Women included modeling in fashion shows, an event in which some congressional wives participated. “Annual Luncheon Fashion,” *Roll Call* 16:40 (29 Apr 1971): 3. See The work of the RWOCH paralleled that of female auxiliaries within the national party structures. For information on women’s division from and unique role within the Republican Party, see Catherine E. Rymph, *Republican Women: Feminism and Conservatism from Suffrage through the Rise of the New Right* (Chapel Hill, NC: University of North Carolina Press, 2006).

<sup>149</sup> Yvonne Price, quoted in “Black Women on Capitol Hill,” *Ebony* (Jun 1974): 127. Women eventually began complaining about their role as fundraisers. See Tracy Maclean, “Party Line,” *Roll Call* 22:10 (30 Sep 1976): 11.

the congressional plumber's assistant. Though he had arrived on the Hill in 1944, the only workers who seemed to know Thomas well were his direct supervisor, members of the police force, and the charwomen, who also worked in the basement and "depended on Tommy as their liaison to the upstairs world," from where he would bring them food and cigarettes.<sup>150</sup>

Office workers by and large failed to notice the racial homogeneity of their social whirl. Relationships, marriages, classes, receptions, and clubs fostered interaction and camaraderie across a variety of congressional hierarchies, creating widespread loyalty to both individual legislators and the institution of Congress. It is no wonder that in 1971, as the congressional world adjusted to institutional reform, the Congressional Secretaries' Club declared itself to be a fundamental pillar of the Hill social world that would stay the course and uphold communal tradition in Congress, describing itself as:

a group like none elsewhere on earth . . . . political people performing in the nation's premier policy forum . . . . men and women of dedication, ambition, and fierce loyalties . . . . and from them comes the glue of friendship and trust that binds this Club together.<sup>151</sup>

The important nature of the work performed in Congress elevated the meaning of Hill relationships.

#### Paddleball Politics: Gender, Race, and Legislatively-Minded Sociability in Congress

Loyalty and camaraderie were paramount amongst legislators as well. A general veneration of Congress as an institution created by the Founders, preserved for posterity, and situated at the heart of national politicking both obscured and legitimated the male privilege embedded in the legislature and its public trust imperative. Men considered themselves uniquely dedicated to the preservation of Congress. And female politicians had a lot of trouble figuring

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<sup>150</sup> Liz Wiener, "Hilltopics: Flags Unfurled, Eyelashes Transplanted at Capitol," *Roll Call* 18:29 (22 Feb 1973): 1.

<sup>151</sup> "36<sup>th</sup> Anniversary Year Congressional Secretaries Club" Shoreham Hotel (3 Apr 1971): 69 in Murray Papers.



out where they fit in. As late as 1967, Rep. Frances Bolton repeatedly asserted that “congresswoman” was not actually a word.<sup>152</sup> By apparent default, partisan debate, legislating, and running for office were male activities, and while this did not necessarily mean that women did not engage in politics, they were labeled by men and often by themselves as exceptions.<sup>153</sup> As a result, female legislators continually needed to explain how they would balance their identities as politicians with their identities as women.<sup>154</sup>

Engagement in the social world of Congress was very important for legislators, if they wanted to be effective. As political scientist Richard Fenno noted in his study of 1960s House committee work, congresspersons had three goals upon arrival in the national legislature: attaining reelection, policy production, and gaining influence within the House or Senate.<sup>155</sup> These were interconnected goals; the success of passing policy, including policy that directly benefitted a legislator’s constituency and thus improved chances of reelection, hinged on that legislator’s reputation and power within Congress.<sup>156</sup> The “institutional mobility” of congresspersons – acquiring seats on the more powerful committees and moving up in the House

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<sup>152</sup> Bolton argued that “We’ve had congressmen here for many generations and we haven’t ever had congresswomen. You’re a woman congressman.” Quoted in Peggy Lamson, *Few Are Chosen: American Women in Political Life Today* (Boston, MA: Houghton Mifflin Company, 1968): 33. Notes from the original interviews in the Peggy Lamson Papers, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA, hereafter referred to as Lamson Papers.

<sup>153</sup> This was true of many women who obtained traditionally male degrees and prestigious positions within male-dominated workplaces, a trend observed by Betty Freidan in her landmark book *The Feminine Mystique*. Feminist political scientist Jo Freeman notes that “I was one of the many girls who internalized an individualistic version of what Betty Freidan was to call the ‘three-sex theory’: there’s men, there’s women, and there’s me.” See Freeman, *The Politics of Women’s Liberation*: viii; Betty Freidan, *The Feminine Mystique*, 50<sup>th</sup> anniversary ed. (W.W. Norton, 2013).

<sup>154</sup> Maurine Neuberger expressed similar sentiments. See Maurine Neuberger’s forward in Lamson, *Few Are Chosen*: xii.

<sup>155</sup> Richard Fenno, *Congressmen in Committees* (Little & Brown 1973). An overview and extended study of Fenno’s work and that of his students is Morris Fiorina and David Rohde, *Home Style and Washington Work: Studies of Congressional Politics* (Ann Arbor, MI: University of Michigan Press 1989).

<sup>156</sup> The links between institutional power and policy-making have long interested scholars. For a good example, see Walter Oleszek, *Congressional Procedures and the Policy Process* (Washington, D.C.: Congressional Quarterly Press 2001). For an article following congressional careers through their entirety, see John R. Hibbing, “Contours of the Modern Congressional Career,” *American Political Science Review* 85:2 (Jun 1991): 405-28.

or Senate leadership – was the basis of congressional stature.<sup>157</sup> Evidence suggests, however, that such stature was not available to or was not as easily attained by women or persons of color.<sup>158</sup>

In large part, this is due to the fact that these groups had a very hard time integrating into the social life of Congress.<sup>159</sup>

Congresswomen started off on the wrong foot. Often, they had emphasized the gulf between “woman” and “politician” during the campaign for office. While leaning on this distinction was perhaps the easiest and most saleable campaign theme for women, such consistent messaging from female campaigners systematically separated them from the men who would be their colleagues in the House and Senate. Many of these women emphasized the need to “clean House.” Even in 1972, Bella Abzug leaned on this metaphor. As she declared in a campaign pamphlet, “[Women] have potential. Not to use it is sheer waste. And a real woman hates waste.”<sup>160</sup> Once in Congress, congresswomen then had to backtrack in order to legitimate

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<sup>157</sup> Michael S. Rocca, Gabriel R. Sanchez, and Jason L. Morin, “The Institutional Mobility of Minority Members of Congress,” *Political Research Quarterly* 64:4 (Dec 2011): 898.

<sup>158</sup> Multiple studies have investigated the formal and informal barriers that women face in workplace advancement, whether in government, the federal bureaucracy, or within private corporations. The first study to point to the coincidence of formal and informal barriers to women’s advancement was Rosabeth Moss Kantor. See Kantor, *Men and Women of the Corporation* (Basic Books 1977). These studies generally focus on either specific bans on women’s participation or the ways in which women’s “learned behavior” discourages them from pursuing jobs and power with the same single-mindedness as a man. For examples, see Sue Thomas, *How Women Legislate* (New York: Oxford University Press 1994); Mary Guy, “Three Steps Forward, Two Steps Backward: The Status of Women’s Integration into Public Management,” *Public Administration Review* 53:3 (1993): 285-92; Katherine C. Naff, “Through the Glass Ceiling: Prospects of the Advancement of Women in the Federal Government,” *Public Administration Review* 54:6 (1994): 507-14; Katherine C. Naff, “Subjective vs. Objective Discrimination in Government: Adding to the Picture of Barriers to the Advancement of Women,” *Political Research Quarterly* 48:3 (Sep 1995): 535-57. There is also a growing literature on gender and theories of organizations. See Mike Savage & Anne Witz, “The Gender of Organizations,” *Gender and Bureaucracy*, ed. Mike Savage and Anne Witz (New York: Blackwell Publishers/The Sociological Review, 1993); Georgia Duerst-Lahti and Rita Mae Kelly, ed., *Gender, Power, Leadership, and Governance* (Ann Arbor, MI: University of Michigan Press, 1995).

<sup>159</sup> A small but growing number of books have addressed this question. See Cindy Simon Rosenthal, ed., *Women Transforming Congress* (Norman, OK: University of Oklahoma Press 2002); Duerst-Lahti Kelly, ed., *Gender, Power, Leadership, and Governance*; Susan Carroll, ed., *Women and American Politics: New Questions, New Directions* (New York: Oxford University Press 2003).

<sup>160</sup> “Abzug for Congress” pamphlet (1970) in Box 1032, Bella Abzug Papers, Columbia University Special Collections and Archives, Columbia University, New York City, NY. Ironically, in a time when women’s liberationists sought to elide the boundaries between the personal and the political, Abzug’s rhetoric most closely resembled that of late nineteenth century female social reformers who deployed the gendered ideology of separate spheres in defense of their political involvement. Calling for “municipal housekeeping,” Jane Addams couched her

their presence, assuring their colleagues that they would not feminize the institution and its policy concerns. Journalist Peggy Lamson noted in 1962 that Rep. Frances Bolton “says the ‘boys’ in the House expected her to come in with a nice new broom. She didn’t.”<sup>161</sup>

Having struggled with sexism within their own parties and during lengthy campaigns, most congresswomen viewed Congress as relatively meritocratic. Tenure of office would allow these twelve to twenty women to move up the congressional ladder of power, simply through reelection over an extended period of time, just like men.<sup>162</sup> All congresspersons had autonomous control over their offices.<sup>163</sup> Women had the same local research base for legislative production as many other legislators and could demand just as much labor and loyalty from their staffs as other elected officials. Some female legislators asserted that their femininity actually helped them to get things done; as Rep. Martha Griffiths (D-MI) asserted, she received “a remarkable amount of credit” from male legislators who did not expect much.<sup>164</sup> And Patsy Mink declared that being “young and vivacious” was an “important assets” in Congress.<sup>165</sup>

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Hull House and peace activities in the moral stature of maternalism, avowing in 1915 that there were “things upon which women are more sensitive than men, and one of these is the treasuring of human life.” This argument not only explained women’s political action, but also legitimated the establishment of female-only political and social organizations. For information on Adams and municipal housekeeping, see Jane Addams, quoted in Harriet Hyman Alonso, *Peace as a Women’s Issue: A History of the U.S. Movement for World Peace and Women’s Rights* (New York: Syracuse University Press, 1993): 61; Linda Kerber, *Toward an Intellectual History of Women* (Chapel Hill, NC: The University of North Carolina Press, 1997): 170, 184. Here, Kerber discusses the overlapping definitions of a separate “woman’s sphere” and “women’s culture.” The historic conflagration of these terms allowed women to extend the definition of a women’s sphere while maintaining a supportive female-only collective. See also Ellen DuBois, Mari Jo Buhle, Temma Kaplan, Gerda Lerner, and Carroll Smith-Rosenberg, “Politics and Culture in Women’s History: A Symposium,” *Feminist Studies*, Vol. 6 (Spring 1980): 26-64.

<sup>161</sup> Frances Bolton, interview with Peggy Lamson, Folder MC 183-2, Box 2, Lamson Papers.

<sup>162</sup> However, women tended to enter Congress later than men, because of familial demands. As one article noted, they were subject to the “happy housewife” role, even if it did not fit their political aspirations. By the time their familial responsibilities (children) were out of the way, women were in their forties, and thus entered into Congress much later in life, leaving them disadvantaged within a seniority system that men tended to climb starting in their early thirties. See Willard Edwards, “Our Vanishing Congresswomen,” *Chicago Tribune* (15 May 1966): (accessed 24 Sep 2010).

<sup>163</sup> Of course, women did not obtain chairmanships at the same rate, and chairmanships accorded individual congresspersons much more staffing power.

<sup>164</sup> Martha Griffiths, quoted in Dorothy McCardle, “The Ladies Love Law’s Labors,” *Washington Post* (10 Jun 1965): (accessed 24 Sep 2010). This opinion that women had advantages within male-dominated legislatures

Yet on the whole, that femininity was restrictive. Social and cultural distinctions between women and men were written into the geography of the Hill. The assumption that lawmakers would be men structured the old buildings and was built into the new office and research facilities on the Hill. As female congressional workers still like to comment, this fact was and is particularly evident in the allocation and location of women's bathrooms. The House bathroom for men was located right off of the floor and had swinging doors that, as one journalist noted, "allowed anyone walking down the hall to catch a glimpse of Members using the bathroom."<sup>166</sup> Only by the early 1990s were the doors replaced.<sup>167</sup> Meanwhile, the paucity and location of women's bathrooms was a major inconvenience for women.<sup>168</sup> The long walk across the Capitol building decreased female legislators' time on the floor of the House and occasionally provided their male colleagues with a method of scuttling bills sponsored by women.<sup>169</sup>

Legislators made it very clear that the presence of women in male spaces was a threat to traditional politics. Women shut down the male conversation that occurred in places like the House and Senate cloakrooms, which were acknowledged as some of the most important spaces for socializing and legislative deal-making.<sup>170</sup> Former page Donald Anderson recalls the "shocked silence" of men who witnessed an exhausted Rep. Helen Meyner (D-NJ) lie down to

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was widespread. For good examples, see CDR, "Why Girls Get Elected," *Los Angeles Times* (21 Oct 1962): TW36 (accessed 29 Apr 2013).

<sup>165</sup> Patsy Mink, Interview #1 with Peggy Lamson, Peggy Lamson Papers, Folder MC 183-6, Box 1, Lamson Papers.

<sup>166</sup> *Roll Call* (11 Jan 1993). Cited in Irwin Gertzog, *Congressional Women: Their Recruitment, Integration, and Behavior*, 2<sup>nd</sup> ed. (Praeger Publishers, 1995): 7.

<sup>167</sup> *Ibid*: 7.

<sup>168</sup> This complaint was common and extended to women working in business. See Betty Lehan Harragan, *Games Mother Never Taught You: Corporate Gamesmanship for Women* (Warner Books, 1977): 279-80.

<sup>169</sup> Rep. Rose Mary Oaker complained that she had missed her first floor vote because she could not find the bathroom. See Lois Romano, "The Gender Trap: Breaking into the Congressional Cloakroom," *Washington Post* (6 Mar 1990): C1. See also "Up in Arms," *Washington Post* (18 Feb 1963): F3.

<sup>170</sup> For an architectural historian's argument for the interaction between political culture and the architecture of legislative spaces, see Charles T. Goodsell, "The Architecture of Parliaments: Legislative Houses and Political Culture," *British Journal of Political Science* 18:3 (Jul 1988): 287-302. Goodsell does not address gender in his article.

take a nap on one of the couches that they had used to similar ends for decades.<sup>171</sup> Though this might seem a strange reaction to a fairly innocuous act, congresspersons used the cloakrooms to drink, tell off-color stories and jokes, and generally relax and bond.<sup>172</sup> The presence of women disrupted all of these practices. As Donnald Anderson described, “The handful of women Members of the House never sat in the back. They would come in occasionally . . . but never linger, because it was like going into the men’s locker room.”<sup>173</sup>

Both formal and informal restrictions affected congresswomen’s ability to network with their colleagues, which in turn affected their ability to advocate for policy. The gym was one place where House and Senate members constructed intimate relationships with one another, eroding potential distrust and establishing the basis for bipartisan coalition-building.<sup>174</sup> Not just anyone could join the “gym group,” which one GOP member noted was especially helpful for moving private bills.<sup>175</sup> As another member told former staffer and political scientist Charles Clapp,

The gymnasium group is about the most influential one in the House. . . . You can accomplish a lot on an informal, casual basis. You can discuss informally things you don’t want to call a man about. . . . You have an opportunity to get to know better the guys in the other party.”<sup>176</sup>

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<sup>171</sup> “Donnald K Anderson Home,” Office of History and Preservation, Office of the Clerk, U.S. House of Representatives. <http://oralhistory.clerk.house.gov/interviewee.html?name=anderson-donn> (accessed 10 Oct 2010): 22-23.

<sup>172</sup> The congruence between male socializing and politicking in the cloakrooms is most vividly described in Robert A. Caro’s *Master of the Senate*. See also Riegle with Armbrister, *O Congress*: 281.

<sup>173</sup> “Donnald K Anderson Home,” Office of History and Preservation, Office of the Clerk, U.S. House of Representatives. <http://oralhistory.clerk.house.gov/interviewee.html?name=anderson-donn> (accessed 10 Oct 2010): 22-23.

<sup>174</sup> The few articles on paddleball in *Roll Call* indicated the bipartisan nature of play. See Karen Feld, “Around the Hill: Fractured Fascell,” *Roll Call* (25 Feb 1971), “Rayburn HOB – Gymnasium” Folder, AoC Files. For a recommendation that new members join the gym for networking purposes, see Charles Clapp, *The Congressman*: 14.

<sup>175</sup> Clapp, *The Congressman*: 37.

<sup>176</sup> Ibid: 40.

Close male relationships had both social and legislative functions. Meanwhile, women like Bolton often “plodded along” as a “lone wolf.”<sup>177</sup>

Male political mentorship of other men was a key method of integrating newer legislators into the political and social process of legislating while priming them for leadership positions.<sup>178</sup> As former Washington correspondent Meg Greenfield noted, newer members encountered “if not exactly hazing at least some initiation rites and put-downs by the big kids.”<sup>179</sup> The gym, the cloakroom, and other masculine spaces paired with the male-only clubs and secret societies like the Chowder and Marching Society, which actively recruited members.<sup>180</sup> These indoctrination processes produced a group culture where, as one congressman noted, “[f]riendships bind men together in a way that women do not experience. There is a bonding. . . . The language that we use, the drinking we do, make it very difficult for women to enter this world.”<sup>181</sup> Camaraderie sat at the base of the average congressman’s ability to pursue policy initiatives, especially if he was in the early stages of his congressional career.<sup>182</sup>

This male culture mimicked familial relationships. Just as executive secretaries played the office wife, newly-elected legislators were required to play the deferential son. Older, more powerful legislators shepherded their adoptees through the first few years of their congressional lives. When Rep. Mo Udall asked fellow members about how to gain experience and clout in the

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<sup>177</sup> Rieselbach, *Congressional Politics*: 156-57.

<sup>178</sup> Quoted in Frances Bolton, interview with Peggy Lamson (25 Apr 1967), Peggy Lamson Papers.

<sup>179</sup> Greenfield, *Washington*: 26.

<sup>180</sup> Tacheron and Udall, *The Job of the Congressman*: 135.

<sup>181</sup> Gertzog, *Congressional Women*: 63. Irwin Gertzog conducted his interviews from 1977-1981. See pages xii-xiii. Gertzog noted that this “gym fellowship” persisted into the 1990s. One female congressional employee noted that “[t]hey had in common the all-male environment, the locker-room language and banter, and the opportunity to exchange ideas of mutual interest in an atmosphere embodying the physical activities that they saw as natural extensions of their male identities.” See pages 90-91. As a result, women could not as easily rely on friendships or manly respect as a tool of what political scientist Gregory Wawro refers to as “legislative entrepreneurship.” Gregory Wawro, *Legislative Entrepreneurship in the U.S. House of Representatives* (Ann Arbor, MI: University of Michigan Press, 2000): 4. Wawro deals with a number of entrepreneurship tools, including co-sponsorship with an eye towards coalition-building, grouping issues to attract majority coalitions, and expanding the number of titles in a bill.

<sup>182</sup> Rieselbach, *Congressional Politics*: 156-59.

House, many responded with a variation on one congressman's recollections: "When I came back here I just threw myself on the mercy of the old hands and said, 'I am as green as a gourd and if you don't do something to help me out I don't know where I'll land.'" <sup>183</sup> Rep. John Anderson (D-IN) thanked Rep. Charlie Halleck (R-IN) for "fathering" him early in his career upon Halleck's retirement. <sup>184</sup> Mentorship was less accessible to congresswomen, who often entered Congress as outsiders and had to work much harder to infiltrate male spaces and cultivate friendships with men who might help them within the congressional workplace.

Congresswomen mounted a few small protests against these exclusionary practices in the 1960s, focusing first on spatial exclusions. In 1967, Reps. Patsy Mink, Charlotte Reid, and Catherine May attempted to integrate the "Members Only" gym, since they too wanted to join the calisthenics class ostensibly offered to all members of Congress. Their demands confused the director of the gym, who failed to understand that there were female members and attempted to bar them from admittance. In his view, "[t]he men come out of there [the work-out rooms] in various states of dress to make telephone calls and things. We really aren't set up here for women." <sup>185</sup> The director attempted to get the congresswomen to cover their ears so that he could announce their presence to the male gym contingent, to which Rep. Catherine May (R-WA) replied, "[t]he language won't bother us." <sup>186</sup> Impolite language and nudity worked to exclude women from male spaces where off-the-record legislative work might be accomplished.

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<sup>183</sup> Quoted in Tacheron and Udall, *The Job of the Congressman*: 133. Lyndon Johnson also employed this respectful and, at times, submissive approach to "elders" like Rep. Sam Rayburn and Sen. Dick Russell, both of whom were lonely bachelors. For information on the relationship between Lyndon Johnson's relationships with both Sam Rayburn and Dick Russell, see Caro, *Master of the Senate*.

<sup>184</sup> John Anderson, 114 *Congressional Record* (18 Sep 1968): 27370.

<sup>185</sup> "Gym-Dandy Congress Gals," *Daily News* (7 Feb 1967): 3; "3 Find Gym in House Only for Him, Not Her," *New York Times* (7 Feb 1967). Both located in Folder 5, Box 694, PMP Papers.

<sup>186</sup> "Patsy, 2 Colleagues Call for Equal Gym Rights," unidentified newspaper (7 Feb 1967) in Folder 5, Box 694, PMP Papers.

Women looking to infiltrate these spaces needed to be careful. Congress labeled anyone who engaged in activism as a “show horse” rather than a serious politician.<sup>187</sup> In the 1960s, Rep. Adam Clayton Powell was most famous for these tactics. Powell spent a great deal of energy on challenging local segregation and daily slights. He effectively desegregated the House Press Gallery and repeatedly brought constituents and members of his black staff to the House Restaurant. Powell also followed segregationist Rep. John Rankin (D-MS) around the floor of the House because Rankin disliked sitting next to him.<sup>188</sup> Ignoring loud protests from fellow legislators, Powell used his congressional offices for a closed-door planning session with Black Power in 1966.<sup>189</sup> Combined with his playboy antics, Powell’s behavior resulted in a congressional snubbing. Rep. Gus Hawkins (D-CA) noted that “[t]he loudmouths are well known, but they’re not very effective.”<sup>190</sup> Legislators sacrificed their reputations if they resisted discriminatory workplace practices.

Thus, initial challenges to gender-based barriers were tentative. After arguing with the director over their rights, Mink, Reid, and May agreed to delay their “sweat-in,” instead demanding that women be given better swimming hours in the congressional pool.<sup>191</sup> It was

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<sup>187</sup> For an explanation of the difference between “work horse” and “show horse” approaches, see Donald R. Matthews, “The Folkways of the United States Senate: Conformity to Group Norms and Legislative Effectiveness,” *American Political Science Review* 53 (Dec 1959): 1064-89. The categories have been reiterated in Charles Clapp, *The Congressman*: 22-23; James L. Payne, “Show Horses and Work Horses in the United States House of Representatives,” *Polity* 12 (Spring 1980): 428-56. I would argue that the distinction between a “work horse” and a “show horse” is influenced by race, class, and sexuality, since protesting against local discrimination quite frequently requires a typically “show horse” set of tactics, placing Hill minorities of any stripe in a Catch-22 where they must choose between “work horse” acquiescence to daily slights and greater legislative effectiveness or “show horse” tactics, which can be effective in easing daily discrimination for all minorities while decreasing the legislative effectiveness of the show horses themselves.

<sup>188</sup> A good overview of Powell’s role in Congress can be found in “Crafting an Institutional Identity” in the “Black Americans in Congress” database: <http://history.house.gov/Exhibitions-and-Publications/BAIC/Historical-Essays/Keeping-the-Faith/Crafting-Institutional-Identity/> (accessed 27 May 2013).

<sup>189</sup> Robert C. Smith, *We Have No Leaders: African-Americans in the Post-Civil Rights Era*, 2<sup>nd</sup> ed. (Albany, NY: State University of New York Press, 1996): 30.

<sup>190</sup> Augustus Hawkins, quoted in William J. Eaton, “Hawkins Retiring – But Not Quitting,” *Los Angeles Times* (23 Dec 1990): 3A (accessed 27 May 2013).

<sup>191</sup> Aldo Beckman, “Congresswomen’s ‘Sweat-in’ is Foiled,” *Chicago Tribune* (7 Feb 1967): <http://www.proquest.com/> (accessed 24 Sep 2010). The question of co-ed gym classes later became a



easier to obtain separate spaces for women than integrate traditionally male spaces. When the Capitol's East Front was extended in 1961, Speaker Sam Rayburn set aside a small room for the congresswomen. A year later, when their numbers increased to seventeen, they successfully petitioned Rayburn for a larger suite, which eventually included a powder room, a kitchen, and a reception and meeting area.<sup>192</sup> Before the advent of the Congressional Congresswomen's Caucus in 1977, female legislators had obtained a space in which to relax, bond, and strategize. The "Congresswomen's Suite" was women's cloakroom, where they could take naps on daybeds or work on legislation while remaining close to the House floor.

The "rising tide of women legislators" in the early 1960s initially did little to alter congressional hierarchies and practices.<sup>193</sup> The number of women who took seats on the Hill actually declined during these years.<sup>194</sup> There were small challenges to masculine norms, including the new appropriation of space for congresswomen, which supplemented firsts such as Rep. Martha Griffiths' appointment as the first woman to sit on the powerful House Appropriations Committee. But without a feminist movement outside of Congress, these actions had limited effects. Women had few tools with which to challenge masculine spaces, behavioral norms, and social habits. All of these things structured not only who obtained power on the Hill, but what issues were regarded as important congressional business.

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political issue, since Title IX mandated equal and integrated gym classes. This mandate was opposed by Rep. Bob Casey (D-TX), whose Casey Amendment requiring the maintenance of single-sex athletics classes failed in the House in 1975, with a 215-178 vote. Mink remained one of the strongest supporters of co-ed gym class. See "House OKs coed gym class," *Chicago Tribune* (19 Jul 1975): <http://www.proquest.com/> (accessed 4 Jan 2011).

<sup>192</sup> The best and most concise history of the congresswomen's lounge is "Room H-235: The Lindy Claiborne Boggs Congressional Women's Reading Room, United States Capitol" (Office of the Curator, Jun 2003) in the Room H-235: The Lindy Claiborne Boggs Congressional Women's Reading Room Folder, AoC Office Files.

<sup>193</sup> This rising tide was frequently cited when any new women entered Congress or achieved fairly prestigious positions within the institution. See Robert C. Albright, "Early-Vacation Dream Is Rudely Shattered," *Washington Post* (27 Jan 1963): E1 (accessed 12 May 2013).

<sup>194</sup> In reality, the numbers of women in Congress declined through the 1960s, from a peak of twenty in total (House and Senate) to twelve. See "Women Representatives and Senators by Congress, 1917-Present" at <http://history.house.gov/Exhibitions-and-Publications/WIC/Historical-Data/Women-Representatives-and-Senators-by-Congress/> (accessed 12 May 2013).

### “B’ for Broads”: Gendered Approaches to Public Policy in the 1960s

In the 1960s, Congress passed two important pieces of feminist legislation that would facilitate the development of the feminist movement. As historian Cynthia Harrison has detailed, women in the federal bureaucracy were the main source of research and support for both the 1963 Equal Pay Act and the inclusion of sex discrimination within Title VII of the 1964 Civil Rights Act.<sup>195</sup> Yet current scholarship fails to fully explain why Congress did not produce feminist legislation of its own during this period. Congresswomen’s ambivalence about the pursuit of feminist policy was an integral part of this failure. Female legislators were always the most dedicated supporters of policies generated by the executive branch during the 1960s. However, many female legislators believed that developing a specialization in women’s rights would only result in social and political alienation. Most legislators ridiculed these policies, even if they planned to vote for them. Ultimately, the culture of Congress prevented the development of a broad agenda for advancing women’s rights.

Through the 1960s, congresspersons assumed that any feminine behavior or advocacy for women compromised one’s dedication to one’s constituency, as well as the United States as a whole.<sup>196</sup> This situation put women on the defensive. The only independently-elected woman in the Senate during the majority of her tenure, Margaret Chase Smith (R-ME) felt a particularly acute need to fit in in order to remain socially accepted and legislatively effective. Chase Smith argued that she could actually separate sex from her legislative career: “I accept my

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<sup>195</sup> Cynthia Harrison, *On Account of Sex: The Politics of Women’s Issues, 1945-1968* (Berkeley, CA: University of California Press, 1989).

<sup>196</sup> This was even as President Kennedy appointed the President’s Commission on the Status of Women (PCSW), headed by Women’s Bureau head Esther Peterson. In the next few years, the PCSW would investigate the barriers to full female participation in the American educational system, legal system, workforce, economy. Yet Congress would have little to do with legislation that directly dealt with the place of women in America.

responsibilities, do my homework and carry myself as a member of the Senate – never as a woman member of the Senate. I’m always happy to be recognized as a women – and a lady, but I do not let it enter into my official affairs.”<sup>197</sup> So too with legislators advocating for minority rights. As Rep. Augustus Hawkins (D-CA) observed “[r]acializing an issue defeats my purpose – which is to get people on my side.”<sup>198</sup>

Women were torn over whether they could or should represent a national women’s constituency. As Rep. Patsy Mink observed in one 1960s interview, “so few women [are] in the Congress and I see myself as also responsible to the women of the country. . . . This is a responsibility that I feel uniquely mine.”<sup>199</sup> Other women like Sen. Smith stayed away from this open commitment to women’s issues. As some political scientists have observed, this feeling of “surrogate representation” for a constituency that surpassed the borders of congressional districts was a complication that women and minority legislators needed to learn how to negotiate.<sup>200</sup> The continual presence of the Equal Rights Amendment (ERA) was problematic as well. Legislators did not respect the National Women’s Party (NWP), the one women’s rights lobby on the Hill.<sup>201</sup> Rep. Frances Bolton rejected a request that she co-sponsor the ERA because “I just don’t feel I

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<sup>197</sup> Chase Smith held office from 1939 until 1972, and held office in Congress, the first six of which were in the Senate. Margaret Chase Smith, interview with Peggy Lamson, Folder MC 183-9, Box 1, Lamson Papers.

<sup>198</sup> Augustus Hawkins, quoted in *Politics in America, 1990* (Congressional Quarterly Inc., 1989): 181.

<sup>199</sup> Patsy Mink, interview with Peggy Lamson, Folder MC 183-6, Box 1, Lamson Papers.

<sup>200</sup> The term “surrogate representation” can be applied to any group that operates as a minority within a legislature. For a discussion of surrogate representation for women and blacks in Congress, see political scientist Jane Mansbridge, “Should Blacks Represent Blacks and Women Represent Women? A Contingent ‘Yes,’” *Journal of Politics*, 61 (1999): 628-57. The roots of this now a substantial body of literature on women’s default representation of a national women’s constituency can be traced to political scientist Susan Carroll at the Center for Women in Politics at Rutgers University. Her seminal book on the subject is *Women as Candidates in American Politics*, 2<sup>nd</sup> ed. (Bloomington, IN: University of Indiana Press, 1994). For recent work, see Susan Carroll, “Representing Women: Congresswomen’s Perceptions of Their Representational Roles,” presented at “Women Transforming Congress: Gender Analyses of Institutional Life,” Carl Albert Congressional Research and Studies Center, University of Oklahoma (13-15 Apr 2000).

<sup>201</sup> Even Rep. Martha Griffiths, who was nominally a member of the NWP, “considered the Women’s Party ineffectual,” as Leila Rupp and Verta Taylor put it. See Rupp and Taylor, *Survival in the Doldrums: The American Women’s Rights Movement, 1945 to the 1960s* (New York: Oxford University Press, 1987): 177.

want to be part of it.”<sup>202</sup> Yet regardless of the choices a congresswoman made about the political utility of women’s rights, female legislators were far more likely than their male colleagues to pursue legislation aimed at women.<sup>203</sup>

Men consistently decried this “unfortunate tendency” women had of identifying themselves as women and becoming closely tied to “so-called women’s issues.”<sup>204</sup> As one congressman asserted, “[y]ou don’t see men defining themselves as men. And this permits us to focus on other, more important, things.”<sup>205</sup> By defining advocacy for women as outside real politics, men reestablished control over certain policy arenas. Dismissing education, consumer affairs, and other “ladies’ issues,” in 1966 Rep. Henry Reuss (D-WI) asserted that women simply did not pay attention to or educate themselves concerning the “burning issues” of the day which, for Reuss, included international monetary reform and the Vietnam War. Attempting to explain the reason for declining numbers of women in Congress, Reuss noted that if women schooled themselves properly, they would also engage in politics as insider negotiators, rather than picketers outside legislatures. Any concern for women as a group was a “prison” that the “educated woman . . . has made for herself.”<sup>206</sup>

This antipathy to women’s rights structured local conversations about the Equal Pay Act. A small furor bubbled through the early 1960s, as the bill moved through Congress. The 1961

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<sup>202</sup> Bolton also had ties to women in the labor movement, which pushed her away from ERA sponsorship. She did acknowledge that women did not uniformly have equal rights under the Fourteenth and Fifteenth Amendments. See Frances Bolton with Peggy Lamson, Interview #1 – 2<sup>nd</sup> half (25 Apr 1967), Box 1, Lamson Papers.

<sup>203</sup> There is extensive literature on women’s more committed political leadership when it comes to legislation “Representing Women: Congresswomen’s Perceptions of Their Representational Roles,” *Women Transforming Congress*, ed. Cindy Simon Rosenthal (Norman, OK: University of Oklahoma Press, 2002); Karin L. Tamerius, “Sex, Gender, and Leadership in the Representation of Women,” *Gender, Power, Leadership, and Governance*, ed. Georgia Duerst-Lahti and Rita Mae Kelly (Ann Arbor, MI: University of Michigan Press, 1995). For theorization of this tendency, see Jean Lipman-Blumen, *Gender Roles and Power* (New York: Prentice Hall, 1984); Kathleen Jones & Anna Jonasdottir, ed., *The Political Interests of Gender: Developing Theory and Research with a Feminist Face* (Beverly Hills, CA: Sage Publishers, 1988).

<sup>204</sup> Quoted in Gertzog, *Congressional Women*: 63-64.

<sup>205</sup> Ibid.

<sup>206</sup> Willard Edwards, “Our Vanishing Congresswomen,” *Chicago Tribune* (15 May 1966): L50 (accessed 24 Sep 2010).

version included congressional women under its scope.<sup>207</sup> Concerned that the legislation would apply to their offices, many male congressional employees expressed opposition to the bill. Jokingly referring to inequitable pay as “sexcrimination,” a series of *Roll Call* articles covered the debate, noting that “[p]erhaps the opposition is founded on the bill’s threat to male job security – after all, some of the high-riding AA’s might be out of work if Members had to pay their women staffers on an equal basis.”<sup>208</sup> This fear eventually altered the content of the bill. After *Roll Call* journalist Oscar Johnson’s quick and dirty survey of congressional offices revealed numerous underpaid women doing the jobs of their male colleagues, Congress chose to exclude its own workers from coverage.<sup>209</sup> The voices of female staffers were barely audible during debate over the bill.<sup>210</sup>

When congressmen thought about who would benefit from equal pay, they primarily thought of women with typically male jobs. Most male legislators discussing the potential efficacy of the equal pay bill made reference to their “fellow gentlewomen” as a matter of course. In opposition to the bill, Rep. Robert Griffin (R-MI) averred that “I know that the women in this Congress, as well as the women around the country, are the last ones who would want . . . to inflict economic dislocation or to create serious unemployment.”<sup>211</sup> In favor of the bill, Rep. Harold Donohue (D-MA) asserted that “as our immediate inspiration to unanimously approve” the Equal Pay Act, “we need only to look around us and observe the most competent,

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<sup>207</sup> Marie Smith, “Equal Pay Bill Passes in House Session,” *Washington Post* (27 Jul 1962): B1 (accessed 26 Feb 2013). It is not apparent how serious Rep. John Bell Williams (D-MS) was about his amendment, given his longstanding opposition to most labor rights legislation, as well as his animosity towards women’s rights.

<sup>208</sup> Oscar Johnson, “Liberty, Equality, and Sorority,” *Roll Call* 8:7 (1 Aug 1963): 7.

<sup>209</sup> Ibid. Despite the fact that women performed important tasks within congressional offices, their position as lesser paid and lower status workers largely went unquestioned. Oscar Johnson’s survey of a few offices turned out to be fairly representative of employment trends on the Hill. While it is difficult to quantify the amount of work performed by individual staffers, it is abundantly clear that women worked hours that were just as long as men, performed a number of important tasks in their offices, and were almost always paid far less than male staffers.

<sup>210</sup> Ibid; Oscar Johnson, “Male Wail Greets Equal Pay Scale,” *Roll Call* 8:9 (15 Aug 1963): 6; “Seems Like There’s No Equality for Distaffers,” *Roll Call* 8:42 (24 Apr 1963): 8.

<sup>211</sup> “House of Representatives,” *Congressional Record* (25 Jul 1962): 14751.

industrious, distinguished, and gracious ladies whom we are privileged to call our colleagues. . . . There is no thought here of a differentiation in legislative salary because of sex.”<sup>212</sup> Rep. Edith Green (D-OR) later attempted to use this point, formulating a bill that would lower congresswomen’s pay by \$5,000, in order to highlight Congress’ hypocritical unwillingness to pay its few female representatives less than their male counterparts.<sup>213</sup>

Initially, these tactics did not work. Congressmen were far less interested in the passage of strong equal pay legislation than were their female counterparts, a fact that Rep. Bill Ryan (D-NY) noted in his July 1962 remarks on the bill.<sup>214</sup> Years later, Charlie Clapp, staffer for a number of senators as well as the author of a 1963 Brookings publication on congressional office work, noted in reference to the equal pay issue in the 1960s that “[y]ou just didn’t see much indication that people cared.”<sup>215</sup> Women, on the other hand, were at the forefront of the equal pay campaign. Edith Green had devoted years to the bill’s passage before House Education and Labor Committee finally decided to pursue the measure in 1960. Reps. Katherine St. George, Edna Kelly, Edith Green, and Frances Bolton had spent years lobbying for the bill.<sup>216</sup>

Despite overwhelming support from women’s organizations and women in the Department of Labor, male apathy towards the measure threatened the bill up until its 1963 passage. High supporter absenteeism was a continual problem. Instead of staying in Washington

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<sup>212</sup> “Extension of Remarks – House,” *Congressional Record* (17 Sep 1962): 19690.

<sup>213</sup> Gertzog, *Congressional Women*: 151-52.

<sup>214</sup> “House of Representatives,” *Congressional Record* (25 Jul 1962): 14760.

<sup>215</sup> Clapp worked for Sens. Peter Frelinghuysen, John F. Kennedy, and Charlie Chamberlin. See Charles Clapp, interview with Jean Rainey (17 Nov 1977): 2 in “Clapp, Charles” Folder, “A Few Good Women” Oral History Project Files. For Clapp’s earlier assumption that men would assume policy-making positions with greater responsibility, see Charlie Clapp, *The Congressman*: 61-64.

<sup>216</sup> Gertzog, *Congressional Women*: 151. As the bill’s primary sponsor for seven years, Rep. Edith Green noted that she only felt sure of the bill’s chances for success after she had spent time campaigning for and travelling with President John F. Kennedy in the Northwest. See Edith Green, *Fears and Fallacies: Equal Opportunities in the 1970s* (Ann Arbor, MI: University of Michigan Press, 1975): 11. Though she was a longtime supporter of equal pay legislation, Katherine St. George was also responsible for seeking to shift the wording of the bill from “comparable work” to “equal work” – a change that considerably increased chances for the bill’s passage but also narrowed the scope of the legislation. See Marie Smith, “Equal Pay Bill Passes in House Session,” *Washington Post* (27 Jul 1962): B1 (accessed 26 Feb 2013).

to advocate for the bill, which encountered a number of surprise amendments in mid-June 1962, a number of congressmen went home for the weekend.<sup>217</sup> As one *New York Times* article noted, “[a]ll members present favored the bill in principle, but some were not sure it would work.”<sup>218</sup> Rep. Frank T. Bow (R-OH), who consistently asserted that he was in favor of the bill, scuttled it on procedural grounds in 1962, delaying enactment for yet another year.<sup>219</sup> Making light of the concept of equal pay, Rep. Frank Thompson (D-NJ) joked “that he had filed this [equal pay] legislation not under ‘E’ for ‘equal pay’ but under ‘b’ for ‘broad.’”<sup>220</sup> As historian Cynthia Harrison has described, it was only with insistent pressure from a women’s network in the federal bureaucracy that the Equal Pay Act passed Congress in 1963.<sup>221</sup>

Other bills received less attention from the executive, which meant that Congress was even less inclined to seriously debate them. In 1964, legislators considered eliminating the tax on single persons. Staffers referred to the measure as the “bachelor amendment,” and the policy debate was infused with assumptions about men, women, and their approaches to marriage.<sup>222</sup> A small number of congresswomen and female staffers supported a more equitable policy. One secretary had spent months pushing an earlier version of the bill. Although she was unable to get any of her bosses to introduce the legislation, she was sure that female staffers would support her

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<sup>217</sup> “Vote on Equal-Pay Bill Is Postponed in House,” *New York Times* (16 Jun 1962): 12 (accessed 26 Feb 2013).

<sup>218</sup> “Equal-Pay Bill Is Cleared for House Action Today,” *New York Times* (23 May 1963): 25 (accessed 26 Feb 2013). Indeed, most male legislators supported the measure because they believed it would protect the higher salaries and status of male-dominated jobs. See Elizabeth Baker, *Technology and Women’s Work* (New York: Columbia University Press, 1964): 412; Caruthers Gholson Berger, “Equal Pay, Equal Employment Opportunity and Equal Enforcement of the Law for Women,” *Valparaiso Law Review* 5 (Spring 1971): 331; Freeman, *The Politics of Women’s Liberation*: 174-77.

<sup>219</sup> “Equal Pay Bill Is Blocked,” *Washington Post* (12 Oct 1962): D6 (accessed 26 Feb 2013).

<sup>220</sup> Fern Ingersoll, “Congresswomen Look Back,” *Women in Washington: Advocates for Public Policy*, ed. Irene Tinker (Beverly Hills, CA: Sage Publications, 1983): 203.

<sup>221</sup> Cynthia Harrison, *On Account of Sex: The Politics of Women’s Issues, 1945-1968* (Berkeley, CA: University of California Press, 1989): 91-100.

<sup>222</sup> “Bachelorette Finds Senator Is ‘Sympatico,’” *Roll Call* 9:35 (4 Mar 1964): 8.

efforts.<sup>223</sup> Such local support was never particularly visible, however. Instead, the local conversation revolved around whether the bill would further incentivize bachelorhood for men, whom legislators assumed were already naturally disinclined to marry.<sup>224</sup>

The 1964 debates over the inclusion of a sex discrimination amendment in Title VII of the Civil Rights Act exemplified Congress' hostility to legislation aimed at women as a class.<sup>225</sup> Introduced by Rep. Howard Smith (D-VA), the amendment was widely interpreted as an attempt to scuttle civil rights legislation.<sup>226</sup> As many scholars have noted, legislators labeled the two hour debate "ladies day in the House," furthering the impression that neither women nor women's issues were a normal or serious part of the "regular" policy process.<sup>227</sup> Senior Justice Department official Nobert Schlei was in the House gallery that day. She later recalled that congressmen "thought it was a joke. They didn't think there was any discrimination against women that mattered. They were laughing down on the floor as they were talking about it."<sup>228</sup> The bill passed with the amendment intact, despite concerns that its presence would doom the measure. As

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<sup>223</sup> (Miss) Terry Zapert to Ann (15 Aug 1962), Box 4, CSC Records, Manuscript Division, Library of Congress, Washington, D.C.

<sup>224</sup> Though female Hill staffers did generally believe that they could not and did not want to remain single secretaries forever, they still wanted to improve their financial statuses as singles. One single female secretary wrote Sen. Eugene McCarthy to support the bill, asserting that "[t]here ain't no such animal" as "a girl in Washington 35 and over – single – who wants to stay that way." See Lydia Bitter, quoted in "Bachelorette Finds Senator Is 'Sympatico,'" *Roll Call* 9:35 (4 Mar 1964): 8.

<sup>225</sup> The best overview of Congress' inclusion of sex discrimination in Title VII is Carl M. Brauer, "Women Activists, Southern Conservatives, and the Prohibition of Sex Discrimination in Title VII of the Civil Rights Act of 1964," *The Journal of Southern History* 49:1 (Feb 1983): 39-56.

<sup>226</sup> This has been the opinion of most scholars as well. See Ibid; Charles Whalen and Barbara Whalen, *The Longest Debate: A Legislative History of the 1964 Civil Rights Act* (Cabin John, MD: Seven Locks Press, 1985): 238; Gary Orfield, *Congressional Power: Congress and Social Change* (New York: Houghton Mifflin Harcourt, 1975): 299. For an alternate explanation, see Jo Freeman, "How Sex Got Into Title VII: Persistent Opportunism as a Maker of Public Policy," *Law and Inequality: A Journal of Theory and Practice* 9:2 (Mar 1991): 163-84. The article appears in a different form in Chapter 12 of *We Will Be Heard: Women's Struggles for Political Power in the United States* (New York: Rowman & Littlefield, 2008). Freeman traces the roots of the amendment to the National Women's Party's campaign to connect racial and sex discrimination. My point here is that media and, consequently, the public as well as many staffers on the Hill interpreted the debate as not simply a joke, but an attempt to stymie civil rights legislation writ large.

<sup>227</sup> Jo Freeman, "How Sex Got Into Title VII: Persistent Opportunism as a Maker of Public Policy": <http://www.jofreeman.com/lawandpolicy/titlevii.htm> (accessed 13 May 2013).

<sup>228</sup> Charles Whalen and Barbara Whalen, *The Longest Debate*: 49.



Martha Griffiths asserted, “if there had been any necessity to have pointed out that women were a second-class sex, the laughter would have proved it.”<sup>229</sup>

Congress reinforced its apathy towards sex discrimination in its further refusal to clarify what these new laws meant or enact new measures designed to supplement the two laws already in place. During the 1966 discussion of sex discrimination in government pension disbursements, Rep. Martha Griffiths went on television to point out that working women – congresswomen included – paid into pension and Social Security equally with men, but received lower benefits.<sup>230</sup> Though her arguments prompted dozens of letters from women, the issue did not receive traction within Congress.<sup>231</sup> During consideration of the 1966 amendments to the Civil Rights Act, legislators failed to respond to EEOC chairman Franklin D. Roosevelt, Jr.’s request for a more specific enforcement mandate for both Title VII and the EPA.<sup>232</sup> Instead, congressmen asserted that certain kinds of discrimination were clearly permissible under current legislation.<sup>233</sup> Willingness to pass these measures did not mean that Congress recognized sex discrimination as a serious problem.<sup>234</sup>

After all, sex discrimination was not something about which local women complained much. During the Sixties, most women on the Hill were not willing to pursue a feminist policy agenda. Congresswomen were forced to spend too much time and political capital on one or two

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<sup>229</sup> Quoted in Jo Freeman, “How Sex Got Into Title VII: Persistent Opportunism as a Maker of Public Policy”: <http://www.jofreeman.com/lawandpolicy/titlevii.htm> (accessed 13 May 2013).

<sup>230</sup> Response letters, primarily from supportive women, can be found in “Women – Comments Re: Discrimination” Folder, Box 26, Martha Griffiths Papers, Bentley Historical Library, University of Michigan, Ann Arbor, MI.

<sup>231</sup> Phone call note (13 Sep 1968), Folder 2, Box 392, PMP Papers.

<sup>232</sup> Catherine May and Augustus Hawkins, *Congressional Record* (27 Apr 1966): 9131; Franklin D. Roosevelt, Jr., *Cong. Rec.* (27 Apr 1966): 9138.

<sup>233</sup> Samuel Devine, *Ibid*: 9133.

<sup>234</sup> This unwillingness to take accusations of sex discrimination seriously was reflected in Congress’ approach to other legislative matters. Congress failed to understand the positions of stewardesses alleging age discrimination in 1967. As historian Eileen Boris asserted, legislators “reflected cultural constructions of womanhood in gallantly defending the beauty of the women, though at the end the stewardesses failed to gain legislative redress” under the Age Discrimination in Employment Act. See Eileen Boris, “Desirable Dress: Rosies, Sky Girls, and the Politics of Appearance,” *International Labor and Working-Class History* 69 (Spring 2006): 136.

feminist bills. They did not have the resources to broaden the scope of their feminist policy work. The Equal Rights Amendment – identified as the longest lasting and most central women’s issue through the twentieth century – remained a non-issue. Women were a group to be courted during election season. They were a good source of volunteer labor for parties. They were not a legislative concern. Instead, politicians dealt with women through family-oriented policy which assumed a male head of household.<sup>235</sup> Not until the women’s movement pushed women into policymaking positions and facilitated the construction of a feminist staffing and lobbyist network on the Hill could legislators successfully construct and pursue policies to establish women’s rights.

## Conclusion

As sociologist Mary Fainsod Katzenstein has noted, a large part of what defines collectivities “is agreement on what requires debate.”<sup>236</sup> Through the mid-1960s, Congress held on to its cultural conservatism. Congresspersons and their staffers, both male and female, assumed that strict hierarchies were necessary for the smooth functioning of legislative offices and Congress as a whole.<sup>237</sup> These hierarchies offered some unique opportunities for female staffers who were interested in the policymaking process and willing to work overtime to learn the legislative ropes. Meanwhile, the legislative culture of Congress ensured that congresswomen would remain ambivalent about pursuing an array of bills to ensure women’s rights. Without an

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<sup>235</sup> Alice Kessler-Harris demonstrates how normative definition of the family were inscribed and re-inscribed within Social Security legislation. See Alice Kessler-Harris, *In Pursuit of Equity: Women, Men, and the Quest for Economic Citizenship in Twentieth-Century America* (New York: Oxford University Press, 2003).

<sup>236</sup> Mary Fainsod Katzenstein, *Faithful and Fearless: Moving Feminist Protest Inside the Church and Military*, (Princeton, NJ: Princeton University Press, 1999): 35.

<sup>237</sup> The mantra “Staff members serve at the pleasure of their Congressman” was widespread. See Fox and Hammond, *Congressional Staffs*: 7. For other studies and examples, see Lindsay Rogers, “The Staffing of Congress,” *Political Science Quarterly*, LVI (Mar 1941): 16-17 and Michael Malbin, *Unelected Representatives: Congressional Staff and the Future of Representative Government* (New York: Basic Books, 1979).

external set of groups pushing for change or an internal group of women willing to advocate for feminism, the national legislature remained unreceptive to bills or amendments dealing with women as a class.

But Congress was changing. Through the decade, a growing number of liberals pushed to democratize congressional rules, culture, and staffing practices. They failed to get very far along in the reform process in the 1960s, even as they produced a remarkable wave of legislation, enacting Medicare, the Civil and Voting Rights Acts, and a substantial increase in educational aid. As *Congressional Quarterly* noted, “The scope of the legislation was even more impressive than the number of new laws. Measures which, taken alone, would have crowned the achievements of any Congress, were enacted in a seemingly endless stream.”<sup>238</sup> These legislative successes did not immediately translate into liberal power within Congress.<sup>239</sup> Conservatives in the Democratic Party controlled both chambers through the decade. But the groundwork was laid. As numerous congressional analysts have noted, a new wave of reformers elected in the late 1960s arrived ready to change the structure of Congress. They would get much of what they wanted.

Reform was not an endpoint; the new cadre of liberals wanted Congress to become more receptive to progressive legislation.<sup>240</sup> These were the politicians who would make feminist legislation possible. They were opposed to and eventually succeeded in weakening the seniority

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<sup>238</sup> *Congressional Quarterly*, quoted in Irving Bernstein, *Guns of Butter: The Presidency of Lyndon Johnson* (New York: Oxford University Press, 1996): 528.

<sup>239</sup> Nelson Ornstein, quoted in Nelson W. Polsby, *How Congress Evolves: Social Bases of Institutional Change* (New York: Oxford University Press, 2004): 60.

<sup>240</sup> Zelizer, *On Capitol Hill*: 7; Rieselbach, *Congressional Politics*: 155-56; Donald Ostrum, “Consensus and Conflict in the House: A Revised Look at the Ways and Means and Education and Labor Committees,” *Polity* 11:3 (Spring 1979): 430-49; David Rohde, “Committee Reform in the House of Representatives and the Subcommittee Bill of Rights,” *Annals of the American Academy of Political and Social Science* (Jan 1974): 39-47; Arthur G. Stevens, Jr., Arthur H. Miller, and Thomas E. Mann, “Mobilization of Liberal Strength in the House, 1955-1970,” *American Political Science Review* 68:2 (Jun 1974): 667-81. For a longer history of the DGS and its reform campaign, see Rohde, *Parties and Leaders in the Postreform House*.

system and the power long embedded in full committee chairmanships. This was a group supported by unprecedented staffing power. The 1946 Act had begun expanding staffing numbers, and the 1970 Legislative Reorganization Act would further this expansion. Given more power over hiring than ever before, young liberals would bring dozens of well-educated and professionally ambitious young women into Congress as staffers. These legislators were committed to legislative production, especially bills establishing civil rights for minority interest groups. Feminist legislation fit right into a broader agenda. Together, these newer staffers and legislators were integral to the establishment of women's rights as a legitimate area of legislative work.

## Chapter 2

### “Woodwork Feminists”: Professionalization and Feminism in Congress

“We [federal government women] are less angry than those women who were locked in the suburbs with families and felt used by the system. Our dedication to women’s equity comes from our own struggles to be accepted fully in our professional life.” – Irene Tinker, 1983<sup>241</sup>

In 1972, as the Equal Rights Amendment moved towards approval, lobbyists and legislators began talking about the efficacy of “woodwork feminists.” First identified by political scientist Jo Freeman in 1975, this newly constructed “incipient network” was comprised of congressional staffers who were supportive of women’s issues but not openly affiliated with any particular feminist organization or with women’s rights more generally.<sup>242</sup> Within Congress, these women would provide an almost invisible support and information system for lobbyists, staffers, and legislators working for bills to establish women’s rights. Current literature on feminist policymaking only hints at this support system, and its advent has not been explored at all.<sup>243</sup> Yet Congress was a space in which women pursued, in Michel Foucault’s terms, “a plurality of resistances.”<sup>244</sup> How so many staffers in a supposedly conservative institution came to support and assist the women’s movement’s legislative agenda is an important part of feminist policy history.

New blood was an integral component. Fortuitously, congressional reform coincided with the rise of the women’s movement. A set of younger legislators flooded into Congress in the late 1960s and early 1970s, intent on challenging executive control over policymaking. The 1970 Legislative Reorganization Act cemented a reliance on staffer expertise by allocating huge funds

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<sup>241</sup> Irene Tinker, Introduction to *Women in Washington: Advocates for Public Policy*, ed. Irene Tinker (Beverly Hills, CA: Sage Publications, 1983): 9.

<sup>242</sup> Jo Freeman, *The Politics of Women’s Liberation: A Case Study of an Emerging Social Movement and Its Relation to the Policy Process* (Lincoln, NE: Backinprint.com, 2000): 222.

<sup>243</sup> See Ibid; Flora Davis, *Moving the Mountain: The Women’s Movement in American since 1960* (Springfield, IL: University of Illinois Press, 1999): 131; Andrew Fishel and Janice Pottker, *National Politics and Sex Discrimination in Education* (Lexington Books: 1977): 2, 139; Irene Tinker and Arvonne Fraser, *Women in Washington*: 11, 123.

<sup>244</sup> Michel Foucault, *The History of Sexuality: An Introduction* (New York: Pantheon Books, 1978): 96.

for personal office staffing while greatly expanding the number of professionals serving House and Senate committees.<sup>245</sup> Meanwhile, the women's movement reshaped the political and cultural landscape outside the Capitol, pushing progressive legislators to hire women as professional staffers. Highly educated and ambitious, these new hires constituted a large number of firsts on various personal and committee staffs. Women hired specifically to work on gender equity were particularly attuned to inequity in their own workplaces, but all female staffers expected their workplaces to be professional and fair.

These women used feminism carefully. Despite experiencing a variety of forms of discrimination and even harassment, staffers often did not call themselves feminists or openly complain about employment practices on the Hill. Many were hesitant to protest because they liked their employer or were fearful that they might lose their jobs. Women who did challenge Congress' gendered rules and routines often used a soft touch with their employers and coworkers. Congresswomen and female staffers alike fought for individual respect as competent employees whose sex should not factor into working conditions. They wanted to do their jobs well and felt that some practices were unintentionally sexist and exclusionary. Many female legislative employees also assumed that forthright, overtly feminist challenges were not only inappropriate, but would render them further incapable of doing their jobs. As a result, most women's gender consciousness was rarely worn on the sleeve. This reticence made these staffers very useful to advocates for women's rights.<sup>246</sup> These women formed the basis for an "incipient

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<sup>245</sup> Harrison W. Fox, Jr. and Susan Webb Hammond, *Congressional Staffs: The Invisible Force in American Lawmaking* (New York: The Free Press, 1977): 14; Julian Zelizer covers this shift in his more recent book, also noting that the growth of caucuses undermined the committee system, reallocated power to younger members, and increased staffing. See Julian Zelizer, *On Capitol Hill: The Struggle to Reform Congress and Its Consequences* (New York: Cambridge University Press, 2004): 97-98, 128.

<sup>246</sup> I take the term "gender consciousness" from Patricia Gurin and Aloen Townsend, "Properties of Gender Identities and Their Implications for Gender Consciousness," *British Journal of Social Psychology* 25:2 (Jun 1986): 139-48. Gurin and Townsend describe gender consciousness as a sense that common experiences bind women together as a group. Such consciousness is a precursor to but not necessarily indicative of feminist consciousness.

underground” receptive to and often willing to assist with the passage of legislation to ensure women’s rights.

### “Staffing Is Power”: The Legislative Reorganization Act of 1970

The women’s movement had good timing. With the conservative Richard Nixon in the White House and the number of progressives in Congress growing, the ideological gap between the legislative and executive branches widened.<sup>247</sup> Against the wishes of liberals, the President escalated the Vietnam War and began chipping away at welfare programs supported by Congress.<sup>248</sup> Legislators needed to be able to research and write legislation on their own, without help from the Nixon Administration. The 1970 Legislative Reorganization Act tripled the number of staff House members could hire.<sup>249</sup> The number of Senate staffers also swelled. Committee staff numbers in both chambers grew rapidly as Congress devolved policymaking

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See also Mary Fainsod Katzenstein, “Comparing the Feminist Movements of the United States and Western Europe: An Overview” in *The Women’s Movements of the United States and Western Europe: Consciousness, Political Opportunity, and Public Policy*, ed. Mary Fainsod Katzenstein and Carol McClurg Mueller (Philadelphia: Temple University Press, 1987): 3-8. Others prefer the term “oppositional consciousness.” The theorization undergirding this term is useful for analyzing the varied ways in which women come to see themselves as part of a group. As political scientist Jane Mansbridge summarizes, “At minimum, oppositional consciousness includes the four elements of identifying with members of a subordinate group, identifying injustices done to that group, opposing those injustices, and seeing the group as having a shared interest in ending or diminishing those injustices.” Mansbridge, “The Making of Oppositional Consciousness,” *Oppositional Consciousness: The Subjective Roots of Social Protest*, ed. Jane Mansbridge and Aldon Morris (Chicago: The University of Chicago Press, 2001): 5.

<sup>247</sup> Congress experienced some of its highest turnover in 1972, as the result of both redistricting and retirements. See Julian Zelizer, *On Capitol Hill*: 134.

<sup>248</sup> For instance, historian Gareth Davies notes that Congress successfully prevented both Presidents Nixon and Ford from cutting funding to the Elementary and Secondary Education Act of 1965. See Gareth Davies, *See Government Grow: Education Politics from Johnson to Reagan* (Lawrence, KS: University of Kansas Press, 2007): 75-80; 235-36.

<sup>249</sup> Representatives were allowed fifteen staffers total, but received one extra if their districts exceeded 500,000 persons. See Susan Webb Hammond, “Personal Staffs of Members of the U.S. House of Representatives” (Baltimore: The Johns Hopkins University Diss., 1973): 100. This increase was an extension and escalation of 1960s trends, and was fairly well publicized by local newspapers. The *Washington Post* reported that House staffing alone grew from 3,840 staffers in 1960 to 7,022 in 1970. At the beginning of 1975, the House employed 9,951 staffers and the *Post* expected that number to increase by 1,500 to 2,000 persons by the end of the legislative calendar. See Richard Lyons, “Size of House Staff to Leap Again,” *Washington Post* (1 Jun 1975): A9 in House Barbershop Folder, Architect of the Capitol Office Files, Office of the Architect of the Capitol, Washington, D.C., hereafter referred to as AoC Office Files. For a brief overview of House and Senate trends, see Karen Foerstel and Herbert N. Foerstel, *Climbing the Hill: Gender Conflict in Congress* (New York: Praeger Publishers, 1996): 146; Morris P. Fiorina, *Congress: Keystone of the Washington Establishment* (New Haven, CT: Yale University Press, 1977): 58.

power.<sup>250</sup> All congresspersons sought new ways to manage their expanding workloads.<sup>251</sup> In this volatile political climate, women's issues seemed safe and, at least for more liberal legislators watching the ever-increasing feminist activism in their districts, it looked bad not to have at least one female aide. If new staffers were necessary, why not hire a woman or two?

The new notion that "Staffing is power" helped to change Hill demographics.<sup>252</sup> Previously concerned that an increase in staff would lessen their individual power over offices and legislative matters, national legislators slowly reached consensus on the importance of developing an independent research base from within their branch of government.<sup>253</sup> Cultivating that research base meant changing the qualifications necessary for Hill employment. As one saddened 1974 *Roll Call* editorial noted, "[p]rofessionalism has taken hold in the past decade, and in most offices the prime requirement is ability, experience, and suitability."<sup>254</sup> A new

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<sup>250</sup> For a good, short analysis of the act, see Walter Kravitz, "The Advent of the Modern Congress: The Legislative Reorganization Act of 1970," *Legislative Studies Quarterly* 15:3 (Aug 1990): 375-99.

<sup>251</sup> Former staffers and political scientists Susan Webb Hammond and Harrison Fox noted in their 1977 congressional staffing study that "[a] relationship appears to exist between the rapid growth in committee staffs, especially in the last twenty years, and increased constituent demands and more complex legislative agendas." See Fox and Hammond, *Congressional Staffs*: 24.

<sup>252</sup> Fox and Hammond, *Congressional Staffs*: 16. This was, in fact, an opinion promoted heavily by political scientists during the late 1960s and early 1970s. For example, see Nelson W. Polsby, "Policy Analysis and Congress," *Public Policy* 28 (Fall 1969): 61-74; Warren H. Butler, "Administering Congress: The Role of the Staff," *Public Administration Review* 26 (Mar 1966): 3-13; David E. Price, "Professionals and 'Entrepreneurs': Staff Orientations and Policy Making on Three Senate Committees," *The Journal of Politics* 33:2 (May 1971): 316-36.

<sup>253</sup> The most concrete consolidation of building congressional concern about executive branch overreach is the Joint Committee on the Organization of the Congress, *Final Report*, pursuant to S. Cong. Res. 2, 89<sup>th</sup> Congress (28 Jul 1966): 21-23, 36-42.

<sup>254</sup> "'Crazy Days' Bring In-House Hanky-Panky" *Roll Call* 20:9 (29 Aug 1974): 1. In the Senate, generally the least willing to professionalize its staff because of an institutional history of individual deliberative debate, nearly all male aides and just under half of women in the same position had a B.A. or B.S. by the mid-1970s. Nearly fifteen percent of staffers had law degrees, and fourteen percent of those surveyed had obtained a Ph.D. 221 out of 235 male aides had B.A.s or B.S.s, while twenty of the fifty-four female staffers had graduated from college. Fox and Hammond, *Congressional Staffs*: 35-36. The presence of staffers with degrees changed the culture of the Hill. Peggy Love, a staffer for Rep. Charlie Wilson, obtained a college degree because other staffers did not respect her work otherwise. Love had begun working on the Hill about five years prior and had numerous contacts from her work in Rep. Wayne Hays' (D-OH) office. As she noted, casework really did not require a degree – though she was in the process of obtaining one at the time – because "I could have had a PhD, and, but without those contacts . . . I wouldn't be nearly as useful to Charlie as I was without a degree." See Peggy Love, transcript, Charlie Wilson Oral History Project Interview I, 25 Mar 2011, by Perky Beisel, Stephen F. Austin State University. Online: <http://www.sfasu.edu/heritagecenter/6408.asp> (accessed 28 Feb 2013).



emphasis on degrees and the systematic study of particular policy areas resulted in the hire of younger professional staff.<sup>255</sup>

The professionalization of the congressional workplace lowered the standing of clerical labor. Previously, female “executive secretaries” or “office managers” earned the highest salaries in the office. Their authority tended to be based in their tenure on the Hill, their close relationships with their employers, and their tight control over small offices, as well as their extensive Rolodexes.<sup>256</sup> As the 1960s transitioned to the 1970s, the mechanics of office work grew more complicated, and the position of office coordinator increasingly shifted from an assumedly female “executive secretary” to an assumedly male “administrative assistant” with a college or graduate education.<sup>257</sup> Administrative work was now professional, differentiated from the labor of a largely female corps of receptionists, secretaries, and caseworkers.<sup>258</sup> Meanwhile, the number and standing of legislative assistants grew by leaps and bounds – and the majority of these often highly-educated and policy-oriented staffers were young and male.

The rapid overall growth in the Hill population during the 1960s and 1970s still increased opportunities for women. By 1976, Congress employed over 38,000 individuals, including approximately 3,000 committee workers, 10,000 staffers toiling in House and Senate personal

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<sup>255</sup> In 1972, Sen. Walter Mondale’s AA left the office for personal and professional reasons, advising that “[i]f you look around the Senate I think you will find that the Senators who have the same staff for years on end tend to become stodgy or only function oriented and somewhat out of touch. It seems to [me] that those who have regular turnover remain fresher. New staff, loaded with energy, excited about the possibilities give the whole operation more zip.” See “A Replacement for Me” memo (n.d.), “WCS Memos, 1972” Folder, Box 153.J.12.10F, Walter Mondale Papers, Minnesota Historical Society, Saint Paul, MN. This intra-congressional definition of professional expertise contradicted the popular definition of “professional,” which often included non-partisan careerism. See Barbara S. Romzek and Jennifer A. Utter, “Congressional Legislative Staff: Political Professionals or Clerks?” *American Journal of Political Science* 41:4 (Oct 1997): 1252.

<sup>256</sup> A reliance on executive secretaries, office managers, and personal secretaries – regardless of whether they absorbed the new AA title or not – stemmed from their comparatively length tenure on the Hill. See Susan Webb Hammond, “Personal Staffs of Members of the U.S. House of Representatives”: 303.

<sup>257</sup> The 1970 Legislative Reorganization Act helped the process along by formally recognizing the use of job titles. Ibid: 272.

<sup>258</sup> Much of the bump in female Hill numbers came from an increase in the number of caseworkers on staff. As discussed later in the chapter, caseworkers performed much of the day-to-day work of the office and were a critical link between the congressperson’s office and his or her constituency.

offices, and 17,900 working in congressional support institutions like the General Accounting Office (GAO) and the Library of Congress' Congressional Research Service (CRS).<sup>259</sup> The rising stature of the women's movement outside congressional halls coincided with an increase in the number of women applying for staffing positions with qualifications and aspirations similar to those of male applicants. While congresspersons continued to funnel most of this new cadre of women into clerical and administrative jobs regardless of qualifications, some were hired as LAs or worked their way into legislative positions.<sup>260</sup> From this group, a significant number of female legislators would emerge in the 1990s, including Barbara Boxer, Nancy Kassenbaum, Olympia Snowe, Rosa De Lauro, Jane (Frank) Harman, and Tillie Fowler.<sup>261</sup>

Staffer expansion barely affected the representation of persons of color on staffs. Though the number of black secretaries expanded in other workplaces during the 1970s, Congresspersons continued to almost exclusively hire whites for newly created positions.<sup>262</sup> While there is little systematic documentation of race on the Hill, it seems that only black legislators tended to hire black staffers in sizeable numbers.<sup>263</sup> The *Chicago Reporter* noted in 1976 that "[e]ven the liberals won't gather the rudimentary information to do something [about unequal hiring

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<sup>259</sup> The individual staffs of House congresspersons had grown from a five-person cap in 1957 to a maximum of fifteen in 1976. House members now spent approximately a quarter million on salaries. See Foerstel and Foerstel, *Climbing the Hill*: 146. Prior to the 1970 Legislative Reorganization Act, the CRS was called the Legislative Reference Service. The missions, funding, and staff for both agencies expanded as a result of the act. See Walter Kravitz, "The Advent of the Modern Congress: The Legislative Reorganization Act of 1970," *Legislative Studies Quarterly* 15:3 (Aug 1990): 383. See also Fox and Hammond, *Congressional Staffs*: 3.

<sup>260</sup> Legislators hired twenty-one of the seventy-three female AAs employed by the House between 1970 and 1972. See Susan Webb Hammond, "Personal Staffs of Members of the U.S. House of Representatives": 183-84; Martin Tolchin and Susan Tolchin, *Clout: Womanpower and Politics* (New York: Coward, McCann and Geoghegan, Inc., 1973): 242.

<sup>261</sup> Foerstel and Foerstel, *Climbing the Hill*: 148-50.

<sup>262</sup> "Discrimination by Congressmen in Hiring Office Staffs Reported," *Los Angeles Times* (18 Aug 1974): 1 (accessed 23 Feb 2013). The number of black clerical workers rose from 9.3 percent in 1960 to 29.3 percent in 1980. See Marilyn Power and Sam Rosenberg, "Black Female Clerical Workers: Movement toward Equality with White Women?" *Industrial Relations* 32 (Spring 1993): 223-37.

<sup>263</sup> The eventual founder of the Black Senate Legislative Staff Caucus, Jackie Parker began looking for a congressional job in 1969 and noted that "I had the door shut in my face almost before I could knock." This led to Parker's lifelong crusade to improve the congressional staffing system for blacks. See "Aide Fights Capitol Hill Racism," *Ludington Daily News* (18 Oct 1989): 8. Available at news.google.com (accessed 11 May 2013).

practices]. It's very sensitive." As the article noted, "[w]omen did better than blacks and Latinos, filling more than 40% of the professional jobs."<sup>264</sup> Trends found in Illinois stretched across Congress. In 1977, blacks constituted just under seven percent of House staffers and a mere two percent of professional staff.<sup>265</sup> There were even fewer persons of color in the Senate, where Sen. Edward Brooke (R-MA) was the only black to serve and few white legislators hired persons of color as aides.<sup>266</sup>

In contrast, the arrival of female staffers was so rapid that some congresspersons were startled by the effects of their own policies. As he sat down to committee business in the late 1970s, Sen. Abraham Ribicoff (D-CT) voiced astonishment with his own committee's staff makeup. As his former staffer Claudia Weicker recalls, "the benches behind the back podium were beginning to fill up with staff. At one point [Ribicoff] looked up, and he turned to me and he said 'Who are all these women?' And I said, 'Well, Senator, they all work for you. You're the chairman.' And it's true. All of a sudden, it was as though he just noticed."<sup>267</sup> Weicker's observations are telling. One year after its 1975 implementation, Senate Resolution 60 was responsible for nearly three hundred additional Hill employees.<sup>268</sup> Designed to increase Senate committee professionals, S. Res. 60 was the tail end of a larger hiring shift that facilitated the

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<sup>264</sup> Of the 128 congressional staffers serving Illinois, one was Latino, seventy percent of the thirty black employees were on black congressmen's staffs, and there were only three black professionals on the staffs of the white congressmen serving the state. Bryce Nelson, "Study Discovers Few Blacks or Latinos on Staffs of U.S. Lawmakers from Illinois," *Los Angeles Times* (1 Mar 1976): 4 (accessed 23 Feb 2013).

<sup>265</sup> Ellen Hume, "'Not Equal Opportunity Employer:' New Rights Coalition Hits Congress Hiring Practices," *Los Angeles Times* (1 Sep 1977): 13 (accessed 23 Feb 2013).

<sup>266</sup> See "Testimony of Ms. Jackie Parker before the Senate Committee on Governmental Affairs" submitted by Rep. Louis Stokes (D-OH) *Congressional Record – Extension of Remarks* 135 (30 Oct 1989): 26500.

<sup>267</sup> Interview with Claudia Weicker, Charlottesville, VA (17 Jan 2011).

<sup>268</sup> S. Res. 60 resulted in 291 new hires. See Harrison Fox, Jr. and Susan Webb Hammond, *Congressional Staff*: 25.

influx of a new generation of women lawyers and policymakers into areas (often, quite literally, spaces) previously dominated by male congresspersons and aides.<sup>269</sup>

### Working with a “Man’s Resume:” Professionalization and Barriers to Feminism

An influx of women did not immediately result in feminist organizing. Female staffers understood that it was difficult to get a Hill job, regardless of sex. Congresspersons like Ribicoff were hiring large numbers of women seemingly without taking sex into account. Congressional labor seemed meritocratic.<sup>270</sup> Further, everyone who worked in Congress had to work long, stressful hours. Former legislative aide Margaret Goodman observed that when she first arrived in Congress in the early 1970s “gender. . . didn’t loom all that large for me. I mean, I was happy to get a job anywhere.”<sup>271</sup> As Goodman increasingly recognized that she was treated differently in her workplace because of her sex, she moved towards a feminism she defined as moderate, and thus capable of bridging the divide between her emerging complaints about her workplace and her dedication to and love of her job. In her words, she became “a feminist but not a radical”

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<sup>269</sup> The impact of S. Res. 60 is summarized on the Senate History website thusly: “Previously, committees had to rely principally on executive branch agencies and outside interests for substantive policy information. Senate committee staffs grew rapidly over the next few decades, doubling during the 1970s. This increase occurred as a result of Senate Resolution 60, adopted in 1975. S. Res. 60 authorized each senator who was not a committee chairman to hire a legislative assistant for each the three Class A and B committees to which that senator was assigned. Today, approximately one thousand professional and clerical staff members support the work of the Senate’s committees.” See <http://www.senate.gov/artandhistory/history/common/briefing/Committees.htm> (accessed 10 Nov 2012).

<sup>270</sup> *Roll Call* reporter Theresa Terrell-Smith observed that the Joint Committee on Congressional Operations (JCCO) staffers even believed women to “have an edge” in the Hill employment market. Theresa Terrell-Smith, “Jobs on the Hill,” *Roll Call* 20:14 (10 Oct 1974): 5. The staff was comprised of eight persons, and the two women occupied the lowest status (and probably lowest paid) positions on the staff. The membership and staff of the Joint Committee on Congressional Operations can be found in Charles Brownson, *Congressional Staff Directory* (1974): 213.

<sup>271</sup> Phone interview with Margaret Goodman (9 Mar 2011).

during the early seventies.<sup>272</sup> This approach to feminism was fairly commonplace during this period, both inside and outside of congressional offices.<sup>273</sup>

After all, Hill work still provided staffers with good salaries and a surprising amount of responsibility and autonomy.<sup>274</sup> Increased legislative and bureaucratic complexity increased the value of men and women who, as *Roll Call* summarized, “have worked their way up in offices and know how to run an operation.”<sup>275</sup> This was especially the case in the House, which contained an increasing number of newer, younger members who were more likely to adopt more equitable relationships with their AAs.<sup>276</sup> While women usually did not begin their work on equal footing with men, they could end up in similar jobs as men. Often citing the “shortage of good secretarial help,” congresspersons initially hired most women as clerical assistants, moving them up through their small office ranks if these women displayed an aptitude for congressional work.<sup>277</sup> In her 1973 dissertation on congressional staffing, former staffer Susan Hammond noted

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<sup>272</sup> Ibid.

<sup>273</sup> Former staffer for Rep. Edith Green’s Subcommittee on Women in Higher Education and primary author of Title IX, Bernice Sandler recalls that in the early 1970s, the National Organization for Women (NOW) seemed “enormously radical” and “I, certainly being a dignified lady, would never go on a march. I don’t want to tell you how many marches I’ve been on since!” Phone interview with Bernice Sandler (26 May 2011).

<sup>274</sup> *Roll Call* published stories on pay boosts whenever they occurred, noting frequently that legislators had not voted themselves a pay increase since 1969. “House Pay Trend Continues Upward,” *Roll Call* 17:18 (2 Dec 1971): 1; “Salary Boost,” *Roll Call* 17:21 (20 Jan 1972): 14; “Senate Aides’ Pay Raised,” *Roll Call* 20:1 (4 Jul 1974): 1; “Pay Hike Okayed for House Staffs,” *Roll Call* 20:40 (24 Apr 1975): 1; “Pay Raise for Senate Aides,” *Roll Call* 21:2 (17 Jul 1975): 3; “Hill’s Top Incomes,” *Roll Call* 21:3 (24 Jul 1975): 1, 4; George M. Lies, “Hill Income Tops,” *Roll Call* 21:3 (24 Jul 1975): 1, 4.

<sup>275</sup> Theresa Terrell-Smith, “Jobs on the Hill,” *Roll Call* 20:14 (10 Oct 1974): 5. As Susan Webb Hammond and Harrison Fox, Jr. observed in 1977, “coordination with other staff members was useful, often necessary, and ultimately depended on individual initiative. In a group as small as a House congressional staff, there are rarely built-in coordinating mechanisms, few middle-level personnel to review and coordinate work, and an overall office function which is uniquely personal.” Fox and Hammond, *Congressional Staffs*: 69. See also pages 70-74 for additional material on generational differences in office staffing.

<sup>276</sup> Susan Webb Hammond revealed that despite the probable pay decline, “one woman legislative assistant who had worked on a Senate staff previously . . . had purposely chosen to work on the House side because she felt it would offer greater opportunity for responsibility and participation in the policy process.” Susan Hammond, “Personal Staffs of Members of the U.S. House of Representatives”: 165.

<sup>277</sup> For information on the perceived dearth of secretarial labor, see “Hill Clerical Shortage,” *Roll Call* 17:6 (22 Jul 1971): 1; “Congress Takes Over Office Jobs,” *Roll Call* 17:17 (18 Nov 1971): 1. The JCCO complained of a secretary shortage, and its staffers noted in 1974 that a person with solid typing skills could get a job within one and a half weeks. See Theresa Terrell-Smith, “Jobs on the Hill,” *Roll Call* 20:14 (10 Oct 1974): 5. Former staffer Susan Webb Hammond also asserted that “[t]he onus of discrimination should not rest entirely with the Congressmen,

that “While it took more time and effort. . . [w]omen who make it to the very top – e.g., AA title and job content with substantial policy input – are treated equally. They rank in the top-pay bracket for the office, and are paid more than men they supervise.”<sup>278</sup>

Many legislators and staffers attributed persistent hiring and salary differences to disparities in professional training and qualifications. As some female staffers began a 1972 study of potential sex discrimination in Congress, one male staffer remarked that it was difficult to draw perfect lines between titles, salaries, and duties because “[y]ou have to consider credentials. A lot of times a man will have a law degree which makes him worth more.” However, a female secretary with shorthand credentials “might never use it, but they can get paid more because they have the credentials.”<sup>279</sup> This approach ignored the fact that a woman without credentials might have ten more years of service on the Hill, supplying her with dozens of connections and knowledge of the legislative process not possessed by her male counterpart.<sup>280</sup>

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however. Competent secretaries are in short supply, and given the nature of congressional office work, secretaries with skill in drafting letters are vitally needed.” Susan Webb Hammond, “Personal Staffs of Members of the U.S. House of Representatives”: 257.

<sup>278</sup> Ibid: 188. Further, it appeared that women were more likely to work their way to the top of the office. *Roll Call* reported that “[a] greater number of women are Administrative Assistants than ever before.” Theresa Terrell-Smith, “Jobs on the Hill,” *Roll Call* 20:14 (10 Oct 1974): 5.

<sup>279</sup> Helen Bowers, “Women’s Liberation Causes Consternation,” *Roll Call* 17:24 (10 Feb 1972): 1, 5. This assertion failed to consider the formal and informal quotas for women in higher education. Victor Fuchs has noted that “[i]n 1960 the higher-level professional and managerial occupations were almost exclusively male preserves. Only 6 percent of the *new* lawyers, physicians, and doctoral degree recipients were women, whereas 94 percent were men – a ratio of 16 to 1.” See Victor R. Fuchs, *Women’s Quest for Economic Equality* (Cambridge, MA: Harvard University Press, 1988): 14.

<sup>280</sup> The failure to reward tenure and Congress-specific expertise with higher salaries can be seen most clearly with caseworkers. Legislators and fellow staffers conceded that caseworkers performed one of the most if not the most important function in the office. Relying on a Rolodex of contacts and a storehouse of knowledge about congressional and executive bureaucracy procedure built over years on the Hill, these staffers worked as intermediaries between constituents and the large federal bureaucracies that doled out benefits. See John R. Johannes, “The Distribution of Casework in the U.S. Congress: An Uneven Burden,” *Legislative Studies Quarterly* 5:4 (Nov 1980): 517-44. For information on casework as a tool for re-election, see David Mayhew, *Congress: The Electoral Connection* (New Haven, CT: Yale University Press, 1974); Fiorina, *Congress*. For arguments that casework is a starting point for congressional oversight of executive bureaucracies, see John R. Johannes, “Casework as a Technique of U.S. Congressional Oversight of the Executive,” *Legislative Studies Quarterly* 4:3 (Aug 1979): 325-51. Evidence for casework as the starting point for policy innovation is scattered throughout this dissertation. The CSC actually combined information on all office operations – administrative, legislative, and casework – into a single seminar series sponsored by the Prep School for Congressional Secretaries and Legislative

Yet many men and women in high-level positions believed that the hierarchy of congressional employment was reasonable. A June 1977 survey conducted by the Democratic Study Group (DSG) revealed a shared assumption that pay and abilities correlated more closely than pay and other factors like specific position, family responsibilities, living costs, or tenure.<sup>281</sup>

Professionalization of the congressional staffing corps coexisted with the assumption that each office was its own tightly-knit family.<sup>282</sup> *Roll Call* articles decrying declining comity on the Hill ran alongside stories on staffers like Mary Wood. Wood was the AA for Rep. John Dingell (D-MI), “as was her mother for his father.”<sup>283</sup> Rep. Don Riegle (D-MI) layered equity language on top of his family-centric description of office labor: “Because money is limited, I stretch it by hiring people willing to work long hours for modest pay, people moved mainly by a strong desire to serve others. The staff is like a family. Everyone is on a first-name basis, and everyone is treated equally, regardless of salary or seniority.”<sup>284</sup> Riegle was being sincere. However, these attitudes separated salary from equal treatment and substituted equality for collegiality. The personalized nature of congressional office work continued to individualize and obscure the relationships between gender, hiring practices, and pay on the Hill.

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Assistants. See the *CSC Bulletin* (1973), “Bulletins – 1974” Folder, Box 34, CSC Records, Manuscript Division, Library of Congress, Washington, D.C. Hereafter referred to as CSC Records.

<sup>281</sup> The opinions of secretaries and caseworkers – the most numerous and female-heavy positions on the Hill – remained undocumented in both of these instances. Democratic Study Group, “Congressional Practices Study” (June 1977), Folder 7, Box II:127, DSG Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>282</sup> Indeed, this loyalty lasted through the 1970s and 1980s. See Barbara S. Romzek and Jennifer A. Utter, “Congressional Legislative Staff: Political Professionals or Clerks?” *American Journal of Political Science* 41:4 (Oct 1997): 1265-67. For a good example of the interdependence of “family” feeling and expectations of loyalty to both individual congresspersons and the institution of Congress, see Alan Goodman, “What’s Happened to the Hill?: Now It’s Demands, Threats,” *Roll Call* 24:11 (5 Oct 1978): 2.

<sup>283</sup> The 10 Jul 1975 issue of *Roll Call* ran both a nostalgia article and a short piece on Rose Wood. See, respectively, Celeste McCall, “The Way It Was” and Lois Romano, “Around the Hill with Lois Romano,” *Roll Call* 21:1 (10 Jul 1975): 2, 13. So too with Rep. John Moss’ (D-CA) personal secretary Kathleen Benson, who worked for Moss for twelve years and “can’t imagine working for anyone else.” See Celeste McCall, “Hilltopics,” *Roll Call* 21:15 (30 Oct 1975): 5.

<sup>284</sup> Don Riegle with Trevor Armbrister, *O Congress* (New York: Doubleday & Company, Inc., 1972): 45-46.

The congressional mentorship system also mimicked gendered familial relationships. Women rarely occupied positions where they could serve as mentors for other female staffers.<sup>285</sup> Staffers of both sexes depended on male legislators and aides to teach them both the social norms and legislative processes of their workplace.<sup>286</sup> Former staffer Judith Nies now notes that “[e]verything I learned about power and influence, I learned on the job” with California Democratic Rep. Phillip Burton (D-CA).<sup>287</sup> House Committee on Education and Labor chair Rep. John Brademas (D-IN) taught former staffer Arlene Horowitz how the Hill worked.<sup>288</sup> Rep. Charlie Wilson (D-TX) taught Candy Shy Hooper about policymaking while she worked as his press secretary.<sup>289</sup> Carol Mayer Marshall, a Republican staffer had a similar “wonderful relationship” with Rep. Robert Taft (R-OH).<sup>290</sup>

The rise in female aides on the Hill did provide a few models for success and, eventually, women in some offices could take advantage of a system of female mentorship. This was especially important for the few black women working as aides. As Donna Brazile recalls of her staffer work in the 1970s and 1980s, other black women like Carliotta Scott, AA for Rep. Ronald Dellums, and Harriet Pritchett, AA for Rep. William Clay (D-MO), “were regarded as mother figures.” She notes that “[t]here was a special kind of relationship that a young female staffer had

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<sup>285</sup> One woman notes that “There was no effective support network for the staff [when she came to the Hill in the late 1970s]. . . . I ended up mentoring with my male boss. It was great but that was very confusing for my identity. There were no teachers or role models for professional women. . . . There were so few women members in 1979, and we were all in awe of them.” See Ibid: 161.

<sup>286</sup> The flip side of this statement was equally true. Ken Birnbaum, former staffer for Rep. Bella Abzug, received no assistance in sorting out his work on the Hill and recalls how difficult it was to understand the complicated set of social norms and procedural rules in Congress. Ken Birnbaum interview, Washington, D.C. (17 Jul 2011).

<sup>287</sup> Judith Nies, *The Girl I Left Behind: A Narrative History of the Sixties* (New York: Harper, 2008): 15.

<sup>288</sup> Arlene Horowitz, phone interview with Amanda Edwards (20 Nov 2008). Notes in files of Edwards.

<sup>289</sup> Candice Shy Hooper, transcript, Charlie Wilson Oral History Project Interview I, 15 Mar 2012, by Paul J.P. Sandul, M. Scott Sosebee, and Laura Blackburn, Stephen F. Austin State University. Online: <http://www.sfasu.edu/heritagecenter/5374.asp> (accessed 28 Feb 2013).

<sup>290</sup> Carol Mayer Marshall, oral history interview transcript (Menlo Park, CA, 17 Nov 2003): 11 in “Carol Mayer Marshall, Nov. 17, 2003” Folder, “A Few Good Women” Oral History Project, Eberly Family Special Collections Library, Pennsylvania State University, University Park, PA. Hereafter referred to as “A Few Good Women” Oral History Project.



with these role models. . . These were AAs, but they had the stature of a member from a staff person's point of view.<sup>291</sup> In the 1970s, influential female staffers began building the base of informational and social networks that admitted and nurtured female talent within the still highly masculine culture of Capitol Hill.

Women recognized both the strengths and weaknesses of their novelty status. As a former staffer for "The Group," an informal bunch of antiwar liberal Democrats in the House, Judith Nies recently noted that

[t]oday it's common to see male politicians accompanied by female aides in short skirts and long hair, but in 1970 it was unique. . . . But aside from my attention-getting value, Burton and I got along because he thought I had good political instincts and was knowledgeable about foreign policy and the Vietnam War. He once observed that I had a man's resume.<sup>292</sup>

Assumptions about women's roles on the Hill. Instead, the few exceptions worked to prove the rule.<sup>293</sup> One year after Judith Nies was hired, she found out that her salary fell substantially below that of her male predecessor.<sup>294</sup> She may have had a "man's resume" and thus a man's job, but the overriding fact was that she was a woman with a woman's salary.

And yet men who were overtly, at times outrageously sexist were often the ones most likely to give their female employees opportunities for advancement. Reps. Charlie Wilson and Philip Burton were known for their womanizing and for promoting smart women. As Judith Nies noted of Burton, he "always attuned to power nuances, had grasped that a woman legislative assistant brought him a certain amount of curiosity and attention, even though I never had work

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<sup>291</sup> Donna Brazile, quoted in Foerstel and Foerstel, *Climbing the Hill*: 152.

<sup>292</sup> Nies, *The Girl I Left Behind*: 20. Congresswomen apparently also had this problem. One congresswoman's former teacher noted that "she thinks and works just like a man." See Peggy Lamson, *Few Are Chosen: American Women in Political Life Today* (New York: Houghton Mifflin Company, 1968): xxvi.

<sup>293</sup> "Exceptions" within Congress were subjected to the same treatment as "exceptions" within other office environments. For a good discussion of "tokens" within the 1970s workplace, see Rosabeth Moss Kanter, *Men and Women of the Corporation* (New York: Basic Books, 1977): 207-36.

<sup>294</sup> Nies, *The Girl I Left Behind*: 20-21.

space. . . . He prided himself on being ahead of the curve.”<sup>295</sup> D’Anna Tindal, a former staffer for Rep. Charlie Wilson, that “[Wilson] used to drive us crazy because he was such a chauvinist, but he also gave us so many opportunities. For heaven’s sakes, I was a woman on Defense Appropriations, where there weren’t very many of us.”<sup>296</sup> Female staffers could increasingly take advantage of this novelty status, as congressional demographics changed and the “young turk” and “Watergate Baby” congressional reformers of the 1970s dedicated themselves to upending what they saw as cultural and policy stagnancy in Congress.<sup>297</sup>

Relying on men required that female staffers accommodate rather than resist the male privilege built into much congressional office work. As former staffer Donna Brazile recalls, “In a white male’s office, there’s a tendency to be one of the boys, to go along and get along, to get the work done and not to make waves.”<sup>298</sup> Collegiality was part of a Hill job. It is thus unsurprising that in interviews with scholars in the 1970s, most staffers reported that they had good relationships with their coworkers and employers and expected “relatively conflict-free work situations.”<sup>299</sup> The fact that Capitol Hill was a social and work community of displaced people bound both male and female staffers to Congress. Receptions and cocktail hours persisted, Hillites dated and intermarried, and Speaker Tip O’Neill went to Weight Watchers

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<sup>295</sup> Ibid.

<sup>296</sup> D’Anna Tindal, quoted in Peter Carlson, “Sticking to His Guns,” *Washington Post* (22 Dec 2007): <http://www.washingtonpost.com/wp-dyn/content/article/2007/12/21/AR2007122102520.html> (accessed 28 Feb 2013).

<sup>297</sup> For more information on the “young turks” targeting old establishment legislative politics, see Julian Zelizer, *Taxing America* (Cambridge University Press, 1999): 349-60. Zelizer examines how these reform efforts specifically targeted the powerful House Ways and Means Committee, run by Rep. Wilbur Mills. Seventy-five Watergate Babies were elected in 1974. On the role of the “Class of ’74,” see Burdett Loomis, *The New American Politician* (New York: Basic Books, 1988): 31-36; Zelizer, “Chapter 9: Watergate Babies,” *On Capitol Hill*: 161-156-76.

<sup>298</sup> Donna Brazile, quoted in Foerstel and Foerstel, *Climbing the Hill*: 153.

<sup>299</sup> Fox and Hammond, *Congressional Staffs*: 79.

with female staffers.<sup>300</sup> The boundary between staffers' personal and the political worlds was practically nonexistent.

### 'Not Tied Down.' The Sexualization of Hill Women

Though the decentralized structure of the Hill dampened criticism of individual employers, the culture of Congress came in for criticism in the 1970s. Through the decade, the number of secretaries escalated rapidly, as individual, committee, and subcommittee staffs expanded. Simultaneously, the formal duties of secretaries narrowed. As a consequence, not only did secretaries get younger, but the secretary's role as object of congressional beautification became more prominent. Angie Howard, personal secretary to Rep. John W. Davis (D-GA) and a featured 1972 *Roll Call* "Pinup" girl, noted that "A friend told me the Congressman was looking for someone. Someone single, not tied down. And I wasn't tied down."<sup>301</sup> Rumors that many younger women on the Hill had obtained their jobs because they were "not tied down" proliferated. This stereotype upset many women, who did not want their hard work and accomplishments sullied.

The expansion of staffing opportunities alongside the funneling of new female hires into clerical positions made the generational disjuncture between younger and older women on the Hill more visible. Older congresspersons like Sen. Robert Byrd (D-WV) tended towards older female secretaries because "there are not too many people willing to start at the bottom." Byrd

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<sup>300</sup> Coverage of parties, receptions, dating, marriages, births, and other personal news can be found in *Roll Call*, most often in Karen Feld's "Around the Hill with Karen Feld" column. Feld's column was replaced with Celeste McCall's "Hilltopics" halfway through the 1970s. For an overview example, see "Capitol Hill Party Circuit Alive & Well," *Roll Call* 20:33 (6 Mar 1975): 3. Groups like the CSC continued to facilitate social mixing, as well as new activities like crocheting class, the "choraleers" singing group, and a Hill Weight Watchers alongside older classes like golf and bowling, picnics, and overseas trips. Weight Watchers class advertisements appeared regularly in the CSC Bulletin through the 1970s. Beginning in 1971, the class met every Wednesday evening in the Caucus Room of the CHOB. For copies of this publication during the 1970s, see Boxes 35 and 35, CSC Records. For information on Tip O'Neill's Weight Watchers involvement, see Nies, *The Girl I Left Behind*: 206.

<sup>301</sup> Angie Howard, quoted in "Hill Pin-Up," *Roll Call* 18:11 (21 Sep 1972): 8.

noted that the two older female staffers were successful because they were “used to work and had seen hard times.”<sup>302</sup> But this preference, which had once ruled hiring practices, was changing. *Roll Call*’s informal “Who’s Got the Youngest Staff?” contest gleefully revealed a range of twenty-something secretaries and aides, with the youngest staffs appearing in newly minted liberal Democratic offices.<sup>303</sup> Legislators often sought single women because they were not beholden to husbands and children, who would naturally take precedence over work. The fact that these women were also sexually available helped as well.<sup>304</sup>

*Roll Call* publicized this new generation’s sexuality through publication of its weekly “Hill Pinup” column. The large pictures accompanying each week’s short textual description reflected the outer bounds of the era’s rising hems and falling necklines. As the 1960s transitioned to the 1970s, Pinup pictures transitioned from face shots to posed photos highlighting long, exposed legs.<sup>305</sup> The Hill Pinup for the week of August 13, 1970 sported a bikini.<sup>306</sup> The text reported on age, marital status, height, and weight. Often, the column featured former or current beauty queens or models, and the column preferred to focus on these accomplishments rather than on the congressional work performed by these women, work that kept Congress running smoothly on a day-to-day basis. Given the demographics of Congress and racialized notions of attractiveness, it is unsurprising that just one of these featured Pinups was a person of color.<sup>307</sup>

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<sup>302</sup> “Rep. Bella Abzug,” *Washington Post* (2 Aug 1974): PO11 (accessed 7 Oct 2012).

<sup>303</sup> Newer House and Senate members tended to hire younger staffers – Staggers himself had been in the House since 1949. See Karen Feld, “Around the Hill,” *Roll Call* 17:11 (30 Sep 1971): 8.

<sup>304</sup> See “Hill Pin-Up,” *Roll Call* 18:11 (21 Sep 1972): 8; “Discrimination by Congressmen in Hiring Office Staffs Reported,” *Los Angeles Times* (18 Aug 1974): 1 (accessed 23 Feb 2013).

<sup>305</sup> For a good, front-page example, see the Hill Pinup from *Roll Call* 16:35 (25 Mar 1971): 1. For another legs-centered Pinup column, see *Roll Call* 16:12 (17 Sep 1970): 6.

<sup>306</sup> “Hill Pinup,” *Roll Call* 16:10 (13 Aug 1970): 8.

<sup>307</sup> I was able to find one black Pinup, Brenda Carroll. Carroll worked as a secretary in Rep. Louis Stokes’ office, and previously had worked for Rep. Abner Mikva (D-IL). See “Hill Pinup,” *Roll Call* 16:19 (5 Nov 1970): 5.

These columns reduced women to beautiful objects and then told readers where the featured staffers lived and worked. After revealing that Pinup Karen Dewees lived in an Oxon Hill apartment with a female roommate, *Roll Call* noted that “[s]tanding 5’3” with eyes of blue, the pixie 106 pounder strikes an eye catching pose in a bikini but she hasn’t let it slow down her typing speed when she works on mailing list corrections and robo mail programming in Old SOB’s basement space, 9-B.”<sup>308</sup> The Pinup articles strained to connect descriptions of each woman’s physical assets with the actual work of Congress. Each column provided useful information for men who wanted to pursue these women. While actual Playboy Bunnies were generally unreachable, Hill Pinup women were right around the corner, across the hallway, and in the next building.<sup>309</sup>

This work culture normalized physical harassment of female employees.<sup>310</sup> Former House staffer Margaret Goodman describes how she experienced “my share of getting patted and groped” in the tight committee rooms.<sup>311</sup> Another staffer expanded on the possibilities for harassment, noting that “[o]ne Congressman who was going through a divorce corralled a girlfriend of mine on the elevator after a party one night and practically ripped her belt off.” This same staffer was harassed herself, by a legislator who “put his hand on my knee” in the middle of a hearing. She “was surprised and said I’d appreciate it if he took his hand off my knee. I

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<sup>308</sup> “Hill Pinup,” *Roll Call* 18:4 (27 Jul 1972): 8.

<sup>309</sup> There was a Capitol Hill Club featuring Playboy Bunnies, so male legislators and staffers did have access to Bunnies, though seeing them required more money and free time. Additionally, in 1975, Sen. Edwin Garn’s (R-UT) secretary Joanne Snow was offered a job at the Capitol Hill Club as Playboy Bunny, “and she politely turned down the offer,” since she had just been promoted to LA in the office. See “Hilltopics,” *Roll Call* 21:2 (17 Jul 1975): 5. The 9 Oct 1975 column included a feature on Michelle Kroll, a former actor, model, and Playboy Bunny who had ascended to a position as LA to Rep. Andy Jacobs (D-NY) after starting her career on the Hill dressing congressmen for their annual charity fashion shows. See “Hill Personalities,” *Roll Call* 21:12 (9 Oct 1975): 8.

<sup>310</sup> When adequate language for talking about sexual harassment emerged and the establishment of the House Fair Employment Practices Committee in 1977 provided a “psychiatrist’s couch” for aggrieved women, a female perspective emerged. Committee chair and Rep. Chisholm staffer Colleen O’Connor recalled in 1992 that “[t]he groping and grappling and insistence on late-night sotted evenings were as intriguing, and as commonplace, as any television soap.” See Colleen O’Connor, “Harassment on the Hill: An Old Story,” *Washington Post* (10 Dec 1992): A21 (accessed 11 Feb 2013).

<sup>311</sup> Phone interview with Margaret Goodman (9 Mar 2011).

learned later that this was his standard proposition to a new staff member.<sup>312</sup> Unwanted physical touching was considered an unfortunate but ineradicable part of the congressional workplace.

As scholars have noted, the sexual revolution of the 1960s both empowered and exploited women.<sup>313</sup> Congress was no different. In 1970, a petition garnering over three hundred signatures emerged from Rep. Bill Ford's (D-MI) office, under the aegis of a group titled "Girls (And Guys) Against Midi-Skirts," or GAMS.<sup>314</sup> Two secretaries appeared on a local television program to promote their own pro-mini petition, designed to pressure local department stores into restocking miniskirts. Three weeks later, the "revolt" had consolidated its numerous independent petitions, resulting in a formal letter with over three thousand Hill signatures, which a number of female staffers presented to the head of the local department store. As one journalist noted, "[m]ore males than females, and more Democrats than Republicans signed the petitions."<sup>315</sup> But there was an element of self-empowerment in Hill women's embrace of the miniskirt. Rep. Shirley Chisholm (D-NY) signed on to the campaign, and the petition effort was headed by women of all ages, marital statuses, shapes, and sizes.

Standards of modesty were in flux, and men and women alike policed the lines between demure, attractively enticing, and slutty. Rep. Donald Riegle (D-MI) noted Rep. Leonor Sullivan's (D-MO) distaste for revealing clothing: "a distinguished, matronly woman with silver hair whose dresses are hemmed well below the knee I noticed that she had stopped and, with an

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<sup>312</sup> Quoted in Myra McPherson, *The Power Lovers: An Intimate Look at Politics and Marriage* (New York: GP Putnam's Sons, 1975): 178.

<sup>313</sup> David Allyn, *Make Love, Not War – The Sexual Revolution: An Unfettered History* (New York: Little, Brown and Company, 2000); John D'Emilio and Estelle Freedman, *Intimate Matters: A History of Sexuality in America*, 2<sup>nd</sup> ed. (Chicago: The University of Chicago Press, 1998): 301-43; Eileen Boris, "Desirable Dress: Rosies, Sky Girls, and the Politics of Appearance," *International Labor and Working-Class History* 69 (Spring 2006): 123-42.

<sup>314</sup> Karen Feld, "Around the Hill . . . With Karen Feld," *Roll Call* 15:33 (26 Mar 1970): 8.

<sup>315</sup> While the raft of petitions against the midi circulated through a number of congressional offices, they appeared to emanate primarily from the offices of Sen. Birch Bayh (D-IN) and Rep. David Obey (D-WI). "Mini a Solon Is for Shapely Legs," *Roll Call* 15:37 (23 Apr 1970): 5. As one of staffer for Rep. Michael Feighan (D-OH) asserted, "[i]t's important to dress for yourself, but certainly it's important to dress for men and not other women." Mrs. Diane Coffey, quoted in "Mini-Clad Gals Protest Midi-Ogre," *Roll Call* 15:31 (12 Mar 1970): 3.

arched and critical eye, was watching a pretty young girl who was walking past in one of the shortest skirts I have ever seen.”<sup>316</sup> Riegle’s description mocked both Sullivan for her prudishness while proving her point – he certainly noticed and delighted in the visibility of short-skirted women. Yet Sullivan’s standards of modesty could also cater to the male gaze. Sen. Barry Goldwater (R-AZ) vocally disapproved of the mini, noting that “[s]ome of those girls up at the Capitol wear their skirts so short you can see their brassieres” and that he likes “a hemline just where the calf begins to round.”<sup>317</sup> *Roll Call* similarly covered President Nixon’s assertion that “[t]o a man, there’s mystery in what’s hidden.”<sup>318</sup>

Ultimately, miniskirts were far less controversial than attire traditionally categorized as masculine. Some offices banned pantsuits as inappropriate, and others screened out women who might wear pantsuits during the interview process.<sup>319</sup> Rep. Leonor Sullivan attempted to impose a ban on pants in the House, in order to uphold feminine propriety.<sup>320</sup> *Roll Call* deemed pantsuits

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<sup>316</sup> Riegle with Armbrister, *O Congress*: 68.

<sup>317</sup> “Neo-Fadism Revolt Among Hill Secretaries,” *Roll Call* 15:33 (26 Mar 1970): 6.

<sup>318</sup> This article connected the “inventiveness” encouraged by long skirts to keeping “the patent office busy,” decrying the apparent fact that “[t]oday the average nine-year-old boy knows more about the female body than the average 39-year-old gynecologist knew 30 years ago.” Male writer Dick West then went on to connect the demystification of sex to the demystification of car prices, asserting that the new availability of information on both topics would reverse male-led human evolution. See Dick West, “The Eros, Sex Cylinder,” *Roll Call* 15:45 (18 Jun 1970): 5.

<sup>319</sup> The Capitol Hill Women’s Political Caucus reported in 1975 that a woman working on the Senate Public Works Committee chaired by Sen. Jennings Randolph (D-WV) was told that “Chairman Randolph does not allow female employees to wear slacks. No one has ever seen any of the ladies in this office in pants. Don’t ever come to this office in slacks again.” See “Yeas and Nays,” *Equal Times* (Jun 1975): 4 in “CHWPC” Folder, National Women’s Political Caucus (NWPC) Papers, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA. Hereafter referred to as NWPC Papers. Some offices failed to institute a clear policy on the pantsuit, leading to office confusion about the acceptability of pants in the workplace. “Who Wears the Pants in Congress Offices?” *Roll Call* 16:16 (15 Oct 1970): 11. Bernice Sandler recalls that “you weren’t allowed to wear pants. I was just beginning to wear pants and I had to wear a dress every day. . . . I don’t think it was a formal rule, but everybody knew it.” Phone interview with Bernice Sandler (26 May 2011). Former Sen. Bill Brock (R-TN) staffer Emily Card recalls wearing pants, though she believes that the informal ban on pants did exist and she was simply “too naïve” to understand. Phone interview with Emily Card (13 Feb 2012). When filing a request for clerical assistance in 1972, Rep. James Delaney (D-NY) specifically requested a white typist who did not wear pantsuits, demonstrating the intersection of race and attire in the construction of an appearance that congresspersons considered appropriate for the front office. See “Discrimination by Congressmen in Hiring Office Staffs Reported,” *Los Angeles Times* (18 Aug 1974): 1 (accessed 23 Feb 2013).

<sup>320</sup> Irwin Gertzog, *Congressional Women: Their Recruitment, Integration, and Behavior*, 2<sup>nd</sup> ed. (New York: Praeger Publishers, 1995): 166.

controversial, but noted that the longtime chief of the House Veterans Committee “encouraged” hot pants.<sup>321</sup> Sen. Alan Cranston’s (D-CA) aide Ellen Frost was denied admission to the Senate floor for wearing “casual slacks and a vest,” though she was regularly allowed to wear sandals or “very, very short skirts.” She could not go onto the Senate floor to provide research assistance during an important debate over arms control because of her attire.<sup>322</sup> Meanwhile, fellow Cranston staffer Gary Aldridge – who had previously worn a denim suit onto the floor – observed that “I don’t think they pay any attention at all to what the men wear.”<sup>323</sup>

Men resisted clothing that challenged the visible delineations between men and women as both overtly political and unprofessionally casual.<sup>324</sup> A 1970 protest for women’s rights cemented the seemingly clear link between pants-wearing and feminism.<sup>325</sup> Congresswomen and female staffers from the offices of Sens. Muskie (D-ME), Javits (R-NY), and Bayh (D-IN) took the opportunity to wear pantsuits, leading one *Roll Call* reporter to dub the day “Women Strike for Pants Day.”<sup>326</sup> Yet not every woman wore pants because she was a strident feminist. When queried about her own “pretty, peach-colored pants suit,” Lydia Grieg responded that “they fit me better than dresses.”<sup>327</sup> But these kinds of explanations simply legitimated the argument that

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<sup>321</sup> “Hot Pants Get Warm Reception,” *Roll Call* 16:28 (4 Feb 1971): 2.

<sup>322</sup> The debate was a 1972 SALT debate. For quotations from Ellen Frost, see Marlene Cimon, “A Point of Order on Senate Attire,” *Los Angeles Times View* (20 Oct 1972): 1, 11, Folder 10, Box 1, Jane Harman Papers, Sophia Smith Collection, Smith College, Northampton, MA. Hereafter referred to as Harman Papers. For a brief overview of the Senate’s debate over SALT I, see Robert D. Schulzinger, “The Senate, Détente and SALT I,” *Congress and United States Foreign Policy: Controlling the Use of Force in the Nuclear Age*, ed. Michael A. Barnhart (Albany, NY: State University of New York Press, 1987): 90-97.

<sup>323</sup> Gary Aldridge, quoted in Marlene Cimon, “A Point of Order on Senate Attire,” *Los Angeles Times View* (20 Oct 1972): 1, 11, Folder 10, Box 1, Harman Papers.

<sup>324</sup> This resistance was not specific to Congress. See also Deborah L. Sheppard, “Organizations, Power and Sexuality: The Image and Self-Image of Women Managers,” *The Sexuality of Organization*, ed. Jeff Hearn, Deborah L. Sheppard, Peta Tancred-Sheriff, and Gibson Burrell (Beverly Hills, CA: Sage Publications, 1989): 139-57.

<sup>325</sup> Secretaries’ rights activist Margie Albert asserted that the clerical rights movement had begun with a protest against one office’s pants ban, an assertion that Rep. Bella Abzug had read into a 1973 *Congressional Record*. Margie Albert, “Something New in the Women’s Movement,” *New York Times* (12 Dec 1973); *Congressional Record* (12 Dec 1973): 41255.

<sup>326</sup> “Gals Work on Women’s Lib Day on Hill,” *Roll Call* 16:11 (10 Sep 1970): 5.

<sup>327</sup> “Temporary Staffer Marks 30<sup>th</sup> Year,” *Roll Call* 21:15 (30 Oct 1975): 3.



pantsuits were casualwear. For this reason, the Sergeant-at-Arms prevented a number of female aides from going onto the Senate floor to advise their employers, because they chose to wear pants. Pants were too informal for the floor.<sup>328</sup>

Deprived of the armor a pantsuit might lend, female staffers expended time and energy attempting to sidestep accusations that their sexual attractiveness was the root of their professional success. The sexualization of congressional secretaries colored all Hill women regardless of their job title or formal qualifications. Even as the numbers of women working on legislation, press, and other traditionally male positions increased, many staffers and legislators had a hard time believing that a woman could achieve a policy position through means other than flirting or sleeping with her employer. As one staffer who began her Hill career in the 1970s recalled, “Everyone assumed that if you were a woman in any position of responsibility, you were sleeping with the boss.”<sup>329</sup> It was not unusual for women to be the most suspicious about the routes other women took to power. Candy Shy Hooper, one of Rep. Charlie Wilson’s staffers, recalls that Rep. Bella Abzug (D-NY) would stop by their office simply to shout “But can you type?” at the female employees.<sup>330</sup>

In order to advance their own careers, female policy staffers often distanced themselves from secretaries, reinforcing negative stereotypes about clerical workers in the process. One 24-year old female aide defensively asserted that she had achieved her AA position through “hard work.” In her view, “more able” women could work their way into positions of power and

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<sup>328</sup> Marlene Cimon, “A Point of Order on Senate Attire,” *Los Angeles Times* View (20 Oct 1972): 1, 11, Folder 10, Box 1, Harman Papers. Other men were less polite. One Roll Call staffer threatened to issue a resolution declaring that “[e]ither females will be taken out of their jeans and put into something more sexy, perhaps slitted [sic] Chinese dresses, or men will be allowed to wear casual attire.” See Don Maclean, “Don Maclean,” *Roll Call* 21:21 (11 Dec 1975): 3.

<sup>329</sup> Foerstel and Foerstel, *Climbing the Hill*: 159.

<sup>330</sup> Candice Shy Hooper, transcript, Charlie Wilson Oral History Project Interview I, 15 Mar 2012, by Paul J.P. Sandul, M. Scott Sosebee, and Laura Blackburn, Stephen F. Austin State University. Online: <http://www.sfasu.edu/heritagecenter/5374.asp> (accessed 28 Feb 2013).

responsibility in Congress.<sup>331</sup> Female aides emphasized the gap between secretaries and, as one woman put it, the “more ambitious” women.<sup>332</sup> As illustrated in historian Nancy Cott’s work, professional women attempted to separate themselves from clerical workers in numerous workplaces from the 1920s onwards.<sup>333</sup> Within Congress, these arguments ignored the institutional barriers to advancement encountered by clerical staffers, as well as the permeable boundaries between Hill jobs that allowed clerical staff to engage in legislative work.<sup>334</sup>

Secretarial labor was integral in a workplace that dealt with extraordinary quantities of paperwork on a daily basis. However, legislators and staffers often reduced the women who performed this labor to sexualized objects who were supposed to enhance the appearance of offices. Though this stereotype was based in and around the secretary, it applied to all female workers in Congress. Escaping the confines of that stereotype was an ongoing battle, regardless of career achievements. In emphasizing the distance between themselves and secretaries, female professional staffers helped to construct a gendered fence between clerical and legislative staff. After thirty-six years as a secretaries’ club, the CSC became the Congressional Staff Club in 1971.<sup>335</sup> Although the name change was intended to broaden the potential constituency served by CSC, the shift was also prompted by the declining status of secretarial labor.<sup>336</sup> In an article on

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<sup>331</sup> Quoted in Helen Bowers, “Women’s Liberation Causes Consternation,” *Roll Call* 17:24 (10 Feb 1972): 1.

<sup>332</sup> For the staffer’s quotations, see George Lies, “Women Activists Here Operate in Fear,” *Roll Call* 18:20 (22 Nov 1972): 1.

<sup>333</sup> This is a longstanding pattern. See Nancy Cott, *The Grounding of Modern Feminism* (New Haven, CT: Yale University Press, 1987).

<sup>334</sup> The Capitol Hill Women’s Political Caucus studies on congressional employment patterns would reveal these trends. See “Sexists in the Senate?: A Study of Differences in Salary by Sex among Employees of the U.S. Senate” (Capitol Hill Women’s Political Caucus, 1977) and “The Last Plantation: How Women Fare on Capitol Hill” (Capitol Hill Women’s Political Caucus, 1980) in CHWPC Folder, NWPC Papers.

<sup>335</sup> The debate over a name change had been taking place for some time and was part of a larger debate about the reasons for an increasingly elderly membership. This debate continued after the name change. For a report on CSC problems, see Congressional Staff Club, “Club Promotion – Committee Report” (25 Jul 1972), Folder, Box 5, CSC Records.

<sup>336</sup> The name change was followed by a 1973 policy change that “formally broadened” the club’s focus from members to all congressional staff. See “Club Constitutional Changes Adopted,” *CSC Bulletin* 29:43 (25 Nov 1974), Folder, Box 34, CSC Records.

the name change, *Roll Call* asserted that “[w]hen the club was formed . . . the word ‘Secretary’ carried more prestige and distinction.”<sup>337</sup>

“It Can Get Pretty Rough Back There”: Female Staffers Resist the Everyday Sexism of Congress

Unequal hiring practices and pay inequities also contributed to women’s belief that sexism was a very real problem within Congress. Often very well-educated and almost always white, newer female staffers either expected or came to expect that their congressional employers would treat female staffers fairly, without regard to their sex. Disconcerted by the casual sexism embedded in congressional life, a few women spoke out as individuals, pressuring their employers to discard gendered assumptions about their roles inside and outside the workplace. Most staffers rejected the feminist label, equating feminism with radicalism. Though reticent to identify themselves with the movement, many of these staffers noted that the sexism in congressional offices legitimated many of the complaints made by women’s rights advocates in the District and nationally. Intent on professional advancement and equitable pay, these women became tacit supporters of feminist policymaking in the 1970s.

Like in other workplaces around the nation, women were aware that despite their rising numbers, they still rarely obtained the best-paid and most prestigious jobs on the Hill.<sup>338</sup> The fragmentary nature of the congressional workplace impeded the few professional women from

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<sup>337</sup> “Congressional Staff Club Name Approved,” *Roll Call* 17:15 (4 Nov 1971): 3.

<sup>338</sup> Political scientist Katherine Naff has noted that while experienced discrimination is a more effective route to the opinion that such discrimination is systemic, subjective discrimination – the sense that women, generally, do not have the kinds of opportunities available to men – can also lead to concern about women’s equality within their workplace. Further, Naff argues that male mentorship actually bolsters women’s sense that they are disadvantaged within the workplace. I would add that the presence of a woman’s movement outside the workplace increases the likelihood that women link a perceived lack of opportunities to broader sex inequalities within society. See Naff, “Subjective vs. Objective Discrimination in Government: Adding to the Picture of barriers to the Advancement of Women,” *Political Research Quarterly* 48:3 (Sep 1995): 535-57.

easily finding one another.<sup>339</sup> As a result, women regularly underestimated the number of other women. Staffer Judith Nies recalls that in the late 1960s, “I was one of only a handful of professional women on Capitol Hill” but that “I never did a formal survey. I just counted the professional women I met on House staffs, and after a year still hadn’t used up all the fingers on one hand.”<sup>340</sup> Women attributed this dearth to a lack of opportunities. As staffer Jane Frank asserted in 1976, “I don’t see discrimination [personally] but it is a fact that women are not often hired.”<sup>341</sup>

Many women understood that they were trapped in clerical jobs. Though opportunities for individuals with higher degrees and specialized areas of expertise expanded in the 1970s, legislators still largely assumed that white men should take more prestigious positions. There were numerous examples of women whose degrees did not translate into jobs or salaries commensurate with their education.<sup>342</sup> One woman with a Master’s in political science joined the feminist employee rights group on the Hill in the early 1970s because she regularly performed unpaid speech-writing and press work, yet still received a receptionist’s salary.<sup>343</sup> Men actively worked to keep women with credentials in secretarial positions. One male AA worried that the

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<sup>339</sup> The importance of perspective – and the distance between expectations and reality for many female staffers – can be seen in the contrast between Nies’ and Frank’s recollections and that of Sen. Clifford Case’s (R-NJ) AA Frances Henderson. Henderson recalled in the early 1970s that “[w]hen I first came to the Senate in 1955, and groups of legislative assistants got together to go over legislation, very often I was the only woman there. Today, there are scores of women.” See Henderson, quoted in Tolchin and Tolchin, *Clout*: 242.

<sup>340</sup> Nies, *The Girl I Left Behind*: 195-96.

<sup>341</sup> Spencer Rich, “Women. Hold Fewer Top Senate Jobs,” *Washington Post* (8 Jun 1976):

<http://www.proquest.com/> (accessed 12 Sep 2010).

<sup>342</sup> The situation was bad enough in both chambers that in 1972, Barbara Norris asserted that “[m]any abler [women] are leaving The Hill because they’re in a rut in their jobs. They’re not given any duties commensurate with their abilities.” See Barbara Norris, quoted in George Lies, “Hill Women’s Goal: Equal Status with Men,” *Roll Call* 18:21 (29 Nov 1972): 1. The individual stories in this paragraph were part of a trend documented in a number of Capitol Hill employment studies. In the House, the Obey Commission found in 1977 that women earned less than men with comparable education, while blacks earned less than whites with comparable education. See the “House Commission on Administrative Reorganization and Legislative Management,” H.R. Doc. No. 232, 95<sup>th</sup> Cong. 1<sup>st</sup> Sess. 93 (1977): 97. For the Senate, the Capitol Hill Women’s Political Caucus found that women earned less than men at comparable professional levels. See Capitol Hill Women’s Political Caucus, “The Last Plantation?: How Women Fare on Capitol Hill” (Capitol Hill Women’s Political Caucus, 1980), CHWPC Folder, NWPC Papers.

<sup>343</sup> George Lies, “Hill Women’s Goal: Equal Status with Men,” *Roll Call* 18:21 (29 Nov 1972): 1.

office's receptionist "was clearly overqualified for the job." He "was making desperate attempts to give her some additional responsibility in order to keep her."<sup>344</sup> This situation was not unusual; fears of a dearth of secretaries capable of running congressional offices ran rampant.<sup>345</sup> It did not occur to anyone to pay their secretaries higher salaries.

Some male staffers also thought that the small but increasing number of women within their ranks degraded the status of their jobs. Judith Nies noted that none of the men she worked with "had ever worked with a woman as a peer. . . . 'There goes the neighborhood,' someone commented when I entered a meeting."<sup>346</sup> One former staffer noted that "[t]here was rampant chauvinism" and, unfortunately, "the people in the best position to help you were men."<sup>347</sup> Individual men might be willing to help individual women, but their assistance did not mean that they accepted the more general influx of women into professional positions. The mostly male cadre of professional staffers carefully policed the boundaries between their labor and that of clerical and case workers by emphasizing degrees and credentials. It was less likely that women working on the Hill would have a B.A. or a B.S., and only a tiny percentage of the lawyers on congressional staffs were women.<sup>348</sup> This was a logical state of affairs, since many graduate and law schools capped the number of women they admitted, or did not admit women at all.<sup>349</sup>

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<sup>344</sup> Susan Webb Hammond, "Personal Staffs of Members of the U.S. House of Representatives": 256. This was not unusual in other areas of government. Vera Glaser noted that "I talked to Chief Justice [Warren] Burger recently who said that for some inexplicable reason, women make better secretaries than men." Glaser then noted that Burger had told her that "She couldn't possibly do any other job as well . . . and what would I do if she left?" See Vera Glaser, quoted in Barbara Franklin to Fred Malek, re: Meeting of Federally Employed Women" (26 Jun 1971), "Nixon Administration Record, 1969-1972" Folder, Bentley, Helen Delich Files, "A Few Good Women" Oral History Project.

<sup>345</sup> "Hill Clerical Shortage," *Roll Call* 17:6 (22 Jul 1971): 1. Finding competent clerical workers was one of the most cited office problems in a 1977 Democratic Study Group survey of congressional workplace practices. See "Congressional Attitudes towards Congressional Operations and Procedures: Wave II" (Jun 1977): Q7ab, Folder 7, Box II:121, DGS Papers, Seeley Mudd Manuscript Library, Princeton University, Princeton, NJ.

<sup>346</sup> Nies, *The Girl I Left Behind*: 194.

<sup>347</sup> Interview with Claudia Weicker, Charlottesville, VA (17 Jan 2011). This observation is made by numerous women staffers interviewed for Foerstel and Foerstel, *Climbing the Hill*.

<sup>348</sup> In the Senate in 1977, nearly all men (221/235) and just under half of the women (20/54) had a B.A. or B.S. Four of the seventy-one lawyers employed by the Senate were women. See Fox and Hammond, *Congressional Staffs*: 35-

Men also regularly asked the women who did make it into legislative or administrative aide positions to perform secretarial duties that a male LA would never have been asked to perform. One woman noted that “I’m no secretary, but those Congressmen are such chauvinists that when they see a woman as they stride into the hearing room they’ll call out, ‘I want coffee, black,’ and automatically expect us to wait on them.”<sup>350</sup> This was a pattern. Former staffer Susan Webb Hammond notes in her congressional staffing study that “although given a professional title and professional responsibilities, a woman may be expected to handle typing and routine office chores which would not be expected of a man holding the position.”<sup>351</sup> These extra duties were not unique to Congress. Other female office workers organizing on their own behalf voiced these same complaints.<sup>352</sup>

Female staffers also needed to constantly rebuff the attempts by male legislators and staffers to shield women from the bad language, drinking, and off color conversational topics that greased the wheels of the legislative process. Hired by Rep. Clem Zablocki (R-OH) to work on foreign policy, Margaret Goodman was placed with the secretaries, physically separating her from male professional staff. When she requested to be moved into the committee staff office, she was told by fellow staffers that “. . . it can get pretty rough back there.”<sup>353</sup> Congress’ male-oriented jargon was unsurprising within the context of 1970s American office culture. Betty

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36. After writing a piece of legislation for Rep. Charlie Wilson, seasoned caseworker Peggy Love sent the bill to the Legislative Counsel’s office. Staffers in the office promptly notified Love that “you don’t have the legal license to draft legislation so he can’t introduce it.” Love was so incensed that she ended up going to law school. See Peggy Love, transcript, Charlie Wilson Oral History Project Interview I, 25 Mar 2011, by Perky Beisel, Stephen F. Austin State University. Online: <http://www.sfasu.edu/heritagecenter/6408.asp> (accessed 28 Feb 2013).

<sup>349</sup> Thomas A. Diprete and Claudia Buchmann, *The Rise of Women: The Growing Gender Gap in Education and What It Means for American Schools* (New York: Russell Sage Foundation, 2013).

<sup>350</sup> Quoted in McPherson, *The Power Lovers*: 178.

<sup>351</sup> Susan Webb Hammond, “Personal Staffs of Members of the U.S. House of Representatives”: 184.

<sup>352</sup> For a short description of similar complaints voiced by a broader set of clerical workers, see Dorothy Sue Cobble, “‘A Spontaneous Loss of Enthusiasm’: Workplace Feminism and the Transformation of Women’s Service Jobs in the 1970s,” *International Labor and Working-Class History* 56, Gendered Labor issue (Fall 1999): 30-33.

<sup>353</sup> Phone interview with Margaret Goodman (9 Mar 2011). Other offices were allegedly unintentionally separated by sex. Spatially separating men and women came under fire in the 1970s. See “Around the Hill,” *Roll Call* 21:34 (25 Mar 1976): 8.

Lehan Harragan's 1977 guide to "corporate gamesmanship for women" noted that alongside sports metaphors and allusions to the military, "locker room language" was "80% sex, 20% excreta."<sup>354</sup> Like corporate women, female staffers needed to break down the gendered rhetorical and spatial separations between the sexes in order to do their jobs properly. Unlike corporate women, these staffers were working to craft legislation for the nation.

Dismantling these barriers was not easy. As Goodman's story demonstrates, once women actually infiltrated these spaces, men employed swearing and sexual explicitness – either pointedly avoiding it or systematically using it – as a method of policing the bounds of male political space. Former staffer Judith Nies recalls what she terms the "fuck problem," where "[i]n meetings, male staffers would constantly use the word fuck and then look at me, pause, and apologize." As one man informed her, "the real purpose of the apology was to let me know I was inhibiting the normal flow of all-male discussion."<sup>355</sup> This behavior closely paralleled the way in which congressmen treated female lobbyists and congresswomen. Casey Hughes, lobbyist for NOW, noted that "[w]hen I first came down here, I used to be very serious, and in the middle of a discussion with legislators, they'd make some sexual crack and destroy me."<sup>356</sup> Constant references to women as sex objects undermined women's authority.<sup>357</sup>

Apologies for this behavior simply served to further stigmatize women as outsiders. In the late 1970s, one Southern committee chair addressed a female legislative aide as "Mrs." only

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<sup>354</sup> Betty Lehan Harragan, *Games Your Mother Never Taught You: Corporate Gamesmanship for Women* (New York: Warner Books, 1977): 113. The dictionary spans pages 113-16.

<sup>355</sup> Nies, *The Girl I Left Behind*: 213.

<sup>356</sup> Casey Hughes, quoted in James D. Dilts, "The Ways of Women Lobbyists," *The Sun* (13 Feb 1975), Folder 14, Carton 52, NOW Papers, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA. Hereafter referred to as NOW Papers

<sup>357</sup> Interestingly, men outside the halls of Congress also helped to enforce the strict line between politics and femininity. Jean Faust, the women's rights legislative aide for Rep. William Ryan (D-NY) received a "pornographic hate letter" arguing that Faust "had all the rights she need[ed]: to use my body for sex, to please men, etc." It is likely that other women received similar letters, especially considering the fact that congresswomen often received mail that linked stereotypes about women's sexuality to feminism or particular policy decisions or positions. See Jean Faust, diary entry (1967), Folder 3, Carton 56, NOW Papers.

to backtrack and apologize profusely because, as he put it, “We wouldn’t want to chase the fellas away.”<sup>358</sup> Rep. Donald Riegle recalls that Rep. Ed Derwinski (R-IL) told dirty jokes about his Polish grandmother in the House cloakroom after remarking that Rep. Leonor Sullivan’s presence prevented him from being really crass.<sup>359</sup> Since Sullivan was known for being fairly uptight about sexuality, this was clearly a dig at her presence in an area where congressmen regularly told sexually explicit jokes. Derwinski used Sullivan’s presence – her assumed discomfort – to enhance the joke for his male colleagues. Women were as much props in these situations as they were impediments to the natural flow of male conversation.

Generally, women were reluctant to give as good as they got. They wanted to maintain good relationships with their employers. Further, asking nicely was occasionally rewarded. Legislative aide Jane Harman reprimanded her boss Rep. John Tunney (D-CA) after he told her that she could go home and cook dinner for her husband after a late night meeting on the Hill. He apologized. This small incident reflected a larger shift in his office’s approach to women’s rights. Harman ended up working on women’s issues alongside her initial environmental law focus.<sup>360</sup> Tunney was also the first male legislator to publicly criticize and successfully pressure the *Congressional Staff Directory* editor Charles Brownson to change the directory’s tagline from the sex-specific “When you’re looking for the right man on Capitol Hill” advertisement campaign, and he became a reliable supporter of women’s rights legislation through the 1970s.<sup>361</sup>

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<sup>358</sup> Quoted in Gertzog, *Congressional Women*: 69.

<sup>359</sup> Riegle with Armbrister, *O Congress*: 281.

<sup>360</sup> Marlene Cimon, “Tunney Aide Brings Lib Out of Woodwork,” *Los Angeles Times* (12 May 1972): 7-8 in Folder 10, Box 1, Harman Papers. This activist work extended past her time working as congressional aide. She continued to serve as liaison between feminist congressional staff and women like Gloria Steinem. See Harman to Gloria Steinem (1 Nov 1979) in the “Kennedy” folder, “Correspondence” Box, Ms. Magazine Papers, Sophia Smith Collection, Smith College.

<sup>361</sup> Marlene Cimon, “Washington on View: Kennedy Center Artists Perform in the Kitchen,” *Los Angeles Times* (17 Oct 1973): <http://www.proquest.com/> (accessed 11 Sep 2010). It is notable that this story garnered attention in a national newspaper though few papers outside of Roll Call covered the congressional workplace. Editor Charles



For some women, gently-worded challenges seemed like the most effective route to changing behavior of men on the Hill.

Other feminists more explicitly politicized the personal office practices of legislators. After reworking her husband's office to equalize staff labels and workloads, Arvonne Fraser lobbied for an overhaul of the Sen. Walter Mondale (D-MN) staff. Noting that the women's movement was in full swing, Fraser argued that Mondale needed to rethink his own approach to women. She asked for "interest, attention and the willingness to change some of your conceptions and attitudes as well as actions and words. I know it isn't easy; we were all raised – me included – to roles that either don't or shouldn't exist." She then extended this request: "I think your whole staff should be sensitized. Anyone who thinks and acts as if this is a man's world and that's the way it should be will not make any friends or voters for his boss."<sup>362</sup> Fraser also followed up; she frequently wrote "Fritz," congratulating him on legislative successes and encouraging his work on family and women's policy.<sup>363</sup>

While individual legislators got the soft sell, some women more aggressively attacked practices outside of their own offices. In 1972, a group of female aides wrote a complaint letter to the Senate Sergeant-at-Arms, challenging the arbitrary clothing rules that applied on the Senate floor.<sup>364</sup> Women also began to accuse *Roll Call* of sexism. Expressing a lack of surprise over the alleged existence of a Hill call girl ring, secretary Ladner Robinson cited a different reason for women's reported "dissolution": "I am confident that if you left the unreality of your

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Brownson changed its tagline to "The right call to the right individual is important. The Congressional Staff Directory will help you find him or her quickly and understand the situation" by 1974.

<sup>362</sup> Arvonne Fraser to Senator W. F. Mondale (n.d.), "Women's Issues and Organizations, 1973 (2)" Folder, Box 2, Arvonne Fraser Papers, Minnesota Historical Society, Saint Paul, MN. Hereafter referred to as A. Fraser Papers.

<sup>363</sup> Arvonne Fraser to Walter "Fritz" Mondale (18 Oct 1973), "WEAL – Statements and Testimony, 1970-1976" Folder, Box 12, A. Fraser Papers.

<sup>364</sup> See Marlene Cimon, "A Point of Order on Senate Attire," *Los Angeles Times View* (20 Oct 1972): 1, 11, Folder 10, Box 1, Harman Papers. The Sergeant-at-Arms office had not gotten back to the women by the time the article was written.

press room, you would find many intelligent, educated women who are overworked and underpaid.”<sup>365</sup> Next to Ladner Robinson’s letter of protest was a letter decrying the “male chauvinism” of *Roll Call* pictures of beautiful women, which were “promenaded for the entertainment and pleasure of local male employees.”<sup>366</sup> Though *Roll Call* would continue to run the column until 1975, the death knell of the Pinup Girl had tolled.<sup>367</sup>

Women also attacked the professional barriers that existed outside of their offices. They resented their exclusion from the many social groups that were integral to networking on the Hill.<sup>368</sup> Staffer groups like the Bull Elephants met regularly to network and discuss policy and legislative process. They continued to bar women from their meetings through the 1970s despite protests from female congressional staff and the 1971 decision of the Democratic corollary – the Burros – to admit women. Chair Beldon H. Bell argued that “[i]t has been the overwhelming consensus of our past Steering Committees and the rank-and-file membership that the gender limitations of our organization has contributed to the spirit of fellowship of our organization and the quality and candidness of the speakers we have been able to obtain.”<sup>369</sup> The Bull Elephants

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<sup>365</sup> Ladner Robinson, “Letters to the Editor: Hill Call Girl Ring ‘Possible,’” *Roll Call* 18:3 (20 Jul 1972): 5.

<sup>366</sup> Anonymous, “Letters to the Editor: Hill Call Girl Ring ‘Possible,’” *Roll Call* 18:3 (20 Jul 1972): 5. Similar letters followed in the weeks afterwards. A good example is S. Sommerhalter, “Letters to the Editor: Wants Male ‘Pinup,’” *Roll Call* 18:4 (27 Jul 1972): 8.

<sup>367</sup> In 1975, the paper ceased printing the Pinup column in favor of a “Hill Personalities” column featuring one male and one female staffer, though this column quickly went by the wayside after an article featuring a former Playboy Bunny generated anger. See “Hill Personalities,” *Roll Call* 21:11 (2 Oct 1975): 6; “Hill Personalities,” *Roll Call* 21:12 (9 Oct 1975): 8. The column appears to have run only for two weeks.

<sup>368</sup> The Bull Elephants facilitated staffer integration into the social and political world of the Hill. The club had its own historian, who showed new members around the Capitol in order to facilitate acclimation and transfer historic Hill “lore” to the new generation of Hillites. See “Bull Tour of Capitol Set for New Republicans,” *The Bull Sheet* (1969) in Folder 2, Box 2, Bull Elephants Records, Manuscript Division, Library of Congress, Washington, D.C. Hereafter referred to as the Bull Elephants Records.

<sup>369</sup> “Bull Elephants – More Bull Than Anything Else,” *Equal Times*, V. 10 (Oct 1973): 1, Equal Times folder, NWPC Papers.

operated under the assumption that the prestige of their group was premised on a strictly heterosexual masculinity, referred to as “bullship.”<sup>370</sup>

The group’s politics became more reactionary as the Republican Party lost power on the Hill. Indeed, the Bulls increasingly used their sexism as a sales strategy, as their influence declined through the 1970s. The Nixon Administration’s insularity had severely decreased access to higher-ups in the party, and Watergate resulted in what the National Republican Congressional Committee (RNCC) referred to as “dark days for our party in the Congress.”<sup>371</sup> As the women’s movement ascended and jokes about “bra-burners” multiplied, the group repeatedly noted that it was “one of the last vestiges of male chauvinism.” The male club began to market its parties with pictures of bikini-clad women and suggestive taglines.<sup>372</sup> The masculine, forcefully heterosexual political culture of the club simply became more visible as feminism emerged as a viable political and cultural force.

The Bull Elephants were by no means the only group to ban women. The Capitol Hill Toastmasters Club only admitted women in November of 1977, after years of refusing women’s

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<sup>370</sup> The Bull Elephant newsletter *The Bull Sheet*’s masthead reads “A Newspaper Devoted Entirely to Bullship – Accuracy, Accurasy, Acurassy.” For the first issue, see Folder 6, Box 2, Bull Elephants Records.

<sup>371</sup> Concerns about declining membership were linked to the Nixon Administration’s refusal to communicate in any meaningful way with Republicans in Congress. For complaints about this “benign neglect,” see “Meeting with Bill Timmons” memo (19 Mar 1971) in Folder 3, Box 2, Bull Elephants Records; Republican Congressional Committee Newsletter 12 (Washington, D.C.: Public Relations Division of the Republican National Congressional Committee, 12 Jun 1973): 5 in Folder , Box , Bull Elephants Records. A visit from presidential advisor Kenneth Cole prompted a particularly angry letter from Bulls member Ronald Martinson. See Ronald Martinson to Kenneth Cole (31 Jul 1974) in “93<sup>rd</sup> Congress – Correspondence” Folder, Box 3, Bull Elephants Records. As President of the Bulls, Beldon Bell lamented the loss of forty-four Republicans in the 1974 elections. His own boss Rep. Roger Zion (R-IN) had lost his job, and Bell noted that the club’s new job bank had devolved into a system of “help[ing] all of our defeated friends, which are voluminous in number.” See Beldon Bell to Roger Campbell (8 Nov 1974) in “93<sup>rd</sup> Congress – Correspondence” Folder, Box 3, Bull Elephants Records. For the quotation, see RNCC Executive Director John Calkins to Beldon Bell (19 Nov 1974) in “93<sup>rd</sup> Congress – Correspondence” Folder, Box 3, Bull Elephants Records.

<sup>372</sup> One such tagline read “[t]here’s a couple of reasons to be on the Bull Elephants mailing list . . .” The tagline was a reference to the breasts prominently displayed by a woman in a bikini in the accompanying photo. See “Bull Elephants Embellish Eons in Stupendous Spring Stampede,” *Pachyderm Profile and Postscript* 1:2 (May 1973) in Folder 2, Box 3, Bull Elephants Records. For copies of posters with pictures of scantily clad women, see Folders 8 and 10, Box 1, Bull Elephants Records.

applications.<sup>373</sup> The three rules of the Reserve Officers Club – where congressmen frequently served as guest speakers – included “no women, no media and no leaks (please).”<sup>374</sup> Other groups made a habit of meeting in areas from which women were banned. Rep. Pat Schroeder (D-CO) complained that “[h]ad I been asked to leave because I was black or Jewish, my colleagues would have been outraged. [But] . . . many of my colleagues liked Washington as a female-free zone.”<sup>375</sup> As journalist Meg Greenfield noted, women had a hard time making their way within any professions where “clubs that were nearer to being professional associations” only admitted male members.<sup>376</sup> The establishment of male-only associations hindered congresswomen, female staffers, and journalists like Greenfield alike.

It was important that women gain admittance to these clubs. Former staffer and congressional scholar Charles Clapp noted in his guide to the legislative branch that participating in staffing organizations “expand[ed] the number of [a staffer’s] potential allies.” These groups offered opportunities to mix with other staffers and legislators; indeed, first-year congresspersons were advised to join these same clubs because relationships with staffers from other offices could prove useful.<sup>377</sup> Congressional staffers carved out a set of homegrown standards of conduct, language, and ethics that were transmitted through these informal groups.<sup>378</sup> Friendships and work overlapped in numerous ways, and excluding women from spaces and groups where they could cultivate friendships inhibited their ability to be seen as professionals by their colleagues.

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<sup>373</sup> “Will We Call ‘Em Toastmistresses?” *Roll Call* 23:18 (24 Nov 1977): 8.

<sup>374</sup> Myron Stuck, “Roll Call Special Section: A Look at Clubs,” *Roll Call* 24:31 (15 Mar 1979): 1.

<sup>375</sup> Patricia Schroeder, *24 Years of House Work . . . And the Place Is Still a Mess: My Life in Politics* (Kansas City, MO: McMeel Publishing, 1998): 38.

<sup>376</sup> Meg Greenfield, *Washington* (Public Affairs, 2001): 123.

<sup>377</sup> Charles Clapp, *The Congressman: His Work as He Sees It* (Washington, D.C.: The Brookings Institution, 1963): 12.

<sup>378</sup> For the classic text on professionalization, see Harold Wilensky, *Intellectuals in Labor Unions* (New York: The Free Press, 1959). For information specifically on the professional qualities of congressional staffers, see Barbara S. Romzek and Jennifer A. Utter, “Congressional Legislative Staff: Political Professionals or Clerks?” *American Journal of Political Science* 41:4 (Oct 1997): 1251-79.

As the 1970s wore on, women increasingly attacked these exclusionary rules and practices, wielding the tool of feminism. Noting that she was “not a Women’s Libber” but “occasionally . . . [did] a bit of flag waving and foot stamping when it is called for,” Tracy Maclean went after the Bull Elephants for continuing to ban women from membership. Maclean observed that the club leaned heavily on female labor to sell tickets to their annual events but, when presented with female demands for inclusion, replied with “It’s a bad time of year” or “What with the election and all.”<sup>379</sup> Women founded new organizations.<sup>380</sup> For instance, feminist staffer Carol Mayer Marshall co-founded the Republican Discussion Group, an informal caucus of GOP legislative and administrative assistants on the Senate side.<sup>381</sup> Meanwhile, radical feminist group W.I.T.C.H. protested the exclusion of women from the famous Hill establishment, the Gridiron Club, creating a foil for more muted Hillite activism.<sup>382</sup>

Women found other areas of discrimination harder to systematically combat. The late development of the term “sexual harassment” made critiques difficult to articulate.<sup>383</sup> Further, there were no institutional outlets for reporting harassment. Former director for the House Radio-Television Gallery, Tina Tate recalls that “[y]ou just had to understand where the boundaries

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<sup>379</sup> Tracy Maclean, “Party Line,” *Roll Call* 22:10 (30 Sep 1976): 11.

<sup>380</sup> The feminist congressional staffer group mounted the most visible challenge to single-sex partisan groups. See *Equal Times*, 7<sup>th</sup> ed. (Capitol Hill Women’s Political Caucus, Jul 1973) and *Equal Times*, 10<sup>th</sup> ed. (Capitol Hill Women’s Political Caucus, Dec 1973), Herstory microfilm, Volume 3, Reel 1 (Bell & Howell, 1972). See also, chapter three of this dissertation.

<sup>381</sup> Carol Mayer Marshall, oral history interview transcript (Menlo Park, CA, 17 Nov 2003): 14-15 in “Carol Mayer Marshall, Nov. 17, 2003” Folder, ““A Few Good Women” Oral History Project.

<sup>382</sup> Mary Wieggers, “Women’s Lib: ‘Only Active Radicals in Town,’” *Washington Post* (11 Mar 1970): B1 (accessed 21 Oct 2012). This contrasted with the 1960s approach to admitting women. Just a few years earlier, former Gridiron Club president Bill Lawrence resisted President John F. Kennedy’s demand that the club admit female members. Representative of male intransigence, Lawrence told Kennedy that “I might sleep with [women], but I’ll be damned if I’ll eat lunch with them.” See Tolchin and Tolchin, *Clout*: 21.

<sup>383</sup> For a history of sexual harassment in the workplace, see Julie Berebitsky, *Sex and the Office: A History of Gender, Power and Desire* (New Haven, CT: Yale University Press, 2012). The term “sexual harassment” moved into a more systematized, wider usage in 1977. The initial academic articulation of the term can be found in Mary Bularzik, “Sexual Harassment at the Work Place: Historical Notes,” which first appeared in *Radical America* (Jul-Aug 1978), was reprinted by New England Free Press, and can be found at [http://bcrw.bamard.edu/archive/workforce/Sexual\\_Harassment\\_at\\_the\\_Workplace.pdf](http://bcrw.bamard.edu/archive/workforce/Sexual_Harassment_at_the_Workplace.pdf) (accessed 22 Apr 2013).

were. I did have one Senator chase me around a desk. . . . Had it been a different time, I would have reported it because it was an inappropriate event.”<sup>384</sup> Some staffers developed techniques for avoiding uninvited touching or conversations in which they received unwanted, sexualized attention.<sup>385</sup> Congress was not going to have an open conversation about sexual harassment, even though, as one aide complained, “it is hard to talk business with some man ogling your anatomy.”<sup>386</sup>

The women’s movement offered a language and set of critiques that Hill women would use in the 1970s. Female staffers wanted to do their jobs and resented gendered behaviors and practices that prevented them from performing their work. As the contours of hiring and pay discrimination became clearer over the course of the decade, female staffers began to voice discontent, though many stayed away from feminist organizing of any kind, afraid that it would lead to dismissal or because they did not have time.<sup>387</sup> Irene Tinker, a foreign policy expert who networked with some of these women in the 1970s, noted of government women that “if they are too open in their support of women’s issues, their effectiveness may be reduced.”<sup>388</sup> But there was a silver lining to the fact that most female staffers eschewed visible collective action. These woodwork feminists were in the perfect position to assist with bills when the opportunity arose.

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<sup>384</sup> “Tina Tate Interview 1 – June 28 2007,” Office of History and Preservation, Office of the Clerk, U.S. House of Representatives. <http://oralhistory.clerk.house.gov/interviewee.html?name=tate-tina&view=docs&doc=tate-interview-1> (accessed 1 Feb 2010): 7.

<sup>385</sup> One staffer now recalls that she developed a way of walking to her seat in narrow committee rooms to minimize men’s ability to “pat” her. Phone interview with Margaret Goodman (9 Mar 2011).

<sup>386</sup> “Anonymous and Enraged” to Patsy Mink (7 Aug 1970), Folder 11, Box 677, Patsy Mink Papers, Manuscript Division, Library of Congress, Washington, D.C. Hereafter referred to as Mink Papers. Before sexual harassment became a recognized problem on the Hill, it was difficult to spark a larger conversation about how and why the sexualization of female staffers was problematic. Much of the advice literature starting with Helen Gurley Brown’s 1964 *Sex and the Office* advocated that women wield their feminine wiles to get ahead in the workplace. See Helen Gurley Brown, *Sex and the Office* (New York: Pocket Books, 1964).

<sup>387</sup> The majority of the hundreds of women who joined the Capitol Hill Women’s Political Caucus (CHWPC) chose to remain anonymous. See chapter three for more information on this organization.

<sup>388</sup> Irene Tinker, “Introduction,” in *Women in Washington*: 11.

“Is It Too Much for the Democratic Process to Ask You to Put Your Pants On?”:

Congresswomen and Sexism

Congresswomen operated within the same highly gendered institution as female staffers. During the 1970s, more assertively feminist legislators trickled into Congress.<sup>389</sup> They too wanted the freedom to do their jobs as well as their male counterparts. Women entered Congress expecting to be treated as serious politicians. As such, they were especially well-positioned to experience the full shock of a male-dominated Congress not yet receptive to active female legislators. Like staffers, congresswomen strategically chose how and when to challenge gendered barriers within the legislature. But congresswomen had greater autonomy and a mandate to govern. They could capitalize on the feminist movement and Congress’ new receptivity to progressive reform. While women like Bella Abzug and Patricia Schroeder defined the outer limits of intra-congressional feminist activism, congresswomen collectively began to challenge exclusionary norms and rules.

Rep. Shirley Chisholm’s (D-NY) 1968 protest against her committee assignments heralded the arrival of a new, more radical breed of congresswoman. Attacking the congressional “senility” system, as she referred to it, Chisholm claimed that her committees – Agriculture and the Rural Development and Forestry Subcommittees – were irrelevant to her Brooklyn

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<sup>389</sup> Most of these women worked their way into politics through civic groups and traditionally female-dominated organizations. As political scientist Barbara Burrell puts it, some used “their private-sector credentials as a pass to public office.” Barbara Burrell, *A Woman’s Place Is in the House: Campaigning for Congress in a Feminist Era* (Ann Arbor, MI: The University of Michigan Press, 1994): 58. Others like Democratic Representative Edith Green obtained major party endorsement in states like Oregon, which possessed less hierarchical parties operating without the kind of organizational rigidity that traditionally reinforced male control. Claudia Dreifus, “Women in Politics: As Interview with Edith Green,” *Social Policy* (Jan/Feb 1972): 16-17; Jules Witcover, “Women Candidates Capitalizing on Clean Political Image,” *The Washington Post* (16 Jun 1974): L1. For information on women in party politics, see Susan Carroll, “Political Parties and Recruitment,” *Women as Candidates in American Politics*, 2<sup>nd</sup> ed. (Bloomington, IN: Indiana University Press, 1994): 22-45 and Barbara Burrell, “Political Parties and Women Candidates,” *A Woman’s Place Is in the House*: 81-100.

constituency.<sup>390</sup> Refusing Speaker John McCormick's advice that she be a "good soldier," Chisholm became one of the only legislators to successfully challenge her original committee assignments.<sup>391</sup> More progressive congresswomen followed Chisholm into Congress. With the women's movement pushed these newer legislators together with the small number of older female legislators like Rep. Martha Griffiths (D-MI), who had struggled for feminist bills through the 1960s.

These congresswomen fit into a growing liberal reform community on the Hill. The size and power of the Democratic Study Group (DSG) only grew after the successful push for the 1970 Legislative Reorganization Act. The group grew to over one hundred and fifty members, obtaining substantial power within the Democratic Caucus.<sup>392</sup> Cohesively liberal, the group included a number of feminists and provided female legislators with a more welcoming social group within Congress.<sup>393</sup> Susan Hartmann defines similar male support in liberal organizations as "conscience" constituencies, motivated by a broad commitment to equality.<sup>394</sup> In 1978, congresswomen defined Congress as a "male institution," but also noted that the institution was a place in which "A conscientious effort has been made to make congresswomen an integral part of the process."<sup>395</sup>

Though congressional culture changed with these new members, much remained the same. Through the 1970s, male legislators, staffers, and service personnel alike continued to

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<sup>390</sup> Shirley Chisholm, *Unbought and Unbossed* (New York: Houghton-Mifflin, 1970): 81-82.

<sup>391</sup> *Ibid.*, 82.

<sup>392</sup> DSG membership grew from around one hundred members in the early 1960 to 160 in 1973. See David Rohde, "Committee Reform in the House of Representatives and the Subcommittee Bill of Rights," *Annals of the American Academy of Political and Social Science* (Jan 1974): 42, n.6; Arthur G. Stevens, Jr., Arthur H. Miller, and Thomas E. Mann, "Mobilization of Liberal Strength in the House, 1955-1970," *American Political Science Review* 68:2 (Jun 1974): 667-81.

<sup>393</sup> Rep. Donald Fraser was an important supporter of feminism through the decade and chaired the DSG in the late 1960s and early 1970s. For information on the voting patterns of members in the early 1970s, see *Ibid.* For information on the socializing function of groups like the DSG, see Leroy N. Rieselbach, *Congressional Politics: The Evolving Legislative System*, 2<sup>nd</sup> ed. (Boulder, CO: Westview Press, 1995): 155-57.

<sup>394</sup> Hartmann, *The Other Feminists*: 10.

<sup>395</sup> Quoted in Gertzog, *Congressional Women*: 68, 89-90.



uphold gendered boundaries, despite the rising numbers of women who needed to move through these spaces to effectively do their jobs. Multiple men warned one female staffer that there were no women's bathrooms close to the House floor as she was en route to advise her employer on state boundaries policy.<sup>396</sup> As former Rep. Patricia Schroeder recalled of the House balcony in the 1970s, "the congressmen liked to pull off their trousers and sunbathe on the chaise loungers. They felt 'letting' women on the House floor was enough; we shouldn't also have access to their tanning clinic."<sup>397</sup> Congresswomen were occasionally prevented from using the legislators-only elevators or going onto the House or Senate floors because the elevator operators or doorkeeper assumed that legislators would be men.<sup>398</sup>

Like female staffers, congresswomen also dealt with joking, often from their more liberal colleagues. Banter was sometimes designed to make them uncomfortable about working in politics, but at other times was a clumsy way of including women. Rep. Charlie Wilson called Rep. Patricia Schroeder "Babycakes" and "Congressman Babycakes" in formal congressional situations. Schroeder and many of the other congresswomen were initially annoyed with some of this "banter," but often decided to see the male chauvinism as somewhat charming. As Schroeder noted recently, "[e]verybody loves Charlie."<sup>399</sup> Former staffer Bernice Sandler recalls that Rep. Ella Grasso (D-CT) was the first woman to wear a pantsuit onto the House floor, where she was

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<sup>396</sup> Foerstel and Foerstel, *Climbing the Hill*: 160.

<sup>397</sup> Schroeder, *24 Years of House Work*: 32. Schroeder also recounts this fact in Lois Romano, "On the Hill, the Gender Trap," *Washington Post* (6 Mar 1990): C1, "H-235 – Lindy Boggs Suite" Folder, AoC Office Files.

<sup>398</sup> Gertzog, *Congressional Women*: 58; Elizabeth Holtzman, *Who Said It Would Be Easy?: One Woman's Life In the Political Arena* (New York: Arcade Publishing, 1996): 35. There is evidence that legislators of color also experienced this form of discrimination. Capitol Police officers frequently asked black members for their credentials as late as 1995. See Juliet Elperin, "From Hate Mail to Racist Graffiti in Rayburn, Black Members Detail Threats against Them," *Roll Call* (20 Jul 1995): 12, "African Americans in Congress" Folder, AoC Office Files.

<sup>399</sup> Patricia Schroeder recalls a joke of fellow freshman Rep. Charlie Wilson (D-TX) in a 2007 interview. Wilson sent her a pink framed photograph of a tombstone that read "Wife of Davy Crockett." The package contained a note that read "[i]n Texas, we don't even let women use their first name on their tombstones." As Schroeder tells it, "I thought, 'Who is this Neanderthal?' and I stormed into his office. . . . He burst out laughing. He has spent his whole life figuring out how to pull people's chains – and he was pulling mine." See Patricia Schroeder, quoted in Peter Carlson, "Sticking to His Guns," *Washington Post* (22 Dec 2007): <http://www.washingtonpost.com/wp-dyn/content/article/2007/12/21/AR2007122102520.html> (accessed 28 Feb 2013).

“ridiculed enormously.”<sup>400</sup> One congresswoman noted in a late 1970s interview with political scientist Irwin Gertzog that “you have to be a good sport to get anywhere in the House . . . . Some of the jokes would drive a New York feminist up a wall, but you come to accept them. And you have to be less uptight about these things because they are meant to be funny.”<sup>401</sup>

The gesture towards New York was not random. As a newly-minted Congresswoman, Bella Abzug was subjected to remarks from congressmen who, during floor debates, commented on her weight and “unfeminine” rhetorical style. In the first month of her first term, Abzug questioned the validity of expenditure statistics cited by Rep. Nelson Rockefeller (R-NY) during hearings on a water pollution bill. Rockefeller retorted that “[s]he questions my figures, but she has nothing in substitute, except her own very beautiful—excuse me.”<sup>402</sup> Rockefeller’s remarks were not atypical and, given her unusually bombastic rhetorical style and uncompromising activist legislative agenda, Abzug provided a particularly overt affront to the congressional “boy’s club.”<sup>403</sup> Legislators, staff members, and male press correspondents responded by deriding Abzug’s legislative concerns and attacking her demeanor, appearance, and suspected lack of devotion to her family.<sup>404</sup> Abzug continually had to make choices about whether or not to respond to jokes about her weight or questions about her husband’s masculinity.<sup>405</sup>

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<sup>400</sup> Phone interview with Bernice Sandler (26 May 2011).

<sup>401</sup> Quoted in Gertzog, *Congressional Women*: 69.

<sup>402</sup> “Male Chauvinism in the House,” *Minneapolis Tribune* (15 Jan 1971), Box 111, Abzug Papers.

<sup>403</sup> Observing the Pennsylvania legislature in the early 1960s, Frank Sorauf noted that “[l]egislative chambers . . . often bear the signs of the male club, and a woman legislator may be viewed as an intruder into smoking room company.” Frank J. Sorauf, *Party and Representation* (New York: Atherton Press, 1963): 67. Sorauf’s observation is reinforced by a number of other studies of state and federal legislative bodies, including Leon Epstein, *Politics in Wisconsin* (Madison, WI: University of Wisconsin Press, 1958): 105; Jeane Kirkpatrick, “Women in a Man’s World” in *Political Woman* (New York: Basic Book, Inc. Publishers, 1972): 106-136.

<sup>404</sup> “Male Chauvinism in the House,” *Minneapolis Tribune* (15 Jan 1971), Box 111, Abzug Papers; Abzug, *Bella!*: 33.

<sup>405</sup> In 1971, Rep. Bella Abzug attended an Inner Circle press club event, an annual affair in which members of the media spoofed local politicians. The club previously relegated women to the balcony, and 1971 marked the first year the club allowed women to sit with men on the club’s ground floor. Confronted with satirizing a woman for the first time, the club parodied Abzug’s feminism and targeted her greatest emotional vulnerabilities: her weight and her potentially “emasculating” effect on her husband. Bella Abzug, *Bella!*: 71-72.

As public female political figures working in the midst of a national women's movement, Congresswomen could fight back against some attacks on their legitimacy as political actors – an opportunity that female staffers did not possess. Access to the press was enormously important in combatting sexist rhetoric and practices on the Hill. Bella Abzug used media attention and a national circuit of lectures to challenge the male culture of Congress and promote a women's political movement.<sup>406</sup> Journalists knew that Abzug always produced good copy, and she used her clout to raise awareness of women's inequality, constantly issuing criticisms of an ineffective male seniority system, the macho war mentality that produced an increasingly unpopular Vietnam War, and the male assault on the economic, political, and social rights of women.<sup>407</sup> Published in 1972 as *Bella! Ms. Abzug Goes to Washington*, Abzug's diary of her first term in Congress was part and parcel of this very visible assault on the entrenched male culture of Congress.<sup>408</sup>

In a world where likeability could translate into efficacy, publicizing congressional sexism was risky. Abzug made few legislative allies by publishing her memoirs or broadcasting her anger over perceived slights in Congress. Some women on the Hill believed that Abzug's abrasive behavior hurt the cause of women's rights.<sup>409</sup> Abzug was known to be a difficult person,

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<sup>406</sup> Bella Abzug, "Women in Political Life," press statement, [n.d.], Box 1029; Bella Abzug, speech to NWPC, Statler Hilton Hotel, New York (7 Jul 1971), Box 1033; Robert Crater, "Bella Abzug Tours Cleveland to Seek Peace," *Cleveland Press* (7 May 1971), Box 499; Tim O'Brien, "Women Organize for More Power," *The Washington Post* (11 Jul 1971), Box 1031, all in Abzug Papers. Abzug describes the women's political movement as a state-by-state mobilization of women as "cohesive power group[s] that then seek appropriate female candidates for office." See Bella Abzug, *Bella!*: 102. See also Bella Abzug, "Our White, Male, Middle-Class, Middle-Aged Congress," *AAUW Journal* (Nov 1971), Box 760, Abzug Papers.

<sup>407</sup> Other congressional members resented this continual coverage of Abzug. In his article "Sexism on Capitol Hill," Jack Cleland notes that "[Abzug's] committee members on the committees on Public Works and Government Operations think her performance somewhat less than desirable for a newcomer. What particularly galls some of them is that when Bella shows up, usually late, at a hearing wearing that floppy hat that has become her trademark, the Klieg lights go on and the television cameras grind away hoping to catch one of her colorful utterances." *Harper's Bazaar* (Jan 1972): 92.

<sup>408</sup> Shirley Chisholm published a similar memoir. Shirley Chisholm, *Unbought and Unbossed*.

<sup>409</sup> This opinion surfaced repeatedly in interviews and articles on Abzug's politics from the 1970s. The critique was especially evident during the 1972 Democratic primary campaign Abzug and fellow liberal Rep. Bill Ryan. The

prone to bouts of anger. Some male legislators asserted that an “aye” vote from Abzug meant an avalanche of “nay” votes from legislators who simply disliked her.<sup>410</sup> It is difficult to determine the validity of this fairly widespread claim, though it is clear the Bella Abzug was not interested in fitting into Congress’ notion of a well-behaved upholder of the institution’s reputation. When she obtained a House subcommittee chairmanship, Abzug forced members of the committee to call her “madam chairwoman,” a term they applied with “pained correctness.”<sup>411</sup>

During the years when an already organized women’s movement could provide support, it was much safer to mobilize public opinion against a target outside of Congress. In a 1970 Democratic Party National Priorities Committee meeting, committee member Dr. Edgar Berman responded to Patsy Mink’s assertion that the party ought to focus more on women’s rights with an argument that women were victims of “raging hormonal imbalances” that produced “curious mental aberrations,” rendering the entire female sex unfit for public service.<sup>412</sup> Patsy Mink wrote privately to Vice President Hubert Humphrey, asking for Berman’s removal from the committee.<sup>413</sup> When private communication failed, Mink turned to the press.<sup>414</sup>

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campaign was an uncomfortable one, as both candidates conceded the liberal credentials of the other, but media coverage heightened tensions by launching a concerted and vitriolic attack on Abzug’s right to run against Ryan. Journalists repeatedly maligned Abzug’s legislative approach and emphasized her abrasive “style,” boiling her candidacy down to self-involvement and dismissing her political concerns as unimportant. See “Bella Abzug Warns of Court Fight and Women’s Campaign against Reported Dismemberment of 19<sup>th</sup> C.D.” press release (16 Feb 1972), Box 111, Abzug Papers. One television interviewer directly asked Bella whether it was “just a coincidence that you’re a woman,” postulating that the real reason for the gerrymandering might be “the fact that you’re a pretty damn difficult person to get along with and that you don’t have many friends among the regular Democrats and you don’t even have many friends among the Reformers.” See “Mr. Watson,” Channel 13 10:00 news television transcript (18 Feb 1972), Box 111, Abzug Papers.

<sup>410</sup> As one male New England colleague commented, “She’s learning how to play the game and is more respected now. But a few years ago, the kiss of death was to have Bella introduce a bill.” Quoted in McPherson, *The Power Lovers*: 331.

<sup>411</sup> Bella Abzug, quoted in Mary McGrory, “The Capitol Letter: Bella Sandpapers the House into Shape,” *The New York Post* (14 Apr 1976), Box 1032, Abzug Papers.

<sup>412</sup> Transcript (30 Apr 1970): 49-54, Folder 8, Box 678, Mink Papers.

<sup>413</sup> Patsy Mink to Hubert Humphrey (23 Jun 1970); Hubert Humphrey to Patsy Mink (3 Jul 1970), Folder 6, Box 678, Mink Papers.

<sup>414</sup> Examinations of this event can be found in Kristin Amundsen, *The Silenced Majority: Women and American Democracy* (New York: Prentice Hall, 1971): 84; Hope Chamberlin, *A Minority of Members: Women in the U.S. Congress* (New York: Praeger Publishers, 1973): 313-315. The Battle between Berman and Mink was covered

Media and popular responses to Berman demonstrate the extent to which the culture of congressional politics was diverging from national responses to the women's movement. Sen. Hubert Humphrey (D-MN) sidestepped responsibility for getting rid of Berman, noting that Berman was "entitled to his point of view, even if you and I disagree with it."<sup>415</sup> In contrast, journalist Nancy Ross relentlessly covered the fight between Mink and Berman in the *Washington Post*, prompting a feminist mobilization. Women's groups around the country collected signatures for a petition demanding Edgar Berman's resignation. Berman begrudgingly handed in that resignation one month after Patsy Mink had raised the issue with Humphrey.<sup>416</sup> For some congresswomen, it was becoming clear that feminism and the women's movement offered them certain political tools. For reticent congressmen, it was becoming clear how broad public support for women's rights was.

Even effective challenges to sexist language and behavior came at a cost, however. Such challenges reinforced the sense that these female legislators were outsiders. Many female members ran and were elected as political mavericks, partially because outsider status became more marketable in the 1960s and partially because local parties often refused to promote female candidates.<sup>417</sup> Once a woman was elected to Congress, her reputation as a maverick became problematic. Many male legislators felt that they did not and could not fully trust a woman who was capable of interpreting their language, their legislative interests, and their political approach

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extensively in a series of articles by Nancy Ross of the *Washington Post*. For good articles, see Nancy Ross, "Questioning the Leadership Potential of Women," *Washington Post* (29 Jul 1970); "Women's Putdown Blows Up," *Washington Post* (30 Jul 1970); "Democrat Hits Views of Berman," *Washington Post* (30 Jul 1970); "Berman Says He Won't Quit," *Washington Post* (31 Jul 1970); "Berman Quits His Party Post," *Washington Post* (1 Aug 1970), all at <http://www.proquest.com/> (accessed 27 Dec 2010)

<sup>415</sup> Nancy Ross, "Questioning the Leadership Potential of Women," *Washington Post* (29 Jul 1970): <http://www.proquest.com/> (accessed 28 Dec 2010).

<sup>416</sup> Nancy L. Ross, "Berman Quits His Party Post," *Washington Post* (1 Aug 1970): C1 (accessed 28 Dec 2010); "Doctor Ducks Female Wrath over Politics," *Chicago Tribune* (1 Aug 1970): <http://www.proquest.com/> (accessed 28 Dec 2010).

<sup>417</sup> The best study of women as political candidates in the 1970s is Susan Carroll, *Women as Candidates in American Politics*.

as evidence of male chauvinism.<sup>418</sup> Women understood that it would take some time in Congress before congressmen accepted them. As Rep. Bella Abzug observed, congressional socialization was necessary for political reasons “since it’s a club – essentially a male club,” and for personal reasons, since “everybody likes to be loved.”<sup>419</sup>

But female legislators could not befriend everyone. Congresswomen encountered resistance on traditionally masculine committees, even though they were assigned to committees by the men running the House or Senate leadership. Rep. Edward Hébert (D-LA), chair of the Armed Services Committee, viewed (female) Rep. Pat Schroeder and (black) Rep. Ron Dellums (D-CA) as unnecessary intrusions. Both Schroeder and Dellums had been placed on Hébert’s committee over his objections – the first time that the Democratic Caucus had overruled a committee chairman. As Schroeder recalls, “[Hébert] said that women and blacks were worth only half of one ‘regular’ member, so he added only one seat to the committee room and made Ron [Dellums] and me share it. Nobody else objected, and nobody offered to scrounge up another chair.”<sup>420</sup> Other sex and race-specific jibes followed.<sup>421</sup> Hébert still worked within an institution built for him. On his committee, he made the rules.

The women’s movement provided congresswomen with a new way of understanding their workplace. This external context also provided the grounds for growing solidarity between women on the Hill. As Rep. Elizabeth Holtzman (D-NY) noted, “Although the House and Senate

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<sup>418</sup> Political scientists Martin and Susan noted in the early 1970s that the language and symbols of legislative/political life were overtly male. Politicians tended to “make deals,” “win wars,” “fight battles,” and “bring home prizes.” See Tolchin and Tolchin, *Clout*: 91.

<sup>419</sup> Ibid: 181.

<sup>420</sup> Indeed, Schroeder believes that the only reason she was appointed to the committee in the first place was fierce lobbying by Rep. Wilbur Mills’ wife, who had “taken an interest” in her career. See Schroeder, *24 Years of House Work*: 40-41. See also Zelizer, *On Capitol Hill*: 135.

<sup>421</sup> Hébert also “summoned [Schroeder] to his office” to tell her that “he had an adult room and an adultery room,” following this comment with the assertion that “[t]he Lord giveth, the Lord taketh away, and I am the Lord. You’ll do just fine on this committee if you remember that.” See Patricia Schroeder, quoted in David Finkel, “Women on the Verge of a Power Breakthrough,” *The Washington Post Magazine* (10 May 1992): 16, “Lindy Boggs Suite” Folder, AoC Office Files.

viewed my 1972 election with relative indifference, the tiny handful of congresswomen welcomed me warmly.”<sup>422</sup> Female legislators started to meet for Tuesday lunches that, as Rep. Lindy Boggs (D-LA) observed, “[scare] the men to death.”<sup>423</sup> Women also began to use their all-female “retiring room” as an informal base for networking. As congresswomen described the room in 1978, they used it as “a men’s smoking room. We stop in and get together in there and we are concerned about reaching a consensus. . . . We share our thoughts with one another and support each other as much as we can. We have developed an affection for each other.”<sup>424</sup>

### The Fruits of Challenging Congressional Political Culture

As “surrogate representatives” for a national female constituency, congresswomen had a lot of work to do.<sup>425</sup> They received help from female staffers, who were now willing to push against institutional norms. All of these women affected the culture of the Hill. And as the women’s movement picked up outside of Congress, the institution responded, albeit slowly. The campaign to diversify the congressional page program demonstrated that many liberal legislators saw clear connections between racial and sex discrimination. Discussions of the program’s integration also demonstrated the limits of that comparison, as legislators who had accepted racial integration were far less comfortable with young women in their midst. Fears about gendered and raced crime, acceptable clothing for women, and the tenuous maintenance of male-

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<sup>422</sup> Holtzman, *Who Said It Would Be Easy?*: 203.

<sup>423</sup> Marjorie Hunter, “Capitol Hill Clubs Have Many Roles,” *New York Times* (26 Dec 1975): 33, “Longworth HOB – Newspaper and Magazine Articles, 1974-” Folder, AoC Office Files.

<sup>424</sup> Quoted in Gertzog, *Congressional Women*: 234.

<sup>425</sup> For information on Patsy Mink’s devotion to a broader female constituency once arriving in Congress, see Patsy Mink, quoted from a 19 Oct 1995 interview in Susan J. Carroll, “Representing Women: Congresswomen’s Perceptions of Their Representational Roles,” *Women Transforming Congress*, ed. Cindy Simon Rosenthal (Norman, OK: University of Oklahoma Press, 2002): 55. While political scientist Jane Mansbridge has termed this tendency as “surrogate representation,” an effort to represent a national constituency of women, such representation also sits on the problems legislators themselves encountered within their own workplaces. For information on “surrogate representation,” see Jane Mansbridge, “Should Blacks Represent Blacks and Women Represent Women: A Contingent ‘Yes,’” *The Journal of Politics* 61:3 (Aug 1999): 628-57. Both Bella Abzug and Pat Schroeder disliked Sullivan, whom they saw as conservative.

only spaces in Congress converged in the 1971 debate over whether to allow girls to join the storied congressional page program.

Debate over the page program demonstrated that male legislators thought very differently about male and female safety in the District. Neither the House nor the Senate felt much need to provide structured protection and housing for the teenage boys who had populated the page program since its founding in the 1800s. But the Senate debate over the inclusion of girls in 1971 prompted a whole host of questions about the structure of the program and the demands of daily physical labor in Congress.<sup>426</sup> Something more than a few extra lights would be required. In order to assess the amount of danger to which these women would be subjected, the Senate constructed a map of Capitol Hill with symbols delineating between purse snatchings, rapes, and “petty crimes.”<sup>427</sup> That some of these crimes were perpetrated against men was not mentioned, just as congresspersons did not mention the fact that the presence of very young female interns and staffers had not warranted similar concern in the past.

In contrast, there had been few dissenters when Jacob Javits introduced the first black and Puerto Rican pages in the Senate during the 1960s. By then, senators believed that exclusionary practices would be, in the words of Javits, “defying time and the condition of our world.”<sup>428</sup>

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<sup>426</sup> Teenage pages served Congress since the institution’s inception, but the first formal page appointment occurred in 1829. The introduction to the hearings on the inclusion of girl pages illustrates how forcing congresspersons to think about gender prompted them to consider a wide array of questions concerning the structure of their own institution and the geography of Capitol Hill. See “Hearing before the Ad Hoc Committee to Consider the Appointment of Female Pages of the Committee on Rules and Administration, United States Senate,” 92<sup>nd</sup> Congress, 1<sup>st</sup> Session (4 Apr 1971) in Folder 34, Carton 9, Catherine East Papers, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA. Hereafter referred to as East Papers. As Sen. Jacob Javits (D-NY) noted, the primary concerns about female page employment were the belief in physical strength disparities between girls and boys, a lack of parental supervision, the long work hours of Congress, and the prevalence of male-only space within Congress itself. Jacob Javits, *Ibid*: 2-5.

<sup>427</sup> See the attachment to “Hearing before the Ad Hoc Committee to Consider the Appointment of Female Pages of the Committee on Rules and Administration, United States Senate,” 92<sup>nd</sup> Congress, 1<sup>st</sup> Session (4 Apr 1971): 3 in Folder 34, Carton 9, East Papers.

<sup>428</sup> “Hearing before the Ad Hoc Committee to Consider the Appointment of Female Pages of the Committee on Rules and Administration, United States Senate,” 92<sup>nd</sup> Congress, 1<sup>st</sup> Session (4 Apr 1971): 3 in Folder 34, Carton 9, East Papers.



Echoing arguments made on behalf of those minority pages, Javits himself called attention to the “very anomalous position” of a Congress that had in 1964 mandated equal employment regardless of sex but refused to integrate women into its own operations on an equal basis.<sup>429</sup> Yet after Javits nominated Paulette Desell in 1971, the Senate Sergeant-at-Arms refused to swear her in and demanded that the Senate Rules Committee approve the nomination. The Rules Committee then stalled, refusing to hold a hearing on the nomination until Sen. Javits threatened to add the resolution as an amendment to unrelated bills, potentially hampering the legislative process.<sup>430</sup>

As the debate progressed, the informal but highly structured distinctions between men and women in Congress became clear.<sup>431</sup> Congresspersons were concerned about female page uniforms, and *Roll Call* warned of unisex outfits in the months before the introduction of pages. By unisex, they meant pants, the already controversial clothing choice for adult women on the Hill.<sup>432</sup> Congressmen fretted that girl pages would be unable to come into the bathroom to shepherd legislators to the floor for important votes, failing to understand that Sen. Margaret Chase Smith (D-ME) already did not enjoy the privilege of a bathroom warning system. And as Javits page Ellen McConnell recalls, “[t]here was quite a bit of talk about [allowing us in] the Cloakroom because the Senators would say, ‘Well, that’s where you go in and you belch and you fart, you know, and you loosen your pants. You know, it’s kind of like a locker room and girls

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<sup>429</sup> Ibid: 7.

<sup>430</sup> Arvonne Fraser studied the introduction of female pages in the Senate while strategizing about how best to introduce female pages to the House. She apparently talked to Javits aide Chuck Warren about the process, borrowing Javits resolutions from the Senate office in preparation for this campaign. See handwritten notes in “Female Pages, 1971” Folder, A. Fraser Papers.

<sup>431</sup> The role gender played in this debate did not escape the notice of Rep. Bella Abzug, who included a shrewd description of the sexism at play during the female pages debate in an article, co-authored with Cynthia Edgar, “Women and Politics: The Struggle for Representation,” *The Massachusetts Review* 13: 1/2, Women, an Issue (Winter-Spring 1972): 18.

<sup>432</sup> “Unisex Garb for Pages?” *Roll Call* 16:29 (11 Feb 1971): 5.

probably don't belong in there.”<sup>433</sup> There was some talk of banning girl pages from the cloakrooms, even though page duties required movement through these spaces.<sup>434</sup>

This was not simply a matter of utility; there was symbolic import to these all-male spaces that the presence of female pages would compromise. As Sen. Everett Jordan (D-NC) commented, “[w]ithout being prudish, it somehow seems to lack dignity and grace to picture young women sitting around on the steps of the Senate chamber waiting to be dispatched.”<sup>435</sup> Jordan's statement once again disregarded the physical fact of Sen. Margaret Chase Smith and the many female staffers who moved through this space daily. Tradition required that Congress maintain the idea of all-male areas.<sup>436</sup> Admitting women into even these relatively powerless positions was problematic for congressmen who were used to a gendered geography that supposedly kept women safely within the confines of offices.

But keeping women out of the page program had become impossibly hypocritical. A “Dear Colleague” letter authored by Sens. Javits, Frank Church (D-OK), and Charles Percy (R-IL) voiced the central winning argument: “The Congress has outlawed discrimination in private employment on account of sex; the President has prohibited it in Federal employment by an executive order. The Senate, however, has yet to follow the very principles which we require of citizens generally. . .”<sup>437</sup> Not that this argument was compelling to all senators on its face. It needed to be coupled with Minority Leader Hugh Scott's observation that “[w]ith an election

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<sup>433</sup> Ellen McConnell, quoted in Darryl Gonzalez, *The Children Who Ran for Congress: A History of Congressional Pages* (Washington, D.C.: ABC-CLIO, 2010): 203.

<sup>434</sup> For a brief description of page duties and the history of page program reforms, see Mildred Amer, “Pages of the United States Congress: History, Background Information, and Proposals for Change,” CRS Report for Congress (Washington, D.C.: CRS, updated 6 Feb 2007): <http://www.fas.org/sgp/crs/misc/RL33685.pdf> (accessed 14 Oct 2012).

<sup>435</sup> Sen. Everett Jordan, quoted in “Will Girls’ Lib Turn Pages,” *Roll Call* 16:26 (21 Jan 1971): 9.

<sup>436</sup> Sen. Charles Percy (R-IL) noted that “It requires no perception to observe that the real issue here today is tradition. Tradition is something which means a great deal to those of us who are privileged to serve in this institution.” See Charles Percy, “Hearing before the Ad Hoc Committee to Consider the Appointment of Female Pages of the Committee on Rules and Administration, United States Senate,” 92<sup>nd</sup> Congress, 1<sup>st</sup> Session (4 Apr 1971): 16 in Folder 34, Carton 9, East Papers.

<sup>437</sup> Quoted in “Senate Tries to Restore Sex by Law,” *Roll Call* 16:39 (22 Apr 1971): 6.

coming up, [the girl pages bill's] chances are excellent. Of course, there will be some shuddering in the cloakroom."<sup>438</sup> Only fears about negative press coverage and the possibility of consequences during the next election impelled the Senate to integrate women into its page program.

Female pages were admitted to the Senate program in 1971 and to the House program in 1973, their presence predictably highlighting a number of assumptions about women and reinforcing several strictly held congressional distinctions between male and female labor. Felda Looper and her two compatriots arrived to serve as pages in 1973. They wore the same blue jacket and pants combination as male pages. They performed the same work. Yet while these young women assumed male-coded duties, male pages were never asked to fill in for secretaries on their lunch breaks, as was often asked of female pages. Additionally, these women were banned from the Marble Room, a private lounge for senators that remained open to male pages.<sup>439</sup> And though the page uniform was technically unisex, men carefully regulated the clothing of these young women, sending them home and forcing them to buy new clothing if their shirts appeared too transparent, their necklines were too low-cut, or their pants appeared too low-slung.<sup>440</sup>

Female pages resented their different treatment, even as they excitedly joined the ranks of pages. As Felda Looper noted, they were determined to do their same work as the boys, and "Even if it [unloading and delivering heavy *Congressional Record* piles] was more difficult for us, we wouldn't admit it."<sup>441</sup> Yet given the structure and culture of Congress, doing their job in

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<sup>438</sup> Hugh Scott, quoted in "Senate Seems about to Get Girl Pages," *Roll Call* 16:42 (13 May 1971): 7.

<sup>439</sup> This ban was particularly annoying to female pages because both Sens. Margaret Chase Smith and Elaine Edwards were allowed into the room, while the young women had to ask male pages for assistance every time they needed to access someone or something in the room. See Marlene Cimon, "Girl Pages Settling into Senate Routine," *Los Angeles Times* (8 Oct 1972): D5 (accessed 22 Feb 2013).

<sup>440</sup> Ibid.

<sup>441</sup> Liz Wiener, "Gal Pages Write New Book," *Roll Call* 18:44 (7 Jun 1973): 3, 7.

exactly the same way as their male counterparts was impossible. After all, these young women were denied what male pages identified as the greatest benefit of their work: freedom. As one male page aptly summarized, “It’s 100% freedom and 100% responsibility. . . . Half the thing about paging is living on your own.”<sup>442</sup> Meanwhile, the female pages remained under twenty-four hour supervision. This and other inequalities shaped the female pages’ understandings of Congress and the gendered nature of politics writ large. Describing the ethos of the new female pages, Felda Looper noted that she was less “militant” than the others, but still “didn’t want a guy to open the door for me. I can do that myself.”<sup>443</sup>

## Conclusion

Political scientists Harrison Fox and Susan Webb Hammond noted in 1977 that “Capitol Hill is described by participants and observers as a community, a governmental ‘subculture.’”<sup>444</sup> In the late 1960s, that culture began to slowly change to accommodate the new women populating congressional halls. The Legislative Reorganization Act of 1970 accelerated this shift by bringing dozens of women to the Hill and placing more of them in policymaking positions than ever before. With the women’s movement pressuring government, congressional women adopted and adapted feminism to suit their needs. Most visibly, female legislators coalesced around and resisted gendered workplace practices. As political animals, these women saw opportunities in banding together. Staffers, especially those in the offices of feminist legislators, provided another layer of support for feminism on the Hill. Open identification as an advocate for women’s rights remained dangerous within Congress, especially for secretaries and staffers

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<sup>442</sup> Greg Floyd, quoted in Carol H. Falk, “What’s This? Boys in Shirts and Ties Who Like Their Jobs?” *Wall Street Journal* (15 Jan 1971): 1 (accessed 22 Feb 2013). Female pages understood that these waiver and consent forms

<sup>443</sup> History, Art & Archives, U.S. House of Representatives, “Felda Looper,” <http://history.house.gov/OralHistory/Detail?id=33702> (accessed 5 Feb 2014).

<sup>444</sup> Fox and Hammond, *Congressional Staffs*: 7.

in more conservative offices. All staffers risked losing the veneer of moderation and professionalism integral to effective Hill work if they criticized Congress and its members. That very lack of transparency provided the basis for a network of woodwork feminists in the 1970s.

Despite a number of similarities between the Congress and other office places, the congressional workplace was unique. Historian Susan Hartmann and sociologist Mary Fainsod Katzenstein have detailed how feminism grew within and changed hierarchical organizations like the Catholic Church as well as institutions like the International Union of Workers and the Ford Foundation.<sup>445</sup> Similarly, congressional office culture cultivated a gender consciousness that did not always translate into feminism but often resulted in support for women's rights.<sup>446</sup> But the decentralized nature of Hill work heightened the loyalty between employers and employees and shaped the content and visibility of feminism in Congress. These women worked at the center of government. In order to maintain that position, a position from which these women could assist national feminist policymaking, staffers cultivated legislators and worked to maintain their reputations as temperate supporters of a national women's constituency.

Concerned about retaining their place on the Hill but supportive of feminist policymaking, female staffers provided often invisible support for bills to establish women's rights. The early 1970s drive for the ERA exposed the existence of these women who supported women's equity and were in a position to help feminist legislative efforts.<sup>447</sup> When lobbyists and openly feminist staffers and legislators began to move these bills, female staffers provided support, often from within offices that remained apathetic towards women's issues. Women from

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<sup>445</sup> Mary Fainsod Katzenstein, *Faithful and Fearless: Moving Feminist Protest Inside the Church and Military* (Princeton, NJ: Princeton University Press, 1998); Susan M. Hartmann, *The Other Feminists: Activists in the Liberal Establishment* (New Haven, CT: Yale University Press, 1999).

<sup>446</sup> Mary Fainsod Katzenstein, "Comparing the Feminist Movements of the United States and Western Europe: An Overview," *The Women's Movements of the United States and Western Europe: Consciousness, Political Opportunity, and Public Policy*, ed. Mary Fainsod Katzenstein and Carol McClurg Mueller (Philadelphia: Temple University Press, 1987): 8.

<sup>447</sup> Freeman, *The Politics of Women's Liberation*: 222.

congressional offices and female pages frequently crowded the galleries during debates over feminist policies, even for bills that received little attention from the mainstream media. As staffer Arvonne Fraser asserted, this support “was particularly important in the early 1970s, when women’s issues were often ridiculed. . . . The fact that some members of Congress and their staff were interested and supportive, however, meant that change *was* possible.”<sup>448</sup>

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<sup>448</sup> Arvonne Fraser, “Insiders and Outsiders: Women in the Political Arena,” in *Women in Washington*: 123.

## Chapter 3

### “I Can Type”: Changing the Gendered Culture of Congress

“[P]eople should be willing to trade some abuse for the glamour and importance of working on the Hill.” – Rep. Newton Steers (R-MD)<sup>449</sup>

In 1972, *Roll Call* began to take notice of feminism in the congressional workplace. As one female Hill staffer exclaimed, “Discrimination?! – It’s The Hill environment. There’s no way to get around it.”<sup>450</sup> While most female staffers selectively used feminism to understand, challenge, and reshape their individual places within office systems, feminism also provided a language and set of tactics for collective action. During the 1970s, women began to challenge inequitable workplace practices that systematically relegated them to low-paid jobs with little status, regardless of how much policy work they actually performed. Female staffers were particularly incensed that Congress systematically exempted itself from anti-discrimination and pay equity legislation that applied to similar workplaces across America. Responding to these concerns, the Capitol Hill Women’s Political Caucus (CHWPC) quickly evolved into a much-needed women’s labor rights organization within Congress. Most Caucus members remained anonymous. However, through its publications and media attention, the group represented one of the more visible examples of feminism on the Hill.

The Caucus’ feminism differed from office feminism elsewhere.<sup>451</sup> In many workplaces, clerical women organized into similar caucuses, but could use tools given to them by the federal government.<sup>452</sup> No one in Congress – not a highly paid professional aide or an entry level

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<sup>449</sup> “WMAL Charges Hill Job Discrimination,” *Roll Call* 22:24 (20 Jan 1977): 6.

<sup>450</sup> George Lies, “Hill Women’s Goal: Equal Status with Men,” *Roll Call* 18:21 (29 Nov 1972): 1.

<sup>451</sup> For the history of clerical work’s post-WWII expansion, peak in the early 1970s, and subsequent contraction, see Kim England and Kim Boyer, “Women’s Work: The Feminization and Shifting Meanings of Clerical Work,” *Journal of Social History* 42: 1 (Winter 2009): 318-40. The development of intra-workplace caucuses was a tool

<sup>452</sup> Nancy MacLean, “The Hidden History of Affirmative Action: Working Women’s Struggles in the 1970s,” *Feminist Studies* 25:1 (Spring 1999): 42-78; Judith Sealander and Dorothy Smith, “The Rise and Fall of Feminist Organizations in the 1970s: Dayton as a Case Study,” in *Women, Class, and the Feminist Imagination: A Socialist-*

receptionist – could avail themselves of EEOC services. Though this was a hole in their defenses, Congress’ hypocrisy also helped to unite CHWPC ranks. These women were most concerned about the widening gaps between congressional workplace practices and national civil rights, equal pay, and workplace safety laws. Secretaries and professional aides had different understandings of workplace inequities and different concrete solutions for these inequities. And demands for greater access to professional positions would quickly overtake concerns about the low pay of clerical work. But all women on the Hill believed that Congress’ special exemptions for itself were hypocritical and wrong.

So did a lot of voters. The congressional workplace was already politicized in a way that other workplaces were not. The CHWPC effectively used a combination of research, scandal, and media attention to push legislators towards a better understanding of sex discrimination. By the mid-1970s, Congress’ own employment studies showed that the Caucus has been right about sex discrimination all along. Institutional reform of congressional employment practices proved impossible to achieve. Legislators were unwilling to give up unilateral control over their offices in the 1970s, even as the courts chipped away at Congress’ right to discriminate against its female employees. Yet the very limitations of the congressional workplace cultivated and sustained a consistent pool of women receptive to feminism. The success of a 1970s feminist legislative agenda cannot be explained without an examination of the changing cultural and office context from which it emerged.<sup>453</sup>

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*Feminist Reader*, ed. Karen V. Hansen and Ilene J. Philipson (Philadelphia: Temple University Press, 1990): 239-57, originally published in *Feminist Studies* 12 (summer 1986): 321-41.

<sup>453</sup> The history of the Caucus has not been told, though that history is an integral part of both congressional and feminist policy history. Political scientists have documented broader cultural and workplace changes that occurred in the aftermath of the Legislative Reorganization Act of 1970. Of these, only Karen and Herbert Foerstel have specifically examined the gendered nature of changes in staffing demographics, and their focus is on the 1990s. See Chapter 4 of Karen Foerstel and Herbert N. Foerstel, *Climbing the Hill: Gender Conflict in Congress* (New York: Praeger Publishers, 1996). Other congressional staffing experts have not studied the rise of feminist employee activism. Harrison W. Fox, Jr. and Susan Webb Hammond, *Congressional Staffs: The Invisible Force in American*



### Mobilizing in “the Last Plantation”: The CHWPC Gets Up and Running

The Capitol Hill branch of the National Women’s Political Caucus emerged out of a November 1971 party hosted by Rep. Bella Abzug (D-NY) for women working on the Hill. The Caucus was initially formed as an in-house interest group capable of pursuing the NWPC legislative platform from within Congress. But the CHWPC quickly evolved into a more autonomous organization devoted to challenging cultural and employment discrimination.<sup>454</sup> The group connected itself to both labor and women’s movements, declaring in their Hill-based newsletter *Equal Times* that

In our nation’s history, problems weren’t solved until individuals came together for mutual goals. Labor conditions would have never improved had not unions been organized. Women would have never even had the fundamental right to vote had not they formed the suffrage movement.<sup>455</sup>

The Caucus became the only feminist labor rights group on the Hill, aiming its ire at a Congress capable of passing civil rights, fair employment, and work safety legislation so long as it did not apply to its own employees.<sup>456</sup>

Organizing within Congress was dangerous; the Caucus could only gain members by promising them anonymity. Not only could workers be fired for engaging in labor organizing,

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*Lawmaking* (New York: The Free Press, 1977); Michael Malbin, *Unelected Representatives: Congressional Staff and the Future of Representative Government* (New York: Basic Books, 1979). Meanwhile, feminist scholars have examined the trajectory of feminist policymaking without looking at the growth of feminism amongst staffers on the Hill. Jo Freeman briefly mentions assistance from staffers and notes the presence of the Caucus, but does not fully explore either of these things. See Jo Freeman, *The Politics of Women’s Liberation: A Case Study of an Emerging Social Movement and Its Relation to the Policy Process* (Lincoln, NE: Backinprint.com, 2000).

<sup>454</sup> Caucus leaders were cognizant of this autonomy. See memo (n.d.), “Equal Rights Amendment, 1969-72,” Folder, Box 147.G.11.2F, Donald Mackay Fraser Papers, Minnesota Historical Society, Saint Paul, MN. Hereafter referred to as D. Fraser Papers. Indeed, local newspaper *Roll Call* reported that the Caucus was actually independent of the NWPC. See George M. Lies, “Women Activists Here Operate in Fear,” *Roll Call* 18:20 (22 Nov 1972): 1.

<sup>455</sup> George Lies, “Hill Women’s Goal: Equal Status with Men,” *Roll Call* 18:21 (29 Nov 1972): 1.

<sup>456</sup> The Caucus got off to a slow start, and a few months after its founding, a short memo was sent to members, noting that “[w]e have become . . . a little more inactive than those [Caucus goals] prescribe. Now that the summer is nearly ended, we are trying to step up our activities.” By 1973 members were holding weekly Friday steering committee meetings on the Hill. See memo, n.d. in “Equal Rights Amendment, 1969-72,” Folder, Box 147.G.11.2F, D. Fraser Papers. See also “Within Congress,” *Roll Call* 19:26 (21 Mar 1974): 5.

but the mere claim that Hill workers needed more systematic protection of their rights contradicted the widespread notion that it was a gift and a privilege to work for Congress. Congresspersons frequently elided the difference between the honor of working for the institution of Congress and the honor of working for individual legislators. Calls for internal reform to eradicate discriminatory practices were treated as treasonous interest group politics. To strike, to complain, to draw attention to the flaws of employers and increase their electoral vulnerability was the very opposite of congressional service.<sup>457</sup> The consequences often included not simply termination, but being blackballed from the Hill.<sup>458</sup>

Yet throughout the 1970s, the Caucus steadily gained members. Most women on the Hill were secretaries, and secretaries remained located at the bottom of the congressional food chain. They earned the lowest salaries, occupied the lowest prestige positions, and were the most sexually vulnerable employees working on the Hill. Caucus member and legislative secretary Amy Zarrow recalled that “[a]t first, I thought something was wrong with me. ‘Why couldn’t I take those commands [to get coffee or do extra clerical work]?’ I asked myself. But then, all these little stories started coming out. A lot of people were in the same situation.”<sup>459</sup> Many secretaries complained of requirements that they fetch laundry, make coffee, or perform childcare duties for their employers. As Caucus member Sue Kloos noted, “[m]ost complaints

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<sup>457</sup> Staffers and legislators alike complained of poor treatment of legislators as synonymous with the institution of Congress. One longtime staffer glumly noted of 1978 anti-Congress sentiment amongst Americans that “her beloved institution – her ‘family’ – is taking an undeserved rap,” a rap that, as she saw it, was driving competent and long-serving congresspersons out of their legislative home. See Alan Goodman, “What’s Happening to the Hill: Now It’s Demands, Threats,” *Roll Call* 24:11 (5 Oct 1978): 2.

<sup>458</sup> George Lies, “Women Activists Here Operate in Fear,” *Roll Call* 18:20 (22 Nov 1972): 1.

<sup>459</sup> Amy Zarrow, quoted in George Lies, “Hill Women’s Goal: Equal Status with Men,” *Roll Call* 18:21 (29 Nov 1972): 1. As one Caucus member noted, “[b]efore, I’d get very negative. There was no outlet. At least the caucus is an outlet for that now.” Anonymous CHWPC member, quoted in George Lies, “Hill Women’s Goal: Equal Status with Men,” *Roll Call* 18:21 (29 Nov 1972): 1.

we get deal with secretarial responsibility, unfair (House) members and salaries.”<sup>460</sup> As the details and patterns of discrimination emerged during the early 1970s, female employees reexamined their workplace. By 1972, the Caucus had acquired over two hundred members.

But only some of these members were able to visibly participate in Caucus activities. Female staffers with greater job prestige or those who worked for younger legislators were more likely to serve as officers and work as the vanguard for employment rights on the Hill. LAs and AAs maintained a majority within the ranks of the CHWPC and often dominated the leadership ranks of the group. These women had safer jobs, because legislators generally assumed that professional staffers would be harder to replace. Meanwhile, an anonymous corps of secretaries and caseworkers rounded out the membership base for the CHWPC.<sup>461</sup> In 1975, political scientist Jo Freeman estimated that “about two-thirds” of the Caucus was professional women.<sup>462</sup> These demographics shaped the Caucus’ understanding of and arguments challenging sex discrimination on the Hill.

Though secretarial labor remained an integral component of the congressional work world, the CHWPC’s politics failed to fully capitalize on Congress’ dependency on secretaries. Instead of asserting the importance of clerical labor, some Caucus members argued that women needed opportunities to advance beyond the low wages and status of support staff work. As Liz Dalrymple of the Caucus asserted, “[m]any women are willing to start out in menial positions

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<sup>460</sup> George Lies, “Women Activists Here Operate in Fear,” *Roll Call* 18:20 (22 Nov 1972): 1; Ann Wood, “Women in Senate Sexist Study Lose Jobs,” *Chicago Tribune* (24 Jun 1975): <http://www.proquest.com/> (accessed 11 Sep 2010).

<sup>461</sup> Given the lack of CHWPC membership rolls, it is impossible to determine the exact demographics of Caucus membership. I base my conclusions on a cross-listing of officers and individuals mentioned in *Equal Times* and stories on the CHWPC and staffer lists in Charles Brownson’s yearly publication *Congressional Staff Directory* (Washington, D.C.: Congressional Staff Directory). Thanks to the U.S. House Office of the Historian and the U.S. Senate Historical Office for giving me access to their collections of staff directories. My interviews with women who volunteered for CHWPC in the mid to late 1970s were fairly equally split between secretarial/caseworker employees and legislative aides.

<sup>462</sup> Freeman, *The Politics of Women’s Liberation*: 162.

here [on the Hill] . . . but then they find that clerical jobs are a dead end, and that women are consistently not considered for professional work.”<sup>463</sup> Dalrymple’s statement implied that secretarial positions required few skills and was inherently degrading. In the process of challenging the gendered nature of the term “professional,” the group accepted the assumption that professional labor was more important and more difficult than secretarial labor.<sup>464</sup> Yet women were indignant that they had to work hard to avoid being pigeonholed. Looking back over her repeated attempts to find a Hill job, one former staffer recalled that “I thought to myself, ‘I did not go to Harvard University to become your receptionist’ . . . There were no jobs for a woman – certainly not an Asian woman – outside of being a receptionist.”<sup>465</sup>

Women on the Hill understood that they were paid less, accorded job titles with less prestige, and given fewer cost-of-living raises than men. However, secretaries frequently performed administrative and legislative duties similar to that of the best paid male aides.<sup>466</sup> In the words of one disgruntled secretary, “Most of us are underpaid for doing the same work [or] more work than the men in the offices. Why do we put up with it?”<sup>467</sup> Faced with this discrimination, many women struggled to obtain jobs with better pay and higher prestige. Yet even those women who succeeded in their job searches faced problems. As staffer Marilyn Harris noted, “[w]omen have to try extra hard on Capitol Hill. Jobs are not so readily defined for them. It’s easier for a man to be treated as a professional.”<sup>468</sup> Even if they were hired as research

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<sup>463</sup> Liz Dalrymple, quoted in Liz Wiener, “Shortage of Secretaries,” *Roll Call* 18:41 (17 May 1973): 3.

<sup>464</sup> The CHWPC Job Bank pragmatically focused on placing women in “professional” positions, though the Caucus did help some women find clerical jobs. George Lies, “Hill Women’s Goal: Equal Status with Men,” *Roll Call* 18:21 (29 Nov 1972): 1.

<sup>465</sup> Phone interview with Julia Bloch (3 Apr 2012).

<sup>466</sup> Judith Nies observes this in her autobiography. See Judith Nies, *The Girl I Left Behind: A Narrative History of the Sixties* (New York: Harper, 2008): 194. See also *Ibid.*

<sup>467</sup> *Equal Times* (Capitol Hill Women’s Political Caucus, Aug 1973), Herstory microfilm, Volume 3, Reel 1 (Bell & Howell, 1972).

<sup>468</sup> Spencer Rich, “Women. Hold Fewer Top Senate Jobs,” *Washington Post* (8 Jun 1976): <http://www.proquest.com/> (accessed 12 Sep 2010).

aides or counsels, female staffers were still expected to make the coffee and take the meeting notes.

Women who obtained professional positions actively fought against this assumption that they would perform clerical duties anyway.<sup>469</sup> In pushing back against this assumption, the CHWPC reinforced the notion that smart and able women should be able to climb into positions where they did not have to perform such menial labor. As one member's described the Caucus, "It's geared to the woman who is proud to be a secretary as well as the more ambitious woman; because a secretary is left with a lot of responsibility, and – let's face it – it does take skills."<sup>470</sup> This was faint praise. Though clerical labor was, in fact, difficult, the "more ambitious woman" naturally would seek policymaking work. But these women had worked hard to overcome the assumption that they were secretarial material, and they were not interested in devaluing their accomplishments.

Yet in the 1970s, all Hill women had to live with pay and job status inequities. Sex discrimination was particularly grating given the gaps between federal law and congressional practices. Arguing against these congressional exemptions, Caucus feminists went straight to a critique of public trust, noting that legislators

offer various reasons why they should not be covered by equal employment laws – that there are unique requirements for the jobs, that they need to be free to hire only from their own states, that they need latitude in order to better serve 'the people.' To the practiced ear, the rationale sounds very little different from that which could be offered by General Motors, or by the University of California, or by the Department of Justice – all of which are covered by laws barring sex

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<sup>469</sup> Indeed, there were a number of secretary-oriented labels that warranted CHWPC attack. Caucus members criticized both "robo girl" and "late girl" as sexist, reinforcing the assumption that women would be the ones to stay late and perform the drudge work of the office. See George Lies, "Hill Women's Goal: Equal Status with Men," *Roll Call* 18:21 (29 Nov 1972): 1.

<sup>470</sup> George Lies, "Women Activists Here Operate in Fear," *Roll Call* 18:20 (22 Nov 1972): 1.

discrimination in employment, laws passed by those same Members of Congress.<sup>471</sup>

In the eyes of the CHWPC, the language of public service masked legislators' role as employers – a role that actually differed little from workplace to workplace.

In 1972, the Caucus began publishing the *Equal Times*, a monthly bulletin that served as an important organizing tool for feminist congressional staffers. The bulletin provided a forum for disseminating information on resistance against Hill practices. Women targeted *Roll Call* with a separate "Capitol Hill Pinup" featuring "Betty Biceps."<sup>472</sup> They reprimanded legislators who regulated their female staffers' clothing.<sup>473</sup> The Caucus also repeatedly criticized male-only clubs like the Bull Elephants for refusing to admit women.<sup>474</sup> And the group regularly took male legislators to task for using sexist language, whether that language was deployed in opposition to or support of feminist aims.<sup>475</sup> The CHWPC was responsible for bringing a number of feminist speakers to the Hill, and *Equal Times* publicized these events.<sup>476</sup> Readers were notified of sponsored receptions and other events that raised money for feminist causes or celebrated women working in politics on and around the Hill.<sup>477</sup>

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<sup>471</sup> "Civil Rights Legislation," *Equal Times* (Jun 1974): 1 in "CHWPC Folder," National Women's Political Caucus (NWPC) Papers, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA. Hereafter referred to as NWPC Papers.

<sup>472</sup> George Lies, "Women Activists Here Operate in Fear," *Roll Call* 18:20 (22 Nov 1972): 1.

<sup>473</sup> "Yeas and Nays," *Equal Times* (Jun 1975): 4, "CHWPC" Folder, NWPC Papers.

<sup>474</sup> *Equal Times*, 7<sup>th</sup> ed. (Capitol Hill Women's Political Caucus, Jul 1973) and *Equal Times*, 10<sup>th</sup> ed. (Capitol Hill Women's Political Caucus, Dec 1973), Herstory microfilm, Volume 3, Reel 1 (Bell & Howell, 1972).

<sup>475</sup> While Sen. Barry Goldwater (R-AZ) may have wanted to woo the women's constituency with his support for women's vice presidential candidacies, he failed to gauge the ensuing backlash to his joking comment that "I have nothing against a woman president, just so she can cook and gets home on time." See "Yeas and Nays," *Equal Times* (Oct 1974): 3, "CHWPC" Folder, NWPC Papers. This was actually a late catch – one earlier story on the same Goldwater rhetorical flourish is "All for It, But. . ." *The Victoria Advocate* (13 Aug 1974): 5A (accessed 19 Feb 2013).

<sup>476</sup> Increasingly, *Equal Times* included a calendar section at the end of each issue, detailing planned events for the coming month. See issues of *Equal Times* in the "CHWPC" Folder and the "Capitol Hill Newsletters, 1978-90" Folder, NWPC Papers.

<sup>477</sup> Receptions and luncheons in honor of prominent feminists accelerated in 1974, dubbed the "Year of the Woman." See *Equal Times*, 12<sup>th</sup> ed. (Capitol Hill Women's Political Caucus, Jan 1974), Herstory microfilm, Volume 3, Reel 1 (Bell & Howell, 1972).

Though *Equal Times* provided information on feminist bills moving through the legislative process, it was difficult for members to promote specific measures.<sup>478</sup> The political sentiments of staffers were supposed to be subsumed by the policy concerns of their individual legislator bosses. However, by providing local feminists with up-to-date information on policies at varying stages in the legislative process, the CHWPC could indirectly mobilize support for policies that might not get much publicity. The Renegotiation Amendments of 1973 garnered little outside press coverage, but the CHWPC noted that “[c]omments to the Committees by Members of Congress and the Senate, parents, feminists . . . may be useful to keep pressure on for reasonable social service regulations.”<sup>479</sup> In January of 1975, the Caucus “made a New Year’s Resolution” to take advantage of its “unique position” by devoting greater resources to feminist policy advocacy.<sup>480</sup> In the spring of 1976, *Equal Times* called for volunteers to support Rep. Yvonne Brathwaite Burke’s (D-CA) bill for reintegrating displaced homemakers into the labor force.<sup>481</sup>

*Equal Times* allowed staffers to create a cohesive picture of feminist activism on the Hill without “outing” any one person without their consent. Many tips and stories that appeared in the bulletin remained anonymous. No one person was responsible for reporting that Rep. John Breckinridge (D-KY) advertised for a “male” legislative assistant rather than a “qualified”

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<sup>478</sup> Many of the issues have a “Legislation” or “Legislative Watch” section that provides bill numbers, the basic thrust of the bills, their sponsors, and their location within the legislative process. For example, the June 1974 issue of *Equal Times* detailed the progress of H.R. 14720, H.R. 14752, and H.R. 14769, which ranged from discrimination in credit to the establishment of a national center devoted to the study and prevention of sexual assaults. The issue can be found in “CHWPC” Folder, NWPC Papers. The January 1976 newsletter updates members on H.R. 10146, H.R. 10496, H.R. 10497, H.R. 10561, and S. 2603, bills that ranged from educational equity to Social Security liberalization to legislation requiring that hospitals allow fathers to attend the birth of their child, given the woman’s consent. See “Legislative Watch,” *Equal Times* (Jan 1976): in “CHWPC Folder,” NWPC Papers.

<sup>479</sup> *Equal Times*, 7<sup>th</sup> ed. (Capitol Hill Women’s Political Caucus, Jul 1973), Herstory microfilm, Volume 3, Reel 1 (Bell & Howell, 1972). Again, it is unclear the extent to which these articles prompted action on the part of the *Equal Times* readership, but the bulletin did provide education about feminist policy that was unavailable elsewhere but necessary if feminists did want to mobilize their friends and family.

<sup>480</sup> “Reorganizing Our Own House,” *Equal Times* (Jan 1975): 4 in “CHWPC” Folder, NWPC Papers.

<sup>481</sup> “Legislative Watch: Displaced Homemakers,” *Equal Times* (Spring 1976): in “CHWPC Folder,” NWPC Papers.

legislative assistant.<sup>482</sup> Anonymity protected vulnerable staffers from being fired by congresspersons, and anonymous shaming occasionally got results.<sup>483</sup> The Hill Caucus also kept its meetings open to all comers. Staffers who were worried about their job security could inform themselves of Caucus activities without joining formally or outing themselves as members.<sup>484</sup>

Bowing to this local pressure, some legislators began openly supporting the Caucus. Many younger liberal congresspersons felt that failing to support Caucus feminism went against their commitment to progressive legislation. Others wanted to demonstrate that they cared about the women with whom they lived, worked, and socialized. The Caucus' events were popular with both staffers and legislators. *Equal Times* reported that approximately five hundred people attended one 1975 wine and cheese party sponsored by Reps. Bella Abzug (D-NY) and Charlie Wilson (D-TX). Both Eleanor McGovern and Rep. James Symington (D-MO) gave short speeches, and the jazz trio of Reps. Richardson Preyer (D-NC), Del Clawson (R-CA), and Bob Leggett (D-CA) played at the event. The party served as a meet and greet event for forty members of Congress. The event was also a recruitment tool for the Caucus, which added forty new members.<sup>485</sup>

The longest-lasting project and most important legacy of the CHWPC addressed what female staffers saw as their biggest handicaps: unequal pay and limited access to professional positions on the Hill. Through the 1970s, the Caucus collected and published reports

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<sup>482</sup> *Equal Times*, 12<sup>th</sup> ed. (Capitol Hill Women's Political Caucus, Dec 1973), Herstory microfilm, Volume 3, Reel 1 (Bell & Howell, 1972).

<sup>483</sup> In January of 1974, the CHWPC bulletin noted that Patrick Roberts, A.A. to Rep. Keith Sebelius (R-KS) hired a female research assistant for agricultural policy, after the Caucus noted that the initial position advertisement had assumed the new hire would be male. See *Equal Times*, 12<sup>th</sup> ed. (Capitol Hill Women's Political Caucus, Jan 1974), Herstory microfilm, Volume 3, Reel 1 (Bell & Howell, 1972).

<sup>484</sup> Open meetings were a longstanding policy of the CHWPC, which generally met during lunchtime or directly after work. The Caucus eventually established a pattern of bimonthly meetings on the first and third Friday of every month. See a reminder about open meetings in *Equal Times* (Jun 1975): 6 in "CHWPC" Folder, NWPC Papers. For bimonthly meetings scheduling, see *Equal Times* (Spring 1976): 4 in "CHWPC" Folder, NWPC Papers.

<sup>485</sup> "Wine and Cheese Party a Great Success!" *Equal Times* (Jun 1975): 3 in "CHWPC" Folder, NWPC Papers. This was an annual party. For advertisements for the 1976 party, see "Annual Wine and Cheese Party," *Equal Times* (Spring 1976): 2 in "CHWPC" Folder, NWPC Papers.



documenting the pay and job status inequities that systematically disadvantaged women within the congressional workplace.<sup>486</sup> The Caucus produced a November 1972 preliminary report revealing a pay discrepancy between the sexes that averaged \$5,000.<sup>487</sup> A 1973 survey on job titles and a fuller 1975 analysis reinforced this discontent. Legislators systematically undercompensated women working in professional jobs, the major source of wage and job status differences was sex segregation within the workplace.<sup>488</sup> This research provided important ammunition for women who wanted to highlight inequities on the Hill without undermining their own offices and their individual accomplishments.<sup>489</sup>

Concrete documentation of sex discrimination gave Caucus activists credibility on the Hill. *Roll Call* regularly reported on the pay and job status discrimination studies, while ignoring or making fun of other congressional feminist targets like sexual harassment and gender stereotyping.<sup>490</sup> Legislators began acknowledging that “the cost of living equally affects men and women,” and thus “difference in their salaries should not be based on sex,” regardless of job

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<sup>486</sup> This was no small job. Even in the Senate, there was enormous variation in job labels and pay, and Congress’ decentralized employment system made compiling data difficult. Fox and Hammond, *Congressional Staffs*: 36. Former CHWPC member Barbara Reno recalls that the Caucus started with the Senate because most of the group’s members worked in the House, and they wanted to maintain an “arm’s length” distance from the institution they were judging. Interview with Barbara Reno, Washington, D.C. (1 May 2012). Office payrolls are published as congressional documents. For the original materials upon which the study was based, see the “Report of the Secretary of the Senate” (GPO, Jan-Jun 1974). The House was even more confusing. The group needed to outsource the statistical analysis, since the work was both complicated and time-consuming. Office payrolls are published as congressional documents. For the original materials upon which the study was based, see the “Report of the Secretary of the Senate” (GPO, Jan-Jun 1974).

<sup>487</sup> Ibid; George Lies, “Hill Women’s Goal: Equal Status with Men,” *Roll Call* 18 No 21 (29 Nov 1972): 1, 8.

<sup>488</sup> “Within Congress,” *Roll Call* 18:38 (26 Apr 1973): 4. The survey objectives were “(1) to determine the number of women who perform duties of a Hill professional but have neither the title nor salary commensurate with their work and (2) to compare the salaries of men and women who hold similar jobs, and have similar educational qualifications and experience.” *Equal Times* noted that the Senate’s female and male administrative assistants were paid approximately the same salaries, though only nine out of eighty-five AAs were women. Female legislative aides and press secretaries were paid “significantly less” than men working in the same positions. The article did not mention secretaries or de facto job sex segregation at all. See “Sexism in the Senate?” *Equal Times* (Jun 1975): 1 in “CHWPC Folder,” NWPC Papers.

<sup>489</sup> Raymond Coffey. “Congress Exempt from Many of Its Own Laws; Tax Hike Won’t Affect Congress,” *Chicago Tribune* (14 May 1978): <http://www.proquest.com/> (accessed 13 Sep 2010); Marlene Cimon, “Tunney Aide Brings Lib Out of Woodwork,” *Los Angeles Times* (12 May 1972): 7-8 in Folder 10, Box 1, Jane Harman Papers, Sophia Smith Collection, Smith College, Northampton, MA.

<sup>490</sup> George M. Lies and Lois Romano, “Senate Study Shows Sex Discrimination,” *Roll Call* 20:48 (9 Jun 1975): 1.

title.<sup>491</sup> Wielding concrete and irrefutable statistics, the CHWPC could overturn the widely held belief that pay was allocated and job titles distributed differently based on the personal preferences and relationships within individual offices. The studies demonstrated that sex was the single most important factor in determining pay and job title on the Hill. Congress was violating its own Equal Pay Act, extended to administrative workers through the 1972 passage of Title IX.<sup>492</sup> It was also noted that the Civil Rights Act of 1964 did not apply to congressional workers.<sup>493</sup>

Women could now attack discrepancies between stated political ideals and office realities. Feminists often leveled their critiques at congresspersons who actually exhibited a commitment to legislation to establish women's rights, claiming that their personal behavior belied their voting patterns. In 1970, former staffer Judith Nies McFadden published an article in *The Progressive* arguing that legislators who voted "right" on feminist issues like the ERA and equal pay, also needed to – or enjoyed – engaging in the sexist social practices that facilitated politicking in the Capitol.<sup>494</sup> Sen. Lloyd Bentsen (D-TX) attended the 1975 NWPC convention to participate in a workshop on rape as background work for his co-sponsored bill on sexual assault. He was immediately accosted by feminist Hill staffer Joan Burda, who zeroed in on his

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<sup>491</sup> During his "observance" of 1975's National Secretaries Week, Sen. Jennings Randolph (D-WV) noted that most secretaries on the Hill were women. Comparing salaries within the clerical sector of Congress' workforce, noted that "[i]n many cases, salaries for women are less than those paid men for equal duties and responsibilities . . . the level of women's salaries is only 64.4 per cent of men's wages." While he noted that there were not enough women in "positions with policy-making decisions involved," he also argued that the work of secretarial and administrative labor was fundamentally undervalued both socially and monetarily: "[n]o man or woman ever amounted to a snap of the finger who was not surrounded by dedicated and competent secretaries." Jennings Randolph, "Senator Randolph Commends Secretaries as Major Contributors to Government and Business – Believes Salary Differences Should not Be Based on Sex," *Congressional Record* 121 (26 Apr 1975): S 11916. See also "A Bouquet for Secretaries," *Roll Call* 20:43 (15 May 1975): 3.

<sup>492</sup> For more detailed information on the relationship between the 1963 Equal Pay Act and 1972's Title IX, see chapter five. For a brief overview, see "The Godmother of Title IX," *AAUW Dialog* blog: [blog-aauw.org/2010/07/01/godmother-of-title-ix/](http://blog-aauw.org/2010/07/01/godmother-of-title-ix/) (accessed 16 Jan 2013).

<sup>493</sup> George M. Lies and Lois Romano, "Senate Study Shows Sex Discrimination," *Roll Call* 20:48 (9 Jun 1975): 1.

<sup>494</sup> Judith Nies McFadden, "Women's Lib on Capitol Hill," *The Progressive* (Dec 1970): 22-25 in the Politics – Congress Folder, Box 25, Ms. Magazine Papers, Sophia Smith Collection, Smith College, Northampton, MA.

inequitable office pay practices.<sup>495</sup> New research substantiated these complaints. No members of Congress were conforming to national employment and pay laws, and liberal congressmen – the men who should have been most dedicated to pursuing equity in their own offices – seemingly felt comfortable paying women less than men.<sup>496</sup>

Feminists benefitted from increasing news coverage of employment discrimination on the Hill. In 1974, reporters discovered that the Capitol Hill Placement Office processes were highly discriminatory. The office had continued to use application forms requesting specific racial, sex, and age characteristics long past the passage of legislation outlawing these practices in other workplaces.<sup>497</sup> A number of offices had submitted requests – largely for secretaries – specifying “No Minorities,” “No Blacks,” and “No Catholics.” Some offices requested individuals with certain astrological signs.<sup>498</sup> Later studies would reveal what Sen. John Glenn (D-OH) described

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<sup>495</sup> “Job Discrimination Study – An Update,” *Equal Times* (Aug 1975): 4 in Equal Times folder, NWPC Papers.

<sup>496</sup> In her 1973 dissertation on congressional staffing, former aide and political scientist Susan Hammond observed that “In several offices women did seem discriminated against in terms of salary. Holding responsible jobs with substantive content, they were paid substantially less than men in similar positions in other offices. (The men in both offices earned comparable salaries.) Interestingly, several of these offices are those of ‘liberal’ Congressmen, who have supported equal pay during votes. It may be that their record even so is better than some of their colleagues, who simply do not hire women for such jobs at all.” Susan Webb Hammond, “Personal Staffs of Members of the U.S. House of Representatives” (Baltimore: The Johns Hopkins University Diss., 1973): 189. There is actually little evidence that conservative or Republican members of Congress hired fewer women. It is more likely that women from liberal offices were simply more likely to be exposed to feminism and more comfortable with taking on congressmen who appeared to embody hypocrisy than women in offices where conservative approaches to gender lined up with a more general conservative politics.

<sup>497</sup> Daniel Rapoport, “Congress: Sidestepping Its Own Laws,” *Washington Post* (15 Sep 1974): <http://www.proquest.com/> (accessed 11 Sep 2010). Congresspersons used these terms when requesting secretaries. Twenty offices on Capitol Hill included words like “young,” “female,” “attractive,” “single,” “no minorities,” “whites only” in directions to the Placement Office, and nine of these congressmen voted for the Civil Rights Act amendments of 1972, which specifically outlawed such practices. See Ruth Daniloff, “Congress’ Female Workers Called Still Second-Class,” *Los Angeles Times* (20 Jun 1976): <http://www.proquest.com/> (accessed 22 Sep 2010); “Discrimination by Congressmen in Hiring Office Staffs Reported,” *Los Angeles Times* (18 Aug 1974): 1 (accessed 23 Feb 2013).

<sup>498</sup> Peter Masley, “No Inquiry On Hiring Bias Seen,” *Washington Post* (19 Aug 1974): A1 (accessed 25 Oct 2012). In a year that saw particularly high turnover and temporary unemployment, staffers with experience found it galling that these kinds of qualifications were arbitrarily keeping them out of applicant pools. For information on the relatively high unemployment on the Hill in 1974, see Theresa Terrell-Smith, “Theme for ’74: Brother Can You Spare a Job?” *Roll Call* 20:20 (21 Nov 1974): 1, 5; “Unemployment Booming,” *Roll Call* 20:20 (21 Nov 1974): 1; “Hill’s Jobless Still Looking,” *Roll Call* 20:25 (16 Jan 1975): 1. The latter articles notes that by the beginning of 1975, less than half of the House staff aides “displaced” due to election turnover have acquired new jobs. Administrative aides were deemed to be the “hardest hit” by the displacement. Turnover was concentrated most

as “a deep and pervasive pattern that surely extends, in similar and more subtle forms, to other racial minorities, as well as to women, the aged and the handicapped.”<sup>499</sup> This pattern carried over to Congress’ other chamber. In 1977, white males earned between eighteen and 129 percent more than women performing the same tasks, while black employees constituted just under seven percent of the House workforce and garnered the lowest salaries.<sup>500</sup>

Most gallingly, Congress hypocritically failed to cover office staff and service workers under civil rights, workplace safety, and fair labor standards laws. Reporters noted that nine of the twenty offices that had submitted requests for single, attractive, white, female secretaries had also voted for the 1972 anti-sex discrimination amendments to the Civil Rights Act that outlawed these practices in other workplaces.<sup>501</sup> These critiques hit home, and the Hill promptly battened down its hatches. Several offices issued defensive public statements. Meanwhile, *Roll Call* argued that only “benign discrimination” occurred, asserting that persons of color benefitted most from the ability to hire from their “segment of the country.”<sup>502</sup> The executive asserted that it did not have the authority to investigate congressional staffing practices given separation of powers, and Eduardo Penn, director of compliance for the EEOC, argued that “[t]he only recourse is in the voters.”<sup>503</sup>

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heavily in the House, while the Senate numbers were “more normal.” In his editor’s column, Sidney Yudain called the year “the worst to inflict Capitol Hill ever.” See Sidney Yudain, “Sid-Bits,” *Roll Call* 20:34 (13 Mar 1975): 4.  
<sup>499</sup> John Glenn, quoted in “Senate Deals with Bias in Hiring, Firing Employees,” *Roll Call* 23:28 (23 Feb 1978): 3. This “deep and pervasive pattern” resulted in fewer than thirty black employees out of the total 1,100 professional workers in the Senate. No blacks were employed on personal or committee staffs in any professional capacity by midway through 1978. This surely had something to do with the fact that the only person of color elected to the Senate during this time was Edward Brooke (R-MA), and he only served one term. Statistics and lists of black congresspersons can be found at the U.S. House of Representatives History, Art & Archives website. See “Black-American Representatives and Senators by Congress, 1870-Present,” <http://history.house.gov/Exhibitions-and-Publications/BAIC/Historical-Data/Black-American-Representatives-and-Senators-by-Congress/> (accessed 12 Feb 2013).

<sup>500</sup> “Senate Deals with Bias in Hiring, Firing Employees,” *Roll Call* 23:28 (23 Feb 1978): 3, 4.

<sup>501</sup> Ruth Dailoff, “Congress’ Female Workers Still Called Second Class,” *Los Angeles Times* (20 Jun 1976): <http://www.proquest.com/> (accessed 22 Sep 2010).

<sup>502</sup> “‘Crazy Days’ Bring in-House Hanky-Panky,” *Roll Call* 20:9 (29 Aug 1974): 1.

<sup>503</sup> Peter Masley, “No Inquiry on Hiring Bias Seen,” *Washington Post* (19 Aug 1974): A1 (accessed 25 Oct 2012).

Most Hill personnel remained blind to how racial and sex discrimination intertwined to create their largely white and sex-segregated offices. And when push came to shove, women had the numbers and organizational power to steer the conversation towards their own concerns. Though the number of female staffers grew by leaps and bounds in the 1970s, male professional staffing numbers continued to grow at an even faster rate. This relative deprivation strengthened demands for an investigation of congressional workplace practices. In a “Dear Colleague” letter, Rep. Jerome Waldie (D-CA) argued that the scandal demanded “a new look at the hiring practices on the Hill and apparent discrimination against minorities and women.” Waldie directed fellow members towards Washington Opportunities for Women (WOW), a local feminist employment agency.<sup>504</sup> Meanwhile, the Caucus increased its job search services.<sup>505</sup>

In an effort to highlight and combat workplace inequity, the CHWPC attempted to channel discontent over Placement Office practices into rallies and strikes on the Hill. A number of the organized events broke down the barriers between feminist groups on the Hill and in the larger D.C. metropolitan area by collapsing the distance between advocating for feminist legislation and protesting inequalities embedded within the congressional workplace. Women in federal government consistently observed Women’s Strike Day, turning Betty Freidan’s 1970

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<sup>504</sup> Jerome Waldie to “Dear Colleague” (21 Aug 1974), “Washington Opportunities for Women, 1960-1974” Folder, Box 63, Arvonne Fraser Papers, Minnesota Historical Society, Saint Paul, MN. WOW was a non-profit women’s employment resource agency partially funded by the Department of Labor. Waldie’s letter also included encouragement for increased federal funding for the organization, which was attempting to expand to other cities in the mid-1970s.

<sup>505</sup> These services included a Job Bank, which warranted a separate office within the Caucus “Roster.” See the past pages of copies of *Equal Times* in “CHWPC Folder,” NWPC Papers. Organizationally-based congressional Job Banks increased during this period, as the number of jobs on the Hill increased and old “who you know” patronage-based hiring practices gave way to more professionalized hiring practices. Job Banks were used by black staffers as well as groups like the Bull Elephant Club. For information on black struggles to boost their own employment on the Hill, see “Testimony of Ms. Jackie Parker Before the Senate Committee on Governmental Affairs” submitted by Rep. Louis Stokes *Congressional Record – Extension of Remarks* 135 (30 Oct 1989): 26500. For information on the Bull Elephants Job Bank, see Ronald Martinson to “Region II Bull” (19 Sep 1974) in “93<sup>rd</sup> Congress – Correspondence” Folder, Box 3, Bull Elephant Papers, Manuscript Division, Library of Congress, Washington, D.C. By the fall of 1976, the Job Bank had expanded to include a Talent Bank of female staffer and applicant resumes and a Caucus workshop on job hunting on the Hill. *Equal Times* (Fall 1976): 2 in “CHWPC Folder,” NWPC Papers.

experiment into a tradition.<sup>506</sup> The series of strikes gave Congress' female employees a platform for voicing their complaints by connecting these demands with a broad women's constituency demanding more radical social, economic, and political change in D.C. and nationally.<sup>507</sup>

Within Congress, these demonstrations impelled a certain amount of male consciousness-raising. In some offices, the women demanded their male staffer-colleagues answer the phones and do the typing. Sen. Jacob Javits (R-NY) was apparently greeted with a bra hanging from his office door. A number of offices including Sens. Gaylord Nelson and Edward Kennedy and Rep. Donald Riegle had "rap sessions," in which women could air their grievances and discuss perceived inequities within their personal offices.<sup>508</sup> After his office's collective chat, Rep. Timothy Wirth (D-CO) noted that "The institution of the Congress makes itself felt in many subtle ways. And we had fallen unconsciously into patterns of behavior which often belie our good intentions."<sup>509</sup> Rep. Wirth then called for other offices to examine the assumptions that structured congressional offices, establishing his office as a safe space for feminist labor discussions.<sup>510</sup>

In 1975, the Caucus upped the pressure by publishing the provocatively-titled report "Sexists in the Senate?" "The Last Plantation: How Women Fare on Capitol Hill" would follow

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<sup>506</sup> For information on the strike in 1973, see *Roll Call* 18:39 (3 May 1973): 1.. For 1975, see Celeste McCall, "Hilltopics: Mild NOW Strike on Hill," *Roll Call* 21:17 (13 Nov 1975): 3, 4; *Congressional Clearinghouse on Women's Rights Newsletter* (3 Nov 1975): 10. For 1976, see *Congressional Clearinghouse on Women's Rights Newsletter* (28 Mar 1977). The *CCWR Newsletter* is located in the Periodicals Collection, Sophia Smith Archives, Smith College, Northampton, MA. Hereafter referred to as Smith College Periodicals Collection.

<sup>507</sup> Anne M. Valk, *Radical Sisters: Second-Wave Feminism and Black Liberation in Washington, D.C.* (Springfield, IL: University of Illinois Press, 2008): 1-2, 76-81, 121-22, 125, 138-39.

<sup>508</sup> As the 1970 start date reveals, some of these protests began even before the CHWPC formed and began pushing for gender equity on the Hill. "Gals Work on Women's Lib Day on Hill," *Roll Call* 16:11 (10 Sep 1970): 5.

<sup>509</sup> *Congressional Clearinghouse on Women's Rights Newsletter* (3 Nov 1975): 10; (28 Mar 1977) in the Smith College Periodicals Collection.

<sup>510</sup> Supportive congressmen tended to be new additions to Congress, less likely to have come up through the party ranks and more likely to be suspicious of conservative tendencies and traditions on the Hill. As Timothy Wirth noted "we are the improbable members of Congress." He was, indeed, one of the heads of the New Member Caucus in the mid-1970s. For a short analysis of this group, see Julian Zelizer, "Chapter 9: Watergate Babies," *On Capitol Hill*: 161-156-76. See also, Celeste McCall, "Hilltopics: Mild NOW Strike on Hill," *Roll Call* 21:17 (13 Nov 1975): 3, 4.

in 1980.<sup>511</sup> These publications documented the startling gendered contours of hiring and firing practices, salaries, and job titles in the congressional workplace. The CHWPC found that though women comprised nearly sixty-five percent of the workers on the Hill, they generally held jobs with lower prestige, lower pay, and less power. Female legislative aides and press secretaries made substantially less than men who held the same positions. There were severe pay discrepancies between secretaries and other employees, despite the fact that most secretaries performed at least some legislative and administrative work.<sup>512</sup> The reports provided compelling evidence of systematic discrimination in Hill employment and constituted an important tool in the Caucus' battle for equity in the congressional workplace.

Responding to bad press and proof of unequal employment practices, Congress began to acknowledge the problems with its "little fiefdoms." In 1975, the House and Senate passed rules banning discrimination on the basis of race, color, sex, religion, or national origin. But this rule lacked the force of law, failed to set up any enforcement mechanisms, and established onerous reporting processes that precluded financial compensation or protection from job termination.<sup>513</sup>

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<sup>511</sup> These publications seemed to get widespread distribution amongst both congresspersons and staffers. Copies can be found in a number of archival collections, including those of Bella Abzug and Bernice Sandler, neither of whom retained membership in the organization. The study also received a fair amount of attention in the press and provided a language with which to talk about congressional workplace practices. Indeed, John Glenn began describing Congress as "the last plantation. See Raymond Coffey, "Congress Exempt from Many of Its Own Laws; Tax Hike Won't Affect Congress," *Chicago Tribune* (14 May 1978): <http://www.proquest.com/> (accessed 13 Sep 2010). For other articles on the studies, see "Rights Groups Accuse Congress Itself of Bias," *Chicago Tribune* (1 Sep 1977): <http://www.proquest.com/> (accessed September 13, 2010); Ellen Hume, "'Not Equal Opportunity Employer: New Rights Coalition Hits Congress Hiring Practices,'" *Los Angeles Times* (1 Sep 1977): <http://www.proquest.com/> (accessed 13 Sep 2010); Jane M. Perry, "Congress: The Last Plantation?" *Wall Street Journal* (10 Jul 1978): <http://www.proquest.com/> (accessed 13 Sep 2010).

<sup>512</sup> Ibid; "Sexists in the Senate?: A Study of Differences in Salary by Sex among Employees of the U.S. Senate" (Capitol Hill Women's Political Caucus, 1975) and "The Last Plantation: How Women Fare on Capitol Hill" in CHWPC Folder, NWPC Papers. (Capitol Hill Women's Political Caucus, Sep 1980) in Capitol Hill NWPC – "The Last Plantation?" in CHWPC Folder, NWPC Papers.

<sup>513</sup> The discrimination reporting process was and continues to be onerous. Employees must submit their complaint, under oath, to a member of Congress, who then submits the letter to the House Committee on Standards of Official Conduct. If three members of the committee refuse to transmit the letter, the complainant must submit the letter personally. After receiving the letter, the committee conducts a preliminary investigation into the complaint's accuracy. After the investigation, the committee must obtain a majority vote to bring the complaint before the full committee. Given this arduous process, it is unsurprising that no congressional employee filed a complaint through

As Rep. Jack Brooks (D-TX) asserted, “It would be difficult indeed to defend the proposition that Congress need not live up to the standards it sets for others.”<sup>514</sup> Legislators remained ambivalent about circumscribing their autonomy, even if they believed that fair employment practices were necessary in order to protect the reputation of their institution.

Yet without institutional safeguards, women who were open about their involvement in feminist activism might still find themselves immediately unemployed even as legislators started to rhetorically acknowledge the need for employee rights. Several staffers were threatened with termination if they continued to attend Caucus meetings, and half of the women who had worked on “Sexists in the Senate?” were fired when their involvement was discovered.<sup>515</sup> CHWPC leader Miriam Dorsey worried that “anyone who [accuses their boss of discrimination] will probably be fired and blackballed from Capitol Hill.”<sup>516</sup> Retaliation was certainly not out of the question. And regardless, these rules were frequently unknown to most legislators. When the CHWPC asked future Speaker Tip O’Neill (D-MA) about the House anti-sex discrimination in 1976, he responded with “What House rule?”<sup>517</sup> As a result, feminist staffers remained in the woodwork. Though Caucus member and staffer Joan Burda estimated the CHWPC at around 300 women in 1975, she noted that “We’ve got a lot of ‘closet members’ because we’ve had

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the 1970s. See Miriam Dorsey, “Hiring by Whim on Capitol Hill,” *Washington Post* (25 Jul 1976): <http://www.proquest.com/> (accessed 21 Oct 2011); *Equal Times*, V 10 (Capitol Hill Women’s Political Caucus, Oct 1973): 2 in *Equal Times* folder, NWPC Papers.

<sup>514</sup> “Keep Your Eyes on This!” *Equal Times* (Jan 1975): 3 in “CHWPC” Folder, NWPC Papers.

<sup>515</sup> Threatening staffers was not unheard of; amidst a wave of peace demonstrations on the Hill, opponents of the Vietnam War were “harassed” and “received unpleasant phone calls.” See “Capitol Ready for Massive Weekend Vietnam Protests,” *Roll Call* 15:19 (13 Nov 1969), “Longworth HOW – Newspaper and Magazine Articles, 1910-1973” Folder, Architect of the Capitol Files, Office of the Architect of the Capitol, Washington, D.C.; Ann Wood, “Women in Senate Sexist Study Lose Jobs,” *Chicago Tribune* (24 Jun 1975): <http://www.proquest.com/> (accessed 11 Sep 2010).

<sup>516</sup> “Unprecedented: 60 Congressmen Commit Themselves to Code Banning Job Discrimination,” *The St. Petersburg Independent* (10 Sep 1976): 3A.

<sup>517</sup> Miriam J. Dorsey, “Hiring By Whim on Capitol Hill,” *Washington Post* (25 Jul 1976): C1.



instances of members being told that they would be fired if they didn't drop out of the caucus.<sup>518</sup>

Caucus activism challenged traditional Hill culture without much visible feminist mobilization. The only women who could openly participate in the CHWPC were staffers who already worked for legislators who were already fairly open-minded about feminism and shifting gender roles in their offices.<sup>519</sup> But the Caucus' documentation of sex discrimination did have some effects, as congresspersons began to acknowledge that gendered inequities existed in the congressional workplace. Like congresswomen, staffers could mobilize public opinion – as a group whose importance was derived from their position within the national legislature. Actually getting legislators to change their own office practices was much harder. Caucus feminists would need to wait for an event or scandal that could mobilize voters if they wanted legislators to enact safeguards against these unequal practices.

### Elizabeth Ray Scandal

Perhaps predictably, it was a sex scandal that most successfully pushed Congress to acknowledge both the vulnerability and the importance of Hill secretaries.<sup>520</sup> For many women, the 1977 Liz Ray scandal represented just how unfriendly the U.S. Congress was to women. For a number of years, Wayne Hays had exploited his control over staffing, office allocation, parking, and other perks as chairman of the House Administration Committee. In this position, he had employed his mistress, supplying her with a high salary and her own office in the

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<sup>518</sup> Ann Wood, "Women in Senate Sexist Study Lose Jobs," *Chicago Tribune* (24 Jun 1975): <http://www.proquest.com/> (accessed 11 Sep 2010).

<sup>519</sup> "Gals Work on Women's Lib Day on Hill," *Roll Call* 16:11 (10 Sep 1970): 5.

<sup>520</sup> The need for scandal confirms political scientist Mary Fainsod Katzenstein's assertion that "[w]hen institutional routines are disrupted and the norms of an organization contested, it is almost always because the public gaze has been focused on these institutions and institutional elites feel exposed." See Mary Fainsod Katzenstein, *Faithful and Fearless: Moving Feminist Protest Inside the Church and Military* (Princeton, NJ: Princeton University Press, 1998): 9.

Longworth Office Building.<sup>521</sup> As details of this scandal slowly emerged, reporters discovered that Ray could not even type – an essential requirement for secretarial work. For the CHWPC, the Ray scandal provided an imperfect opportunity to publicize the problems women faced in the congressional workplace. But the ensuing press coverage of sex discrimination on the Hill forced legislators to take feminism seriously.

Congress had a well-known predilection for mixing work with play. Speculation about other congressional relationships followed after Ray asserted that she was not an exception.<sup>522</sup> Less than three weeks after the Ray scandal broke, staffer Colleen Gardner accused Rep. John Young (D-TX) of paying her a \$26,000 annual salary as leverage for demanding sexual favors.<sup>523</sup> Gardner and Ray then accused Rep. Kenneth Gray (D-AR) of inviting attractive secretaries onto his houseboat for parties, with the sole intention of using them for barter in legislative deals with other congressmen.<sup>524</sup> Former Rep. Joseph Maraziti's (R-NJ) campaign for Rep. Helen Meyner's

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<sup>521</sup> There was also irony in the fact that in 1966, Hays had used Rep. Adam Clayton Powell's (D-NY) employment of his estranged wife – who may or may not have performed congressional labor – to help build a Congress-wide case for refusing Powell his seat in the House. See George Derek Musgrove, *Rumor, Repression, and Racial Politics: How the Harassment of Black Elected Officials Shaped Post-Civil Rights America* (Atlanta: University of Georgia Press, 2012): 34.

<sup>522</sup> Marion Clark and Rudy Maxa, "Closed-Session Romance on the Hill: Rep. Wayne Hays' \$14,000-a-Year Clerk Says She's His Mistress A Closed-Session Romance on Capitol Hill," *Washington Post* (23 May 1976): <http://www.proquest.com/> (accessed 21 Sep 2010).

<sup>523</sup> Her story was substantiated by fellow Young staffer Melanie Hall, who was similarly offered a higher salary for sex. Gardner asserted that she had been propositioned when she first began in Young's office in 1973, and Young's advances had impelled her to leave the office. She returned in 1974 after failing to find employment elsewhere, and noted that "he tried not to give me any work. He did not want me to have any definite responsibility [in the office] because he wanted me to be available to him whenever he wanted." Gardner asserted that her salary rose because she had assented to sex and remained high until she resigned in 1976 "in disgust." Gardner also asserted that congressmen had pressured some male staffers into sex, but this issue received almost no coverage in the press. See John M. Crewdsen, Lucinda Franks, and Nicholas M. Horrock, "Texas Congressman Accused in Sex Scandal," *Chicago Tribune* (11 Jun 1976): <http://www.proquest.com/> (accessed 21 Sep 2010); John M. Crewdsen, Lucinda Franks, and Nicholas M. Horrock, "Congressman's Ex-Aide Links Her Salary to Sex," *New York Times* (11 Jun 1976): <http://www.proquest.com/> (accessed 22 Sep 2010); "Rep. Howe, Critic of Hays, Denies Charge in Sex Arrest," *Chicago Tribune* (14 Jun 1976): <http://www.proquest.com/> (accessed 22 Sep 2010); Rep. Young's Wife Is Apparent Suicide," *New York Times* (15 Jul 1977): <http://www.proquest.com/> (accessed 22 Sep 2010).

<sup>524</sup> John M. Crewdsen, "U.S. Probing New Ray Sex Scandal," *Chicago Tribune* (12 June 1976): <http://www.proquest.com/> (accessed 22 Sep 2010). An investigation into Gray's boat led to revelations that Gray did stop paying electricity taxes to the National Parks Service after he shepherded a bill for the National Parks Service's visitor center through Congress in 1971. See "Free Electricity Provided to Gray's Boat since 1971," *Los Angeles Times* (5 Jun 1976): <http://www.proquest.com/> (accessed 22 Sep 2010).

(D-NJ) seat was cut short amidst legal trouble over his alleged employment of a “no show” divorcee staffer who never came into the office.<sup>525</sup> And Sen. Don Riegle’s (D-MI) 1976 re-election campaign was almost torpedoed after his staffer “Dorothy” taped two of their “intimate sessions,” in which Riegle bragged about how he would someday be President of the United States. Riegle responded to these revelations with a revealing argument: “Remember, [I’m] not running for bishop. [I’m] running for the U.S. Senate.”<sup>526</sup>

The hubris that fuelled Riegle’s behavior was widespread.<sup>527</sup> Though Hill divorces had been increasing, the trend accelerated through the 1970s in response to the women’s movement’s successful campaign for divorce liberalization.<sup>528</sup> And while many of these new legislator-staffer couples surely loved one another after working so closely for so many years, the surrounding din of scandal and exploitation affected the public’s perception of Hill legislators who chose to leave their wives for their employees. Journalistic accounts focused on individuals like Riegle, highlighting marital power imbalances and the work that many wives did as campaign managers and representatives of their husbands. Legislators lived in the District amongst women attracted to power. They worked with secretaries who sometimes knew them better than their own wives. Observing the rising divorce rates in the mid-1970s, the Senate chaplain Edward L.R. Elson blithely remarked that “[i]t’s sort of like an epidemic; there’s probably been nothing quite like it before.”<sup>529</sup>

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<sup>525</sup> Lois Romano, “Around the Hill with Lois Romano,” *Roll Call* 21:21 (11 Dec 1975): 8.

<sup>526</sup> Spencer Rich, “Riegle Fighting Back in Michigan after Political Bombshell,” *Washington Post* (26 Oct 1976): A5.

<sup>527</sup> “Illicit Affair Charged,” *Lodi News-Sentinel* (18 Oct 1976): 7; “Riegle Admits Affair with Campaign Worker,” *The Palm Beach Post* (18 Oct 1976): 45. See also Ronald Kessler, *Inside Congress: The Shocking Scandals, Corruption, and Abuse of Power behind the Scenes on Capitol Hill* (New York: Simon and Schuster, 1998): 173.

<sup>528</sup> For the history of divorce liberalization, see Frank F. Furstenberg, Jr., “History and Current Status of Divorce in the United States,” *Children and Divorce* 4:1 (Spring 1994): 29-40.

<sup>529</sup> Quoted in Myra McPherson, “Politics Makes Strained Bedfellows,” *Los Angeles Times* (6 Oct 1977): E7.

At the same time, journalists began to cover the private behavior of public officials, arguing that such behavior revealed the moral and ethical standards of politicians. Coverage of Rep. Wilbur Mills' (D-AR) 1974 alcoholism and relationship with Argentine stripper Fanne Foxe paved the way. Previously regarded as one the most influential members of the House, Mills had built a power base from his position as chairman of the Ways and Means Committee. He was widely regarded as the expert on taxation in Congress. But like many congressmen who would follow in his path, Mills handled the Fanny Foxe revelations in exactly the wrong way, assuming that his private life would, as in the past, remain private. Blithely remarking that "This won't ruin me. Nothing can ruin me," Mills seemed unaware that his behavior was unacceptable for a national politician. Coupled with the news surrounding Watergate, reportage of this scandal paved the way for greater coverage of personal transgressions.<sup>530</sup>

During the 1970s, the women's movement provided a feminist twist to this morality tale. The Fanny Foxe and Liz Ray scandals illustrated that broader hierarchies of power structured personal relationships. As Congressional Clearinghouse on Women's Rights (CCWR) staffer Carol Forbes asserted, "All too many females find themselves building up job security, only to find themselves in a position of having to 'put-out' or be fired."<sup>531</sup> These relationships were directly connected to national politics and could exist as front page news. Ray had been paid

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<sup>530</sup> For information on the Wilbur Mills scandal, see Susan J. Tolchin and Martin Tolchin, *Glass Houses: Congressional Ethics and the Politics of Venom* (Boulder, CO: Westview Press, 2001): 77-83. Tolchin and Tolchin identify the Mills and Hays scandals as the point at which "reporters began covering the sex lives of politicians in earnest." For a full examination of Wilbur Mills' politics and position within the House, see Julian Zelizer, *Taxing America: Wilbur Mills, Congress, and the State, 1945-1975* (New York: Cambridge University Press, 1998). For specifics on the Fanne Foxe affair, see Martha M. Hamilton, "Mills Appears on Stage with Stripper," *Washington Post* (2 Dec 1974): A1 (accessed 18 Sep 2013). By 1976, some legislators had learned their lesson. Rep. Robert Leggett (D-CA) actively sought to control the inevitable fallout from the discovery of his "second family," comprised of an ex-Hill secretary and their two children. Leggett went to *Washington Post* editor Ben Bradlee after it became clear that the scandal was inevitable and could not be postponed until after the election cycle. See Maxine Cheshire and Scott Armstrong, "Rep. Robert Leggett: Life of Immense Complications," *Washington Post* (18 Jul 1976): 1 (accessed 11 Feb 2013); David Johnston, "Rep. Leggett Expected to Survive Sex Scandal," *Los Angeles Times* (6 Jul 1976): B1 (accessed 11 Feb 2013); Lois Romano, "Around the Hill with Lois Romano," *Roll Call* 22:4 (12 Aug 1976): 8. Leggett survived reelection, but did not run again and retired at the end of the 95<sup>th</sup> Congress.

<sup>531</sup> Myron Struck, "As It Strikes Struck," *Roll Call* 22:7 (9 Sep 1976): 4.

using public monies. It was also probably not lost on newspaper editors that the publication of salacious relationship details might result in better sales. The convergence of these two trends – the media’s politicization of personal lives and feminist assertions that gendered power differences were pervasive, affecting all facets of life – resulted in four months of media coverage. This coverage may have been sensationalist, but it kept the pressure on Congress to address sex discrimination in the workplace.<sup>532</sup>

Female journalists helped to politicize the personal. As one female reporter asserted in an interview with fellow journalist Myra McPherson,

I want to know if a candidate is screwing his secretary. It matters very much to me. . . . I belong to an oppressed class. It’s called female. I want to know, just like a black person wants to know, how the white massa treats his field hand as opposed to the house nigger. And also that tells me what he thinks of his oppressed wife. . . . How he treats women – if they are just a subjugated sex object – is not a *private* concern. It is a very public concern.<sup>533</sup>

Similarly, *New York Times* editorialist and Boston University professor Caryl Rivers asked the question that necessarily flowed from these conclusions: “Can a man who uses women like Kleenex be in any way sensitive to the issues and questions raised by the women’s movement?”<sup>534</sup> Many journalists were appalled at a political system that treated women as second-class citizens and exploited them as sexual objects.<sup>535</sup>

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<sup>532</sup> For a critique of coverage of the Liz Ray scandal, see Lin Farley, *Sexual Shakedown: The Sexual Harassment of Women on the Job* (New York: McGraw-Hill Book Company, 1978): 200-07.

<sup>533</sup> Myra McPherson, *The Power Lovers: An Intimate Look at Politics and Marriage* (New York: GP Putnam’s Sons, Inc., 1975): 201.

<sup>534</sup> The longer version of this quotation is revealing: “Once, I would have said a man’s private life is private, even if it involves considerable hanky-panky. I no longer feel that way. A man who cynically and habitually uses women, as some of our elected officials do, is not a man who represents my interests. Can a man who uses women like Kleenex be in any way sensitive to the issues and questions raised by the women’s movement? Can he be seriously interested in the equity of power between men and women in American society? The answer is no. Public men (and women) have to understand that their private conduct is connected to their public image. The code of silence that in the past protected the powerful, predatory men did no service to their constituents. Not, at least, to those who happened to be female.” See Caryl Rivers, “Where Women Are Credit Cards,” *New York Times* (8 Jun 1976): 32. Italics in original.

<sup>535</sup> This does not mean that there were no journalists who disapproved of the politicization of personal life. A debate raged in the press over this very topic, but the debate only served to push personal affairs closer to the forefront of political debate. For an alternate view, see Joan Beck, “The Difficult Questions in Reporting an Official’s Sins,”

This line of logic frequently led the media to a critique of the familial structure of congressional offices and, ironically, secretaries took the brunt of the blame for encouraging male attentions and inflating the male ego on the Hill. Acquiescing to laundry duty, choosing clothes for campaigning bosses, and typing up personal correspondence transformed into an active usurpation of the wifely role on the part of the secretarial corps. Journalist Myra McPherson thus concluded that “The relationship [between congressmen and their female aides] can be antiseptically non-physical, but in that position of dedicated helpmate, the female aide or personal secretary assumes a function the wife fulfills in other marriages.”<sup>536</sup> Journalists were also concerned that the divorce rates were due to love affairs between legislators and their staffers. Seventeen senators had recently divorced their wives either during or immediately after concluding their political careers, and often affairs with staffers were the cause of these divorces.<sup>537</sup>

Thus, the transition to coverage of personal behavior did not always work in favor of the female congressional staffing corps. There were multiple groups of women who had a stake in the outcome of the Liz Ray debate, and the public generally sided with mistreated wives, depicting cheating politician husbands, needy staffers, and judgmental feminists alike as responsible for the exploitation of the political wife. This was an old war, reinvigorated, simplified, and dramatized in the wake of the Liz Ray scandal. Myra McPherson’s 1975 book

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*Chicago Tribune* (4 Jun 1976): <http://www.proquest.com/> (accessed 21 Sep 2010). Beck argues that “[t]he usual practice of responsible journalism is to let private lives stay private, even though a senator may slur his speeches from too much alcohol, or a congressman with a wife back in his home district may turn his Girl Friday into a Girl Saturday Night. The distinction is between what is immoral and what is illegal, and only the latter is considered a subject fit for reporting.” Yet public demand for personal stories and scandal drove a boom in these stories of immorality. Both the reporters who broke Liz Ray’s story and Ray herself published books on her life and the affair. See Marion Clark and Rudy Maxa, *Public Trust, Private Lust: Sex, Power, and Corruption on Capitol Hill* (New York: Morrow, 1977); Elizabeth Ray, *The Washington Fringe Benefit* (New York: Dell, 1976).

<sup>536</sup> McPherson, *The Power Lovers*: 197.

<sup>537</sup> McPherson estimated that just under fifty House members were divorced, and Abigail McCarthy complained of the shifting loyalties of political men. Myra McPherson, “Politics Makes Strained Bedfellows,” *Los Angeles Times* (6 Oct 1977): E7; Myra McPherson, *Private Faces/Public Places* (New York: Doubleday, 1972); Abigail McCarthy, “Political Wives,” *Washington Post* (17 Mar 1974): P10.

*The Power Lovers*, “an intimate look at politics and marriage,” revealed widespread animosity between wives and the staffs of their husbands, arguing that “[t]he staff and the wife are often natural antagonists, working at cross-purposes, desiring entirely different things.”<sup>538</sup> Most articles echoed this theme, subtly exempting congressmen from responsibility for their personal and professional misdeeds by emphasizing the pressures of elective office and the calculating nature of staffers whose status was derived solely from their professional relationships with powerful men.

Female staffers were divided as to their own culpability. While women who belonged in the CHWPC and other feminist organizations tended to lay the majority of the blame with politicians who took advantage of their unilateral control over the congressional work world, other women laid equal blame on staffers who acceded to affairs. One secretary voiced a persistent refrain: “[t]he thing is, that Elizabeth Ray is just as much guilty as Hays. She was prostituting herself.”<sup>539</sup> The assertion that women had a duty to actively discourage sexual exploitation emanated from a long struggle for professional respect on the Hill. Another secretary argued that “I really don’t think women have to sleep (with a congressman). They wink at you; you wink right back. The women do it to themselves.”<sup>540</sup> These women saw Ray as exploiting her attractiveness in order to acquire a job that others had earned with hard work. One reporter picked up on this theme, referring to the affair as “Ray’s act of self-exploitation.”<sup>541</sup>

Many staffers did attempt to politicize the sexualized reputation of secretaries on the Hill. None thought they themselves had used their own sexuality for gain in the workplace. Many

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<sup>538</sup> Myra McPherson, *The Power Lovers*: 151.

<sup>539</sup> Judy Bachrach, “Political Propositions, Or, the Case of Stereotyping the Typist,” *Washington Post* (9 Jun 1976): C1.

<sup>540</sup> *Ibid.*

<sup>541</sup> Warren Weaver Jr., “But Hays Is Hardly Typical: Washington Sex, Always Available,” *New York Times* (20 Jun 1976): <http://www.proquest.com/> (accessed 22 Sep 2010).

women began to wear “I can type” buttons as a method of warding off the inevitable jokes lobbed by many congressmen and male staffers.<sup>542</sup> These jokes abounded.<sup>543</sup> In the aftermath of the Ray scandal, “Wanted” posters appeared in the halls of Congress. These posters included a “revealing photo” and cautioned that read “[t]his woman is known to make you take her to dinner and then to ruin your career.”<sup>544</sup> After all, Liz Ray had been a *Roll Call* Hill Pinup who retained a high-paying position despite the fact that she could not perform basic secretarial functions.<sup>545</sup> Staffers responded angrily to congressional jokers and media attention, one secretary complaining that the scandal had re-entrenched “the kind of false image that the professional women in Capitol Hill have been working so hard to overcome.”<sup>546</sup>

These scandals represented an opportunity, but one fraught with danger. CHWPC members wanted to use news coverage of the scandals to draw national attention to the lack of workplace rights on the Hill. However, Caucus members also wanted the nation to understand that Ray’s acquiescence to an affair was anomalous. As one pro-CHWPC journalist asserted,

Despite the myth perpetrated by Ms. Ray that women on the Hill are out to sell their sexual services to the nation’s legislators, most women who apply for jobs there are looking for a career. However, the men tend to get the professional breaks.

The article observed that “the median salary for women is \$10,260 and for men \$17,670 [which] not only indicates salary discrimination, but also a lack of equal opportunities.”<sup>547</sup> The real issue

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<sup>542</sup> Richard L. Madden, “Distracted Air in House Attributed to Hays Case,” *New York Times* (5 Jun 1976): <http://www.proquest.com/> (accessed 21 Sep 2010).

<sup>543</sup> For other Ray-centered jokes, see Myron Struck, “As It Strikes Struck,” *Roll Call* 22:9 (23 Sep 1976): 5; Landon Parvin, “Ask Mr. Politic,” *Roll Call* 22:9 (23 Sep 1976): 8. The *Roll Call* for Valentine’s Day ridiculed three former Pin-ups-cum-sex-scandals. Bette Ackerman had taped her post-coital conversations with Rep. Don Riegle, Liz Ray had prompted the Hays scandal, and Suzie Thompson was similarly embroiled in a scandal involving trading secrets to the North Koreans. See the pictorial collage in *Roll Call* 22:28 (17 Feb 1977): 3.

<sup>544</sup> “Within Congress,” *Roll Call* 22:1 (22 Jul 1976): 20.

<sup>545</sup> “Hill Pinup,” *Roll Call* 18:6 (10 Aug 1972): 8.

<sup>546</sup> “Women Claim Hays Case Has Created False Image,” *Los Angeles Times* (2 Jun 1976): <http://www.proquest.com/> (accessed 21 Sep 2010).

<sup>547</sup> Ruth Daniloff, “Congress’ Female Workers Called Still Second-Class,” *Los Angeles Times* (20 Jun 1976), <http://www.proquest.com/> (accessed 22 Sep 2010).



was the fact that on Capitol Hill, women who slept with the boss were paid salaries that far exceeded the salaries of women who worked hard and deserved jobs with higher salaries and greater responsibility.

Caucus feminists made some gains. Prompted by the Ray scandal, journalists finally began to discuss the fact that politicians passed labor laws but exempted themselves from coverage. Newspapers like the *Wisconsin State Journal* for the first time asked “are women getting an even break with [the] state’s congressional delegation?” Detailing each Wisconsin legislator’s office structures and pay scales, the *Journal* concluded with a resounding “no” for the majority of its congressmen.<sup>548</sup> If they could harness public outrage to their cause, Hill feminists could use the Ray scandal as a launch pad for the institutionalization of workplace equity mechanisms in Congress. Encouraged by the extent of news coverage, CHWPC president Miriam Dorsey called for streamlined labor complaint processes as well as the establishment of a commission with enforcement powers located outside the legislative branch.<sup>549</sup>

Ultimately, legislators were unwilling to implement new internally-applied rules or employment procedures as a concession to outside pressures, let alone submit to extra-congressional supervision. After all, the massive influx of women into congressional policy-making positions was the result of the legislative branch’s attempts to empower itself as an independent body capable of checking the presidency. Congress was not about to place its employee practices under the watchful eye of the Equal Employment Opportunity Commission, located in the executive branch, simply to address the concerns of a feminist cadre. As in many ethics cases, “a key question is whether an accused member's conduct has departed from the

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<sup>548</sup> Robert Spiegel, “Are Women Getting an Even Break with State’s Congressional Delegation” *Wisconsin State Journal* (4 Nov 1977): 11.

<sup>549</sup> Miriam Dorsey, “Hiring By Whim on Capitol Hill,” *Washington Post* (25 Jul 1976): 27.

norms of the institution.”<sup>550</sup> As one reporter noted, Congress’ number one rule was “[d]on’t embarrass the Establishment.”<sup>551</sup>

Given this rule, it was predictable that the most immediate congressional response centered on ousting Wayne Hays from his chairmanships and scaling back the power Hays had built into the House Administration Committee chairmanship. Sexual misdeeds were not the main issue for many in the House, and numerous legislators had something to gain from depriving the tyrannical Hays of institutional power. Congress generally focused on the Ray scandal as an individual misuse of congressional power and public funds.<sup>552</sup> As one *Newsweek* letter noted, “Hays makes us pay for his play – that’s taxation without representation.”<sup>553</sup> The FBI and the Justice Department began inquiries into Hays’ activities and, reluctant to publicly investigate its own members, congressmen quietly suggested to Wayne Hays that he retire. Democratic Party members worked especially hard behind the scenes to force Hays to resign from his posts, wishing to separate the party from Hays’ exploits while minimizing press coverage that drew attention to Hays’ position of power within the party.<sup>554</sup>

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<sup>550</sup> Dennis Thompson, *Ethics in Congress – From Individual to Institutional Corruption* (Washington, D.C.: Brookings Institution, 1995): 133.

<sup>551</sup> Frances Spatz Leighton, “Washington’s Intimate Hideaways,” *Chicago Tribune* (7 Jun 1976), <http://www.proquest.com/> (accessed 21 Sep 2010).

<sup>552</sup> Arthur Siddon, “Washington’s ‘Hit Man’ Becomes the Target,” *Chicago Tribune* (30 May 1976), <http://www.proquest.com/> (accessed 21 Sep 2010).

<sup>553</sup> Harold Willens, “Letter to the Editor,” *Newsweek* (28 Jun 1976).

<sup>554</sup> Partisanship reinforced the primacy of intra-institutional balances of power over employee practices reform. Republican House members took advantage of the power vacuum in House Administration, demanding that the House take back the power to vote increases in members’ allowances and perquisites from Hays’ Committee. In a June 1<sup>st</sup> meeting, Majority Leader Thomas “Tip” O’Neill demanded that Wayne Hays step down from his chairmanships of the DCCC and the House Administration Committee immediately. Under investigation by a Washington, D.C. federal grand jury, Wayne Hays abdicated the DCCC chairmanship, but stubbornly held onto his initial base of power, the Administration Committee. His overdose on sleeping pills and subsequent hospitalization postponed the inevitable Administration Committee resignation another two weeks. Hays’ secretary Carol D. Clawson said that she could not tell whether the overdose was “inadvertent or deliberate,” leading reporters to speculate about a possible Hays suicide attempt. A good overview of the Hays scandal with a focus on congressional politicking and damage control is “Wayne L. Hays Scandal, 1976 Legislative Chronology,” in *Congress and the Nation, 1973-1976*, 4:779 (Washington, D.C.: CQ Press, 1977): <http://library.cqpress.com.proxy.its.virginia.edu/cats/cats73-0009169895> (accessed 23 Sep 2012). See also, “Hays Evades Ethics Probe by Resigning,” *Roll Call* 22:7 (9 Sep 1976): 1, 2.

Though the Liz Ray scandal prompted little meaningful reform in its immediate aftermath, the scandal forced legislators to deal with women's rights, furthering a cultural shift that had begun at the end of the 1960s. The fact that sex discrimination existed on the Hill was now undisputed. Legislators began to publicly concede that, as Sen. Charles Percy (R-IL) put it, "what is good for the goose is good for the gander."<sup>555</sup> The question for Congress was not whether sex discrimination existed, but what the institution was going to do to eradicate that discrimination. Pushed by the media, Congress had all but admitted that its politics was very personal indeed.

#### The Obey Commission and Stymied Reform

Gesturing towards administrative overhaul, in 1977 the House tasked Rep. David Obey (D-WI) as chair of a commission to study current staffing rules and propose reasonable changes that would strengthen staffer rights within the House workplace.<sup>556</sup> The Liz Ray scandal and fuelled press coverage and interest group mobilization around discrimination and pay inequities on the Hill. In response, both the House and Senate moved to collect information on their employment practices with an eye towards reform. The success of congressional reform efforts would rest on the willingness of congresspersons to restrict their own autonomy in order to eradicate sex discrimination. This was a tall order. After all, Hill women did not have the one tool that had worked in every other workplace in America: filing sex discrimination complaints under Title VII of the Civil Rights Act of 1964.<sup>557</sup> But even as it became clear that Congress

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<sup>555</sup> Ibid.

<sup>556</sup> On the Senate side, Sen. Robert Byrd (D-VA) appointed members to an Ad Hoc committee to draft a Senate Code of Ethics.

<sup>557</sup> Nancy MacLean, "The Hidden History of Affirmative Action: Working Women's Struggles in the 1970s," *Feminist Studies* 25:1 (Spring 1999): 42-78

would not overhaul its employment practices, legislators conceded that sex discrimination was a serious problem on the Hill.

The Obey Commission investigations substantiated the CHWPC's complaints about sex discrimination on the Hill.<sup>558</sup> Before its hearings, the Commission conducted a study of the congressional workplace that substantiated Caucus claims about systemic inequalities between male and female employees.<sup>559</sup> Testifying in front of the Commission, Rep. Morris Udall (D-AZ) recounted "horror stories" about sex discrimination on the Hill.<sup>560</sup> Obey acknowledged and accepted the fact of women's "underemployment" in Congress.<sup>561</sup> The Hill community was now convinced that something had to be done about sex discrimination in congressional employment. After weeks of investigations, the Obey Commission eventually came forward with three proposals: (1) amend the House rules to broaden antidiscrimination provisions, (2) establish an affirmative action recruitment program, (3) establish a Fair Employment Practices Panel comprised of three House members. Both sides of Congress moved hastened to get codes to the floor for votes with as little attention from the press as possible.<sup>562</sup>

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<sup>558</sup> Though the Caucus had begun collecting data on House employment trends, the House's larger membership and greater rate of turnover demanded more resources than those possessed by the Caucus. Indeed, in "Sexists in the Senate?" the CHWPC had called for a comprehensive investigation of Congress' employment practices. Capitol Hill Women's Political Caucus, "Sexists in the Senate?: A Study of Differences in Salary by Sex among Employees of the U.S. Senate" (Capitol Hill Women's Political Caucus, 1975): 26, CHWPC Folder, NWPC Papers.

<sup>559</sup> U.S. Congress, House of Representatives, Commission on Administrative Review, *Hearings on Administrative Reorganization and Legislative Management*, 95<sup>th</sup> Cong., 1<sup>st</sup> Sess. (Washington, D.C.: GPO, 1977): 129-30, 722-26, data table on 626.

<sup>560</sup> Udall specifically cited his own wife, who worked for a member who insisted that no one leave the office before him, though this was frequently very late. Udall noted that his wife needed the job but found it very difficult because she "had a son she was trying to support, a sick mother, all kinds of problems." For Udall's testimony, see Ibid: 33-35.

<sup>561</sup> Obey also cited his wife, who was thinking of seeking part-time employment after a lengthy hiatus from paid work. He noted that it would be virtually impossible for her to obtain a Hill position, given rules about part-time employment. Based on this evidence, Obey suggested that Congress change its rules to make it easier for members to hire part-time employees. Ibid: 120.

<sup>562</sup> Common Cause followed this process carefully, issuing memos alerting their D.C. lobbyists to ethics legislation progress in an attempt to mobilize enough grassroots support for meaningful ethic rules in both the House and Senate. See Diana and Melanie to the Washington Connection Volunteers (31 Jan-4 Feb 1977; 20 Feb-4 Mar 1977) in "Washington Connection Weekly Memos, 1977" Folder, Box 135, Common Cause Papers, Seeley Mudd Manuscript Library, Princeton University, Princeton, NJ. The Coalition for Equal Employment in Congress included

But the release of the Obey Commission recommendations allowed feminists to add allies. A number of civil rights and congressional reform organizations that had backed the Caucus during the Ray-Hays scandal signed a letter deeming the commission proposals “inadequate.”<sup>563</sup> Midway through 1977, the Coalition for Equal Employment in Congress formed, declaring that “[w]e hope to end the ultimate hypocrisy where employees working for the nation’s lawmakers lack the simple protections granted by those lawmakers to others.”<sup>564</sup> Coalition member and National Urban League president Ronald H. Brown deemed the Obey Commission recommendations unenforceable, noting that discrimination against the elderly and handicapped was not addressed at all.<sup>565</sup> Liberal Democrat Shirley Chisholm (D-NY) voiced the concerns of many when she noted that the employment committee should “at least for appearances” include a Hill employee.<sup>566</sup>

House Republicans jumped on the bandwagon, arguing that the Commission proposals were a “cosmetic sham” that would relieve media and public pressure on Democrats without instituting real changes to congressional rules. The GOP saw an opportunity to increase their

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Common Cause, the CHWPC, the League of Women Voters, the American Civil Liberties Union, the National Council of Jewish Women, the Disability Rights Center, and the National Council of Senior Citizens. See “Coalition Presses Congress to Adopt Job Protections,” *Washington Post* (1 Sep 1977): A2. House Resolution 1380 called for real implementation of the previously unenforced antidiscrimination statute governing House employment practices.<sup>562</sup> H. Res. 1380 also approved the establishment of a House Fair Employment Relations Board comprised of two majority House members and one minority House member, an office for the board and its staff, and set procedures for hearing and settling discrimination complaints. *Congressional Record* 124 (25 Sep 1978): H 10697. The Senate’s counterpart resolution was almost identical, focusing on implementation of a 1977 antidiscrimination rule that similarly lacked enforcement mechanisms. This rule was Senate Rule L(50). Alan Goodman, “Senate Tackles Bias in Jobs,” *Roll Call* 22:38 (4 May 1978): 10.

<sup>563</sup> Common Cause’s internal discussion about this letter can be found in Diana and Melanie to the Washington Connection Volunteers (12-16 Sep 1977) in “Washington Weekly Memos, 1977” Folder, Box 135, Common Cause Papers, Seeley Mudd Manuscript Library, Princeton University, Princeton, NJ.

<sup>564</sup> Quoted in “Coalition Presses Congress to Adopt Job Protections,” *Washington Post* (1 Sep 1977): A2.

<sup>565</sup> Ibid; Ellen Hume, “‘Not Equal Opportunity Employer.’ New Rights Coalition Hits Congress Hiring Practices,” *Los Angeles Times* (1 Sep 1977): 13.

<sup>566</sup> Shirley Chisholm, quoted in Walter Pincus, “House Management Reforms Pressed by Obey Commission,” *Washington Post* (27 Sep 1977): A4. Chisholm was generally the congressperson cited as more opposed to the “soft” legislation. See also Steven Roberts, “House Nears Vote on Reorganization,” *New York Times* (2 Oct 1977): 33. CHWPC member Olga Grkavac concurred, noting that an arbitration board comprised solely of legislators would conduct its investigations with “less than total impartiality.” See Ira B. Allen, “For More Equality,” *Roll Call* 23:8 (15 Sep 1977): 6.

power within the House.<sup>567</sup> Referring obliquely to the Hays scandal, Rep. John Anderson (R-IL), chairman of the House Republican Conference, accused the Democrats of acting in an “undemocratic and anti-reform fashion. . . . Where is all that sunshine you crave? Have you been frightened off by one little Ray?”<sup>568</sup> To some extent, the accusations of reform organizations and Republicans were true. The actions of the Obey Commission and its resulting proposals actually strengthened Congress’ self-policing mechanisms. Staffers – who first and foremost considered the fact that they could be hired and fired at will – still had to report discrimination to a panel of congresspersons more likely to sympathize with their fellow member-employers.

The Commission operated between a rock and a hard place. Despite the weakness of newly proposed rules, not one measure pertaining to discriminatory employment practices made it through Congress. Members were simply unwilling to curtail their own power as employers. After the House resolution failed to make it out of committee, the proposal died when Congress adjourned at the end of the 95<sup>th</sup> Congress.<sup>569</sup> The corresponding Senate resolution also never made it to the floor. With some credence, Rep. David Obey complained to the press that liberals and civil rights organizations who objected to his commission’s recommendations constituted “a clear example of the perfect being the enemy of the good,” given that members viewed “even the modest proposals we have made” with enormous antipathy.<sup>570</sup>

Congress argued that its employment patterns were simply representative of national prejudices. For some, this observation meant that such problems would eventually fade away. Pat Schroeder (D-CO) herself characterized the scandal as “a generational thing. I don’t know young

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<sup>567</sup> For materials on Republican backlash, see Richard Lyons, “Many Leaders Seeking to Impose Tough New Reforms on Congress,” *New York Times* (4 Jan 1977): L16; Paul Houston, “House Shelves New Internal Reform Bill,” *Los Angeles Times* (13 Oct 1977): B1 (both accessed 18 Sep 2013).

<sup>568</sup> “Congress 1976: Spotlight on Ethics,” *CQ Almanac* (Washington, D.C.: Congressional Quarterly, 1976): 25.

<sup>569</sup> Rules proposals went to the House Committee on Administration and the Rules Committee.

<sup>570</sup> David Obey, quoted in “Coalition Formed: Congress Asked to Prove It Is Not Above Bias Law,” *The Sun* (1 Sep 1977): A12; Ellen Hume, “‘Not Equal Opportunity Employer.’ New Rights Coalition Hits Congress Hiring Practices,” *Los Angeles Times* (1 Sep 1977): 13 (accessed 23 Feb 2013).

congressmen who do that kind of [discrimination] thing. They don't need to."<sup>571</sup> Amidst Commission proceedings, Rep. Obey opined that employment in the House "reflects society" and thus reform activities would not need to be extensive, though a census of staffers uncovered widespread pay inequities.<sup>572</sup> Leaning on the legislative philosophy of public trust once again, congresspersons' general tendency was to let individual electoral turnover – as slow as it was – erode employment discrimination practices.

Employees themselves were divided on the need for reform. The Hill remained a small, generally congenial population of people who lived and worked in close proximity to one another. Secretaries, aides, representatives, and senators lived as neighbors, lunched together, mingled at receptions, and played on basketball and softball teams with one another. And they accepted the fact that congressional work was demanding work. Employees were willing to work extraordinary hours in less than perfect conditions if it meant that they could work at the heart of government. One reporter observed that "Many congressional staffers, including those most active against current conditions on Capitol Hill, generally agree that their bosses do need some special leeway, that they do need a greater measure of personal loyalty, temperamental congeniality, and agreement in personal outlook with their employees [*sic*]."<sup>573</sup>

Given the divided nature of Congress, only voluntary reform efforts were possible.<sup>574</sup> The Congressional Clearinghouse on Women's Rights successfully pushed for establishment of the

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<sup>571</sup> Patricia Schroeder, quoted in Judy Bachrach, "Political Propositions, Or, the Case of Stereotyping the Typist," *Washington Post* (9 Jun 1976): C1.

<sup>572</sup> Mary Russell, "Overhaul of House Operations Urged," *Washington Post* (31 Jul 1977): 2.

<sup>573</sup> Raymond Coffey, "Congress Exempt from Many of Its Own Laws: Tax Hike Won't Affect Congress," *Chicago Tribune* (14 May 1978): <http://www.proquest.com/> (accessed 13 Sep 2010). Indeed, one employee specifically connected declining comity on the Hill to declining loyalty to congresspersons and the institution of Congress. See Alan Goodman, "What's Happened to the Hill?: George Fisher Laments Decline of Loyalty," *Roll Call* 23:31 (16 Mar 1978): 1, 8. Indeed, the "decline of loyalty" lament was a theme that ran through most of Goodman's "What's Happened to the Hill?" series, which ran through the first half of 1978.

<sup>574</sup> Having produced the initial analyses of pay discrimination on the Hill, Caucus members continued to collect information on pay inequities and the continued white male domination of high status legislative positions while

House Fair Employment Practices Agreement and a corresponding committee.<sup>575</sup> The committee agreement was vetted by “literally scores of Hill staff and Members.”<sup>576</sup> This group wanted the committee to fairly arbitrate between staffers and their employers.<sup>577</sup> Yet the committee was still a self-policing, which meant that there was a chance of the “distinction between judge and party . . . break[ing] down” under the weight of “collegial interdependence,” as one scholar of congressional ethics has observed.<sup>578</sup> In order to get members to sign the agreement, the original plan shed its numerous enforcement mechanisms, including the use of a federal arbitrator in cases when the congressional committee failed to come to a resolution. Despite the weakened agreement, the CHWPC stated that it “believes this to be a good beginning step toward better employment practices.”<sup>579</sup>

The make-up of the Fair Employment Practices Committee demonstrated the extent to which it existed as a reaction to sex discrimination in particular. Racial diversity was not a feature of the committee. Instead, through the end of the 1970s and into the 1980s, its membership was dominated by feminist members and female congressional staffers. Consistent CHWPC supporters Reps. Charlie Rose, Mo Udall, and Patricia Schroeder were chosen to represent the House on the committee. The three staffers – Carla Kish, Winnie Burrell, and Colleen O’Connor – were all women, and Winnie Burrell was a longtime member of the

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pushing for the advancement of bills extending civil rights and equal pay to congressional employees. “Discrimination on the Hill,” *Equal Times* (Capitol Hill Women’s Political Caucus, Aug-Sep 1976): 1 in Equal Times Folder, NWPC Papers.

<sup>575</sup> Staffer Carol Forbes and Reps. Charlie Rose and Patricia Schroeder began their efforts almost immediately after the Ray scandal broke, with the formation of the House Ethics Committee. See Ibid; CCWR Press Release (14 Jul 1977) in *Congressional Clearinghouse on Women’s Rights Newsletter* (18 Jul 1977), Periodicals Collection, Schlesinger Library, Radcliffe Institute, Harvard College, Cambridge, MA.

<sup>576</sup> Myron Struck, “As It Strikes Struck,” *Roll Call* 22:7 (9 Sep 1976): 4.

<sup>577</sup> Myron Struck, “Grievance Committee Shapes Up,” *Roll Call* 22:9 (23 Sep 1976): 3.

<sup>578</sup> Dennis Thompson, *Ethics in Congress*: 20.

<sup>579</sup> “Discrimination on the Hill,” *Equal Times* (Capitol Hill Women’s Political Caucus, Aug-Sep 1976): 1 in “CHWPC” Folder, NWPC Papers.



Caucus.<sup>580</sup> Unlike other workplaces, which were more likely to focus on discrimination against minorities or the maintenance of OSHA standards, the House perceived sex discrimination to be its greatest problem and institutionalized that perception. As one congressional aide noted in regards to the Obey Commission results, “Give Liz Ray all the credit. She caused more reforms in the House than anyone else could have done.”<sup>581</sup>

Such reforms were minimal, but they did give female staffers a place to vent their feelings about sex discrimination. The agreement and its attendant committee were toothless, and the first wave of members who signed on to the non-discrimination agreement was comprised of legislators already attuned to discrimination.<sup>582</sup> As Chisholm staffer and Fair Employment Practices Committee chair Colleen O’Connor recalled in a 1992 article on sexual harassment on the Hill, “the committee was little more than a therapy group for House members and their staffs upset by all the behavior they witnessed on Capitol Hill.”<sup>583</sup> Yet the committee’s work as a “psychiatrist’s couch” gave voice to staffers – often from offices of legislators who had not signed the agreement – who might otherwise have been unable to find a sympathetic ear.<sup>584</sup>

Attempts to reform congressional workplace practices continued through the remainder of the 1970s. Often, these attempts were led by the same set of liberal and reform legislators who

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<sup>580</sup> Burrell worked for Rep. Andy Jacobs (D-IN), O’Connor worked for Rep. Shirley Chisholm, and Kish worked for the House Subcommittee on Energy and the Environment. See “Unprecedented: 60 Congressmen Commit Themselves to Code Banning Job Discrimination,” *The St. Petersburg Independent* (10 Sep 1976): 3A; “Fair Employment Practices,” *Equal Times* (Fall 1976): 11 in “CHWPC” Folder, NWPC Papers.

<sup>581</sup> Quoted in Steven Roberts, “House Nears Vote on Reorganization,” *New York Times* (2 Oct 1977): 33.

<sup>582</sup> Colleen O’Connor recalls that the agreement was “mostly Democratic liberals and reformers,” though many of the powerful members who initially joined came from the Republican Party. See Colleen O’Connor, “Harassment on the Hill: An Old Story,” *Washington Post* (10 Dec 1992): A21 (accessed 11 Feb 2013); Myron Struck, “Grievance Committee Shapes Up,” *Roll Call* 22:9 (23 Sep 1976): 3. 109 legislators had signed the agreement by late 1978. See Alan Goodman, “Hill Anti-Anti-Discrimination?” *Roll Call* 24:11 (5 Oct 1978): 1.

<sup>583</sup> Colleen O’Connor, “Harassment on the Hill: An Old Story,” *Washington Post* (10 Dec 1992): A21 (accessed 11 Feb 2013).

<sup>584</sup> Ibid.

had already agreed to voluntary employee rights.<sup>585</sup> Meanwhile, the press and congressional staffers continued to pressure Congress. TV-7 anchor David Schoumacher ran a week-long set of segments in 1977 on “Capitol Hill: The Last Plantation” documenting “some of the worst discrimination in America.”<sup>586</sup> The non-partisan House Administrative Assistants’ Association screened the documentary during their 1977 professional seminar.<sup>587</sup> While all of the proposed institutional reforms died bottled up in House and Senate committees, their circulation kept the facts of sex discrimination in front of legislators and placed members on the defensive regarding internal employment practices. As Joseph Rauh noted of one such measure, “It is clear that the bill is not being considered because the Senators know it would pass.”<sup>588</sup> Effective pressure for reform would require the intervention of the Supreme Court.

#### *Shirley Davis v. Otto Passman: Legal Challenges to Congressional Sex Discrimination*

Meanwhile, the *Shirley Davis v. Otto Passman* case worked its way through the court system. In 1974, Rep. Passman (D-LA) had fired his deputy administrative assistant Shirley Davis, writing that though she was “able, energetic and a very hard worker,” he had decided that having a male AA “was essential” to his office. Davis sued, and the case reached the Supreme Court in 1978. By then, the CHWPC’s decade of work had produced a network of legislators and staffers who supported feminism on the Hill. Twenty-nine House members and three House staffers backed Shirley Davis’ campaign. All members of the House Fair Employment Practices

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<sup>585</sup> Metcalf had initially introduced his resolution in 1975 and pursued it every year, though it never garnered substantial support. See Alan Goodman, “Hill Anti-Discrimination?” *Roll Call* 24:11 (5 Oct 1978): 1.

<sup>586</sup> “WMAL Charges Hill Job Discrimination,” *Roll Call* 22:24 (20 Jan 1977): 6.

<sup>587</sup> “AAA Plans June Seminar on Congress,” *Roll Call* 22:43 (2 Jun 1977): 3.

<sup>588</sup> In September of 1978, Reps. Patricia Schroeder and Morris Udall introduced the Fair Employment Relations Act, the House corollary to Lee Metcalf’s Fair Employment Relations Resolution, which had just been scuttled by the Majority Leader Robert Byrd and his Senate Democratic Policy Committee. See Olga Grkavac, “Where We Stand with Fair Employment on ‘The Last Plantation,’” *Equal Times* (Capitol Hill Women’s Political Caucus, Aug 1978): 1, “Equal Times, 1978-1980” Folder, NWPC Papers.

Committee filed a brief in support of Davis.<sup>589</sup> Caucus coordination warranted a note from Davis: “Thank you for giving up your precious time to work to help me. Thank you for your money.”<sup>590</sup> The CHWPC had reason to thank her back. Davis’ case would set a precedent for extra-congressional oversight, laying the groundwork for the extension of civil rights and equal pay law to the U.S. Congress.

The central questions of *Davis v. Passman* highlighted the tensions between challenging members’ absolute control over their employees and maintaining a workable system of checks and balances between the judicial and legislative branches of the federal government. There were two issues at the heart of the case. The Supreme Court needed to decide whether it had the authority to uphold a congressional employee’s legal right, given that Congress had no processes for ensuring those rights. Complicating this question was the Speech or Debate Clause, which protected congresspersons’ legislative work from judicial scrutiny.<sup>591</sup> Could that clause serve to “immunize a Member of Congress from suit,” even if that member had fired an employee purely on the basis of sex?<sup>592</sup> A decision in favor of Davis could alter the balance of power between the three branches of government.

Even getting the case to the Supreme Court was a difficult process. In 1977, the Justice Department moved to defend Passman’s claim to congressional immunity, which would keep the case out of court. Here, the network of legislators and staffers willing to fight to apply civil rights legislation to Congress proved critical. While the CHWPC and Rep. Pat Schroeder held rallies to raise funds for Davis’ defense, Rep. Don Edwards (D-CA), a lawyer and former FBI agent,

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<sup>589</sup> The 1978 House Fair Employment Practices Committees was comprised of Reps. Mo Udall, Patricia Schroeder, and Charlie Rose, and staffers Winnie Burrell, Carla Kish, and Bruce Kreigman.

<sup>590</sup> “A Shirley Davis,” *Equal Times* (Capitol Hill Women’s Political Caucus, Aug 1978): 1, “Equal Times, 1978-1980” Folder, NWPC Papers.

<sup>591</sup> See *Shirley Davis, Petitioner v. Otto E. Passman*, 442 U.S. 228 (1979). Available at <https://bulk.resource.org/courts.gov/c/US/442/442.US.228.78-5072.html> (accessed 18 Sep 2013).

<sup>592</sup> *Shirley Davis, Petitioner v. Otto E. Passman*, 442 U.S. 228 (1979). Amicus Brief: 3.

formulated a response rebuking the Justice Department on legal and moral grounds. As Edwards argued, based on separation of powers, only Congress could act in defense of the interests of its members. Edwards also noted that the Speech and Debate Clause was “vague and subject to interpretation.” In acting in defense of Passman, the executive branch was placing the expansion of its own powers above eradicating discrimination.<sup>593</sup> The Justice Department eventually dropped its support for Passman.

Because the Speech or Debate Clause only covered legislative work, Davis’ prosecutorial team necessarily rested their demands for back pay on a number of arguments that highlighted and further institutionalized the low status of secretarial labor in Congress.<sup>594</sup> Though “high level staff members in policy-making positions, such as legislative aides” were covered, Shirley Davis was merely a secretary.<sup>595</sup> Davis’ counsel thus had to construct a greater separation between administrative and legislative duties than existed in practice. The defense team exaggerated the gap between “high level staff members in policy-making positions” and secretarial or administrative labor.<sup>596</sup> We do not know exactly how Otto Passman organized his office, but it would have been nearly impossible and highly unlikely for him to have fully separated clerical from legislative work. Further, Shirley Davis was supposed to be training as a back-up administrative assistant during her six months in the office.

Identifying this weakness, the Passman defense focused on elevating the status of the secretary. He did this primarily by arguing that an entire congressional staff was an extension of

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<sup>593</sup> “Sex Discrimination Fight Gets Some Support from the Hill,” *Roll Call* 22:36 (14 Apr 1977): 1, 3. The letter itself can be found, reprinted, in the *Congressional Clearinghouse on Women’s Rights Newsletter* 3:11 (4 Apr 1977), Smith College Periodicals Collection.

<sup>594</sup> *Shirley Davis, Petitioner v. Otto E. Passman*, 442 U.S. 228 (1979). Petitioner’s Brief: 10.

<sup>595</sup> *Shirley Davis, Petitioner v. Otto E. Passman*, 442 U.S. 228 (1979), Reply Brief: 21, Footnote 22. This argument was repeated in oral arguments in front of the Supreme Court. See “Davis v. Passman,” The Oyez Project at IIT Chicago-Kent College of Law (accessed 25 Sep 2012): [http://www.oyez.org/cases/1970-1979/1978/1978\\_78\\_5072](http://www.oyez.org/cases/1970-1979/1978/1978_78_5072).

<sup>596</sup> This led Davis’ lawyer Sana Shtasel to erroneously state that Passman’s “employment practices, as they pertain to clerical personnel, do not affect the legislative process at all.” Ibid: 53.

the congressperson for whom they worked: “What must be understood is that a Congressman gathers his staff around him to assist him in performing his legislative functions; this is his ultimate and primary role, his staff’s ultimate and primary role and in fact, is their whole *raison d’etre*.”<sup>597</sup> Therefore, “the ‘sphere of legitimate legislative activity’ cannot be narrowly compartmentalized.”<sup>598</sup> Passman also cited Davis’ high salary, asserting that the high salary signified a more important secretarial position, which in turn signified a job involving legislative rather than merely administrative work.

Ultimately, however, Otto Passman’s final defense was a straightforward explanation of why congresspersons generally wanted total control over hiring and firing:

The legislative functions and responsibilities are important enough and delicate enough that members of Congress should be permitted to assign a male aide to a given task for whatever reason is believed to be proper without fear of judicial intervention on behalf of an offended female aide. . . . A Congressman must be permitted to frankly pick and choose among those who will stand in his place, in his shoes, as his alter ego in Congress in order that the legislative function may be performed as he believes to be proper.<sup>599</sup>

This was an argument that seemed to promote equality. Yet how could a woman be on equal footing for a job that required standing “in his place, in his shoes, as his alter ego?”

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<sup>597</sup> *Shirley Davis, Petitioner v. Otto E. Passman*, 442 U.S. 228 (1979). Respondent’s Brief: 28.

<sup>598</sup> The entire quotation describes the extent to which Otto Passman believed that his entire office participated in the legislative process: “To amplify the pervasiveness of the legislative function, one must consider the fact that the function obviously includes inter alia the persuasion of other members of Congress to gain or disaffect support for bills, the drafting and typing of letters to other Congressmen pertaining to legislative proposals, discussions with one’s staff as to the views of one’s constituents on pending legislation, the preparation and typing of memoranda by staff members for a Congressman’s aid in considering legislation, conferences with lobbyists or special interest groups related to legislative proposals or policies, discussion among aides of difference Congressmen as to legislative proposals p/or policies, staff scheduling of Congressmen’s meetings with other Congressmen for legislative discussions, and many other doubtless daily activities in which the legislative functions of a Congressman and his staff meld and in which all participate in some facet or at some level of the legislative function depending on an individual’s particular work assignment or title. The foregoing recitation of obviously typical functions of a legislator’s office serves to demonstrate to the Court that the ‘sphere of legitimate legislative activity’ cannot be narrowly compartmentalized. If the delivery of a speech on the floor of Congress is a legitimate legislative function, then the Congressman or aide’s preparation of the speech, including dictation to a secretary and typing, and the discussions with his staff about the form or substance of the speech are also legitimate legislative functions.” Ibid: 28-29.

<sup>599</sup> Ibid: 32.

Passman's brief succinctly illustrated the central reason why many congressmen were reluctant to hire female legislative staffers. A legislator's overriding concern was the passage of legislation. Given the prevailing assumption that, in Congress, men could better understand fellow men, a male staffer *would* be more acceptable to a legislator's mostly male colleagues and staffers, and men would be more likely to understand how their male bosses might best pursue policy. Further, men would feel more comfortable on the Hill, especially in masculine spaces. Hiring a woman as a legislative aide was simply a greater risk.

But by the end of the 1970s, this argument was no longer viable. Two decades of civil rights decisions sat behind the Court's decision. The Obey Commission's findings and the House's subsequent failure to institute reasonable reform allowed Davis' counsels to argue that the Supreme Court represented the only real recourse for Davis. As Shirley Davis' amicus brief argued, "the Congressional alternative must afford the plaintiff in a constitutional case a reasonable opportunity to vindicate his or her rights."<sup>600</sup> And as the Davis side made clear, the Obey Commission had concretely proven not simply that sex discrimination was pervasive within the congressional workplace. And Congress refused to implement reform measures that would proactively combat this discrimination.

Shirley Davis narrowly won her case and, in a five to four decision, the Supreme Court declared that Davis had a right to bring suit against and seek damages from a member of Congress. Chief Justice William Brennan couched the Court's argument that Davis had a cause of action under the Fifth Amendment, opening up the opportunity for staffers to bring lawsuits against their congressional employers and seek back pay, if they could prove discrimination. The decision avoided the Speech and Debate Clause, thus failing to reify the plaintiff's assertion of

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<sup>600</sup> *Shirley Davis, Petitioner v. Otto E. Passman*, 442 U.S. 228 (1979). Amicus Brief: 22.

strict distinctions between secretarial labor and legislative work.<sup>601</sup> The grounds upon which women would be able to pursue sex discrimination charges through the court system remained narrow. Not every congressperson was so out of touch that he or she ran the risk of explicitly citing sex as a factor in firing an employee. But a small window opened, not just for women, but for any minority group.

While Davis' case did not establish a longer pattern of punishing discriminatory employment practices through the court system, it did prove that Congress was engaged in the very practices it seemed so intent on outlawing in other workplaces. The case also ensured that legislators would not be exempt from employment discrimination suits.<sup>602</sup> And because the House and Senate refused to institutionalize any accessible avenues for discrimination complaints, equity and civil rights organizations kept up the assault through the 1980s and into the 1990s, their agenda and constituency expanding with every year of new but wholly predictable sex and job discrimination scandals. As new minority groups formed and turned towards Hill lobby work, they inevitably found themselves working with a set of legislators who

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<sup>601</sup> Davis successfully argued that the Due Process Clause of the Fifth Amendment allowed her to seek back pay from a member of Congress for discriminatory termination. The Court ruled that "The equal protection component of the Fifth Amendment's Due Process Clause confers on petitioner a federal constitutional right to be free from gender discrimination that does not serve important governmental objectives or is not substantially related to the achievement of such objectives. See *Davis v. Passman*: 234-235. The case built on precedents in *Bivens v. Six Unknown Fed. Narcotics Agents*, 403 U.S. 388 (1971); *Butz v. Economou*, 438 U.S. 478 (1978): 233-249. Justice Brennan's conclusion to the Court's decision noted that "The Court of Appeals did not consider, however, whether respondent's conduct was shielded by the Speech or Debate Clause of the Constitution. Accordingly, we do not reach this question. And, of course, we express no opinion as to the merits of petitioner's complaint." See *Davis v. Passman* 442 U.S. 228 (1979): [supreme.justia.com/cases/federal/us/442/228/case.html](http://supreme.justia.com/cases/federal/us/442/228/case.html) (accessed 28 Sep 2012).

<sup>602</sup> Richard Burkhardt, "Supreme Court Ruling: Hill Staff Have Rights, Too," *Roll Call* 24:43 (14 Jun 1979): 1, 6. For one argument reevaluating the balance between Title VII's application to the legislative branch and maintenance of the Speech and Debate Clause, see "Title VII and Congressional Employees: The 'Chilling Effect' and the Speech or Debate Clause," *Yale Law Journal* 90:6 (May 1981): 1458-85. The crux of this argument was, again, the difference between legislative work and administrative labor.

held many of the views and engaged in many of the practices that they spoke against on the House or Senate floor.<sup>603</sup>

## Conclusion

Even amidst scandals and lawsuits, the unique combination of congresspersons' obduracy and community cohesiveness foreclosed the implementation of employment reform on the Hill. Yet Congress' refusal to submit to any sex discrimination measures with teeth bound women together. As it became increasingly clear that congressmen would not reevaluate the control they possessed over their employees, women worked in a variety of other ways to collectively lessen the discrimination that they experienced in the workplace. They specifically focused on increasing the number of women in more autonomous policymaking and administrative positions.<sup>604</sup> They individually and collectively pressured their employers to address sex

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<sup>603</sup> Responding to further attacks on workplace harassment and discrimination, the House and Senate rectified some of these problems in 1995 when both bodies approved the Congressional Accountability Act – the first item from new Speaker Newt Gingrich's Contract with America successfully passed by Congress. The new law implemented ten major civil rights and workplace safety laws in the congressional workplace. For the first time, employees obtained legal recourse under Title VII of the 1964 Civil Rights Act, could organize to form unions and bargaining units under the Civil Service Reform Act of 1978, and could charge their employers with age and disability discrimination. Women specifically benefitted from the inclusion of 1993's Medical and Family Leave Act, which provided unpaid leave for illness, pregnancy, and care of newborn children. A good overview of this bill can be found in "Changes on the Hill: Republicans Seek Compliance," *Washington Post* (5 Jan 1995): A27. While these were steps in the right direction, the Congressional Accountability Act was still a self-policing measure. If employees did not have the time or money to go through the courts, they still had to pursue discrimination claims through an internal compliance office rather than an outside agency like the EEOC. Robert F. Turner, "Skirting the Law on Capitol Hill," *Washington Post* (5 Feb 1995): C3. It is also unclear the extent to which congressional employees could obtain overtime pay. See Adam Clymer, "Capitol Staffs Find Overtime Is Hard to Get," *New York Times* (4 Mar 1996): A11. The articles all point out that the institution of Congress (and thus the taxpayers, rather than legislators) would foot the bill for any damages awarded to wronged employees. Instead, lawmakers argued that elections would provide a voter check on bad employer practices. See also Jack Anderson and Michael Binstein, "No-Fault Accountability for Congress," *Washington Post* (30 Jan 1995): C17. None of these problems were lost on congressional employees. For congressional employee mistrust, see Karen De Witt, "Capitol Workers Skeptical of Labor Bill," *New York Times* (23 Jan 1995): A12.

<sup>604</sup> Numerous feminist organizations focused on federal appointments, especially during the Carter Administration, which feminism perceived (at least initially) as friendly. D.C. chapters did most of this lobbying work, eventually coalescing into the D.C. Coalition for the Appointment of Women. For an example of their lobbying efforts, WEAL National Capitol Chapter newsletter (Dec 1978/Jan 1979): 5 in Folder 58, Carton 10, Women's Equity Action League Papers (MC 500), Schlesinger Library.



discrimination in their offices. They succeeded in calling media attention to the plight of female Hill laborers. These women helped to change how legislators thought about sex discrimination.

The most surprising aspect of CHWPC success was that the group accomplished so much despite the anonymity of most of its membership. That anonymity allowed the group to speak with one voice, despite rifts between secretarial and professional staffers. All were angry about Congress' exemptions from national workplace equality and safety legislation, and the Caucus could focus on the complaint without visible dissention. And in the 1970s, staffers could rely on the media to voice explicitly feminist critiques of congressional workplace practices. Confronted with raw data and a set of incensed reporters, few legislators felt that they could vocally oppose feminism on the Hill. Indeed, an increasing number of congressmen borrowed the Caucus' label for Congress in the 1970s, calling it "the last plantation."<sup>605</sup>

Caucus activities demonstrated to legislators that sex discrimination not only existed but was right in front of them, every day. The activism of these women closely resembled the activism of women in other workplaces during the 1970s. But congressional staffers worked for Congress. CHWPC advocacy on the Hill helped to create a climate conducive to feminist policymaking. Many legislators who opposed feminism no longer felt comfortable publicly expressing those sentiments. Meanwhile, the legislators who supported the Caucus's mission also hired more female staffers to work as legislative aides and committee counsels. Members like Reps. Patricia Schroeder, Donald Edwards, Charlie Rose, and Mo Udall would also prove to be some of the most consistent supporters of feminist legislation. And numerous Caucus members remained in the woodwork, supporting women's rights in their own individual ways.

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<sup>605</sup> James M. Perry, "Congress: The Last Plantation?" *Wall Street Journal* (10 Jul 1978): <http://www.proquest.com/> (accessed 13 Sep 2010). This moniker persisted through the 1990s. See "The Last Plantation," *Wall Street Journal* (18 Feb 1988): 22 (accessed 2 Apr 2014); Joan Biskupic, "Judiciary Called 'Second-to-Last Plantation': With Passage of Accountability Act, Courts Are Only Branch not Covered by Major Labor Laws," *The Washington Post* (13 Feb 1995): A19 (accessed 2 Apr 2014).

## Chapter 4

### “Like the Wizard of Oz”: Building Feminist Lobbies in Congress

People used to say that it was all done with smoke and mirrors because we had no resources, no staff, but somehow or other we were coming up with what was needed. . . . I always thought it was like the Wizard of Oz: We gave the impression that we had power and influence, as long as nobody could see . . . behind the curtain.” – Jane Chapman<sup>606</sup>

In the District, national politics was a local affair. As Hill women adopted feminism, some of them naturally set their sights on policymaking. In many ways, they had an easier time pursuing their goals than did members of the Capitol Hill National Women’s Political Caucus (CHWPC). Legislators were far more comfortable with women organizing to pursue a policy agenda that targeted national injustices than they were with women who directly accused Congress of inequitable workplace practices. Indeed, the presence of the women’s movement encouraged some legislators to devote office resources to women’s issues. In the 1970s, legislative work on behalf of feminism offered over 150 women the chance to take hold of and use power already located at their fingertips.<sup>607</sup> Well-connected and receptive to the women’s liberation movement, these women created a grassroots feminism that addressed their particular concerns about family structures, employment discrimination, and gendered assumptions about women’s political aptitude.

A number of these feminists then used their relationships within Congress to advance legislation that originated in the experiences and research of a small, loosely-knit feminist community. The origins of this “incipient network”, as political scientist Jo Freeman calls it, are

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<sup>606</sup> Jane Chapman, quoted in Flora Davis, *Moving the Mountain: The Women’s Movement in America since 1960* (Springfield, IL: University of Illinois Press, 1999): 152.

<sup>607</sup> While by no means a complete list, I have compiled data for around 150 female staffers who were known to support feminist legislation during the 1970s. Many of these women belonged to one or several feminist organizations or networks for women’s rights during the decade. Others were described by Hill feminists as receptive to one or several measures to advance women’s rights. By necessity, this is a definition of feminism that depends on actions rather than ideology.

unexplored in current literature.<sup>608</sup> A close examination of local organizing reveals that, feminist organizing was the result of more than the campaigns for the ERA and Title IX. Congressional wives, staffers, and federal bureaucrats formed feminist groups because they wanted to talk about the sexism they encountered in daily life. But because of their experience within government, Hill staffers also understood that the issues discussed in feminist groups could be addressed through policy.

Congressional feminists worked strategically within the congressional system. These women did not always call themselves feminists and never called themselves radicals. Helpfully, working on policy was not considered activism in Congress. They moved smoothly between congressional office work and feminist lobbying, and their identification with the women's liberation movement only increased as they worked for feminist policies. They served as the local face of both the feminist movement and a broad constituency of voting women. Their integration within Congress explains not simply the shape of feminist bills, but the rapidity with which Congress passed legislation, though legislators themselves were slow to accept sex discrimination as a problem on par with other civil rights issues. Working with the invisible

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<sup>608</sup> Political scientist Jo Freeman first identified a feminist network that included congressional wives, staffers, female legislators, lobbyists, and women in the federal bureaucracy. She argued that this network was forged in the fights for the Equal Rights Amendment and Title IX, when the women's movement took advantage of feminist individuals and groups on the Hill. However, Freeman does not explain why these advocates for women's rights were in Congress in the first place. Jo Freeman, *The Politics of Women's Liberation: A Case Study of an Emerging Social Movement and Its Relation to the Policy Process* (Lincoln, NE: Backinprint.com, 2000): 222. Other political scientists have more carefully examined feminist tactics and the content of policies to establish women's rights without interrogating the ideological and organizational roots of Freeman's "incipient network" further. The incipient network is referenced in *Ibid.* The two major studies of feminist policymaking in the 1970s are Joyce Gelb and Marian Lief Palley, *Women and Public Policies: Reassessing Gender Politics* (Charlottesville, VA: University of Virginia Press, 1996); Anne Costain, *Inviting Women's Rebellion: A Political Process Interpretation of the Women's Movement* (Baltimore: The Johns Hopkins University Press, 1992). Gelb and Palley are focused on the moderate tactics for and content of policies, while Costain largely examines the political tactics of lobbyists for feminist organizations like NOW, WEAL, and the NWPC. Neither book considers the history of feminist individuals and groups on the Hill. The only study connecting the ideological beliefs of Hill feminists with activism is Arlene Kaplan Daniels, "Careers in Feminism," *Gender and Society* 5:4 (Dec 1991): 583-607.

network of supportive staffers, the women with multiple hats constituted the feminist Oz behind the curtain on the Hill.

Just a ‘Ladies’ Social Group’’: Feminist Political Elites Organize

The government women who formed the consciousness-raising group the Nameless Sisterhood initially intended to remain in the woodwork like so many other Hill feminists. Often, Sisterhood members worked for or were married to influential men. They wanted to establish independent identities and learn about women’s rights from one another. But women balked at engagement in radical feminist politics. Ideological militancy ran counter to their experiences in government. As women discussed their lives in politics, they naturally gravitated towards policy research. The Nameless Sisterhood became the basis for the local chapter of the Women’s Equal Action League (WEAL) and the organization’s legislative office. Consciousness-raising pushed numerous Hill women to use their position to formulate and fight for feminist policies.

Arvonne Fraser existed in the nexus between feminist discontent and federal politics. Fraser’s experience moving from Minnesota to Washington, D.C. fundamentally shaped the development of her feminism. The move uprooted Fraser from her central position in state reform politics. She had been a main player in Minnesota’s Democratic-Farmer-Labor (DFL) Party.<sup>609</sup> But after the Frasers moved to Washington, she felt that she had become “a non-entirety.”<sup>610</sup> Detached from her social and political communities, the District offered her little in the way of personal fulfillment.<sup>611</sup> Fraser’s experiences mirrored those of some other

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<sup>609</sup> See Arvonne Fraser, *She’s No Lady* (Minneapolis, MN: Nodin Press, 2007): 107-17.

<sup>610</sup> Ibid: 117.

<sup>611</sup> Ibid.

congressional wives.<sup>612</sup> In 1970, after learning of the feminist practice of consciousness-raising, Fraser located between twenty and thirty “middle-class, middle-aged ladies” to form a “ladies’ social group,” which she described to a local Minneapolis paper as a “substitute for a monthly sewing group.”<sup>613</sup> Angered by how people related to them in social and work situations, members of the Nameless Sisterhood banned the use of their husbands’ last names during group discussions.<sup>614</sup>

Though the Nameless Sisterhood referred to itself as an “intellectual consciousness raising group,” this was a CR endeavor that differed somewhat from the feminist movement’s other grassroots groups.<sup>615</sup> The group included women like June Bingham, wife of Rep. Jonathan Bingham (D-NY), who referred to her eighteen years on the D.C. cocktail circuit as “the longest eighteen years of my life.”<sup>616</sup> Other members were Sala Burton, wife of Rep. Phillip Burton (D-CA), Rep. Robert Kastenmeier’s (D-WI) wife Dorothy, and labor activist Sophia Reuther, wife of Victor Reuther, who co-founded the UAW with his brother, Walter Reuther. The group also

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<sup>612</sup> While journalist Myra McPherson correctly observed in 1975 that openly feminist political wives were “still the exception,” this group was increasingly receptive to the women’s movement. McPherson, *The Power Lovers: An Intimate Look at Politics and Marriage* (New York: GP Putnam’s Sons, 1975): 105.

<sup>613</sup> Richard P. Kleeman, “Capital Wives Meet as Women,” *Minneapolis Tribune* (10 Jan 1971): 4A in “Organizations – Women, 1970-1973 (1)” Folder, Box 15, Arvonne S. Fraser Papers, Minnesota Historical Society, Saint Paul, MN. Hereafter referred to as A. Fraser Papers.

<sup>614</sup> A short history of the group called “The Nameless Sisterhood” can be found in Folder 54, Box 10, Women’s Equity Action League Papers (MC 500), Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA. Hereafter referred to as WEAL Papers (MC 500). The group’s name was a reaction to the Washington social whirl’s habit of asking who a woman’s husband was before asking for her name. “The Nameless Sisterhood of Washington Tentative Membership List” (26 May 1970) in “Nameless Sisterhood – 1970-1972” Folder, Box 61, A. Fraser Papers.

<sup>615</sup> Generally, consciousness-raising groups functioned as a method of identifying “common dilemmas . . . which require collective action for solution” and “explore new roles for social behavior and . . . [provide] support for women who wish to break out of traditional female roles.” Maren Lockwood Carden identifies groups like the Nameless Sisterhood that adopted more formal organizational structures and covered more “academic” topics as “more conservative.” The Nameless Sisterhood complicates this reading, demonstrating that the two kinds of groups were not mutually exclusive, nor did organizational form dictate the content of meetings. See Maren Lockwood Carden, *The New Feminist Movement* (New York: Russell Sage Foundation, 1974): 107-08.

<sup>616</sup> Stephen Miller, “June Bingham, 88, Biographer and Playwright,” *The Sun* (28 Aug 2008): <http://www.nysun.com/obituaries/june-bingham-88-biographer-and-playwright/61427/> (accessed 1 Jul 2012).

contained a number of staffers for anti-war and progressive congresspersons.<sup>617</sup> Personally or professionally invested in men who were highly influential in American government, these women would be less likely than radical feminists to believe that American democracy would co-opt their cause.<sup>618</sup> Instead, these women advocated seizing the power they already had.

Nameless Sisterhood members all faced a similar problem: self-definition. Washington wives attempted to use feminism to re-define and navigate their traditional helpmeet role.<sup>619</sup> Though their roles were deemphasized by political parties and often by their own husbands as well, wives regularly operated as their husbands' campaign and political office managers.<sup>620</sup> Women who worked for powerful men encountered the same issue. Their achievements were subsumed under the names of their male employers. How could this group of women establish truly independent lives while married to or working for such men? These women understood that they owed much of their professional success and economic stability to the men in their lives.<sup>621</sup> Sisterhood members would thus develop their feminism in tandem with a rethinking of their place within government.

A typical Sisterhood meeting was more formal and organized than your average consciousness-raising session, though many of the common CR themes percolated through the group's discussions. Members would gather for a brown bag lunch at one sister's house, during

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<sup>617</sup> "The Nameless Sisterhood of Washington Tentative Membership List" (26 May 1970) in "Nameless Sisterhood – 1970-1972" Folder, Box 61, A. Fraser Papers.

<sup>618</sup> Congress' staffing and wives communities certainly did not "fear reform because it means involvement with power (seen as male) within the slimy institutions we want to destroy." Charlotte Bunch, "The Reform Tool Kit," *Passionate Politics: Feminist Theory in Action* (New York: St. Martin's Press, 1987): 107.

<sup>619</sup> The advent of women's liberation coincided with and also contributed to widespread media attention to the fate of the family in politics. Certainly, the liberalization of divorce laws and the bevy of resulting divorces that escalated through the 1960s and 1970s particularly drove media attention to the fate of government wives, as discussed in the first and third chapters. The number of stories on congressional wives includes Henry Mitchell, "Realities of Politics and Wives," *Washington Post* (23 Feb 1977).

<sup>620</sup> This central role was the primary reason why wives were often the best replacement legislators available when their husbands died in office.

<sup>621</sup> Many of the questions the group initially asked are included in the "Women and Work" Sisterhood Announcement (n.d.), "Nameless Sisterhood – 1970-1972" Folder, Box 61, A. Fraser Papers. I have tweaked them slightly. See also McPherson, *The Power Lovers*: 101.

which the group would either discuss a reading or listen to a speaker. A question and answer session followed. Nameless Sisterhood conversations circled around familiar topics like family and divorce, birth control, pregnancy and abortion, educational opportunities for women, and sex discrimination in the workplace. Members read widely, debating classic feminist books such as Mary Wollstonecraft's *A Vindication of the Rights of Women*, and newer radical feminist texts like Caroline Bird's *Born Female* and Kate Millett's *Sexual Politics*.<sup>622</sup> Though the group was demographically narrow, these women attempted to broaden their understanding of the variation of and commonalities between the lived experiences of women.

The primary difference between the Nameless Sisterhood and other CR groups was the Sisterhood's overtly government-oriented frame of reference.<sup>623</sup> The initial membership immediately divided itself into smaller groups to study particular policy areas like Social Security and pensions, abortion, and the ERA.<sup>624</sup> Within three years, these interests had multiplied.<sup>625</sup> Options in 1973 included elementary and secondary education, insurance, divorce

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<sup>622</sup> For meetings in which members discussed radical feminist texts, see "Notes from Women's Meeting" (26 May 1970), "Nameless Sisterhood – 1970-1972" Folder, Box 61, A. Fraser Papers; "WEAL's Nameless Sisterhood Meeting, March 1974 Meetings" (Mar 1974), "Nameless Sisterhood – 1973-1974" Folder, Box 61, A. Fraser Papers. Kate Millett actually gave a talk at the Women's Democratic Club. See "Notes from Meeting in Congressman Fraser's Office Nov. 19," in "Nameless Sisterhood – 1970-1972" Folder, Box 61, A. Fraser Papers. Her book was also featured in a WOW meeting. See "WOW – 1969-1974 (2)" Folder, Box 63, A. Fraser Papers.

<sup>623</sup> Arvonne Fraser noted to her Sisterhood chair successor that "legislation and marriage and divorce [will] be major topics for S'hds. – at least in the beginning." See Arvonne Fraser to Kay Toll (31 Jul 1973), "Toll, Kay" Folder, Box 12, A. Fraser Papers.

<sup>624</sup> "Notes from Women's Meeting" (26 May 1970), "Nameless Sisterhood – 1970-1972" Folder, Box 61, A. Fraser Papers.

<sup>625</sup> The Nameless Sisterhood conducted a survey of its members to determine how many groups were necessary and how interests would be allocated amongst the different groups. See "Sisterhood Is Powerful" memo (n.d.) in "WEAL Correspondence – 1973-1974 (1)" Folder, Box 11, A. Fraser Papers. Arvonne Fraser believed that there would eventually be about five Sisterhoods. See Arvonne Fraser to Kay Toll (31 Jul 1973), "Toll, Kay" Folder, Box 12, A. Fraser Papers. The initial group remained dedicated to dissecting readings on women and feminine roles in society, while one new Nameless Sisterhood focused on the "emotional" component of the movement and the last became a "study group" that functioned much like a book club focused on feminism and women's issues. Activities for these Sisterhood groups during the years of 1973 and 1974 can be found in the meeting announcements, located in the "Nameless Sisterhood – 1973-1974" Folder, Box 61, A. Fraser Papers. Many members appeared to view these groups as somewhat interchangeable, with the exception of the "Evening 'Support Sisterhood,'" which catered to working women.

and marriage law, foundations and fellowships, credit, volunteerism, and legislation.<sup>626</sup> The Sisterhood brought in speakers from the Women's Bureau, or policy experts like Bernice Sandler, whose work on sex discrimination in higher education had become well-known in D.C.<sup>627</sup> When the group wanted to learn about the Equal Rights Amendment (ERA), they headed over to the Women United headquarters to listen to Marguerite Rawalt, lawyer for the National Organization for Women's (NOW) ERA effort.<sup>628</sup> Members were thus uniquely privy to insider information on government programs and local feminist job opportunities.<sup>629</sup>

The elite nature and policy orientation of the Nameless Sisterhood's membership affected its ability to reach across racial, sexual preference, and class divides. In its first few years, the Sisterhood conducted a survey of its members to ascertain what reading and discussion topics were most fruitful for its members. These surveys reveal a small subset of Sisterhood women who were uncomfortable with the Sisterhood's privilege. One woman wrote that she was "dissatisfied" because the Sisterhood was "upperclass WASP" with an "establishment,

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<sup>626</sup> 1973 questionnaire forms in "NCC Weal: Nameless Sisterhood – Questionnaire" Folder, WEAL Papers (MC 500); Arvonne Fraser (n.d.) in "WEAL Correspondence – 1973-1974 (1)" Folder, Box 11, A. Fraser Papers. The Sisterhoods were often founded with conversations revolving around legislation, marriage, and divorce. See Arvonne Fraser to Kay (31 Jul 1973), "Nameless Sisterhood – 1973-1974" Folder, Box 61, A. Fraser Papers.

<sup>627</sup> "Notes from Women's Meeting" (26 May 1970) in "Nameless Sisterhood – 1970-1972" Folder, Box 61, A. Fraser Papers; "Notes from Meeting in Congressman Fraser's Office Nov. 19," in "Nameless Sisterhood – 1970-1972" Folder, Box 61, A. Fraser Papers; "Nameless Sisterhood – February 1974 Meetings" (Feb 1974), "Nameless Sisterhood – 1973-1974" Folder, Box 61, A. Fraser Papers. This last newsletter can also be found in "Women's Issues and Organizations, 1974" Folder, Box 2, A. Fraser Papers. See also "WEAL Newsletter," (6 Nov 1972), "NCC – Board Matters & Correspondence, 1970-1973 (2)" Folder, Box 19, A. Fraser Papers. Women's Bureau reports constituted a sizeable number of group readings, especially during those meetings devoted to sex discrimination in and gendered patterns of employment. Sisterhood reading materials and NCC WEAL research materials frequently overlapped, at least partially because the membership overlapped as well. See Arvonne Fraser to Mary Lou Hennessy, Sara Mazie, Bert Hartry, Velma Brock, Carol Foreman, Linda Kamm, and Roz Kleeman (26 Mar 1971), Folder 19, Box 47, Bernice Resnick Sandler Papers, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA. Hereafter referred to as Sandler Papers.

<sup>628</sup> "Nameless Sisterhood Gala Spring Meeting" (19 May 1971), "Nameless Sisterhood – 1970-1972" Folder, Box 61, A. Fraser Papers.

<sup>629</sup> One Sisterhood meeting specifically responded to many of the members' plans to reenter the workforce by assigning reading materials and inviting speakers to specifically address concerns about finding jobs and negotiating home life with two earners. Sisterhood members who worked for the employment networking group Wider Opportunities for Women were told to be prepared for questions. See "Two February Sisterhood Meetings . . ." (1974) and "The Nameless Sisterhood – April Meetings" (n.d.), "Nameless Sisterhood – 1973-1974" Folder, Box 61, A. Fraser Papers; "Notes from Women's Meeting" (26 May 1970), "Nameless Sisterhood – 1970-1972" Folder, Box 61, A. Fraser Papers.



achievement orientation.” The member went on to request “(1) more diversity (economic, racial, age, national origin, sexual preference, life style orientation) of women and (2) more personal experience, ideas and feelings exchanged than official reports.”<sup>630</sup> Yet this homogeneity attracted many government women who felt that they did not fit in amongst the “radicals,” some of whom they described as “politically naïve.”<sup>631</sup> Many Sisterhood members saw ignoring their political connections as inherently irresponsible and wasteful, as well as a denial of their own identities.

These women were political operatives, after all. Their direct line to Congress informed their discussions and activities. One Sisterhood cadre met regularly at the Women’s National Democratic Club (WNDC) headquarters to accommodate the legislators’ wives and party regulars involved in the group.<sup>632</sup> Often, the Sisterhood resembled a lobby. In the early months of group meetings, the group recommended that all members write to Sen. Birch Bayh (D-IN) for copies of the ERA, which they felt had not received adequate media attention. In the same meeting, Sala Burton recommended that members keep an eye on pension reforms currently moving through the House Education and Labor Committee, which was chaired by her husband.<sup>633</sup> In other meetings, the group discussed the content of and lobbying strategies for the

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<sup>630</sup> Penny Addiss, 1973 questionnaire form in “NCC Weal: Nameless Sisterhood – Questionnaire” Folder, WEAL Papers (MC 500).

<sup>631</sup> Arvonne Fraser, “Insiders and Outsiders: Women in the Political Arena,” *Women in Washington: Advocates for Public Policy*, ed. Irene Tinker (Beverly Hills, CA: Sage Publications, 1983): 121.

<sup>632</sup> The predominance of Democratic Party members is striking. Sisterhood member Ruth Loevinger was the WNDC treasurer. Political wives like June Bingham and Sala Burton were involved in both organizations and would eventually join Congress as legislators. Arvonne Fraser to Kay Toll (31 Jul 1973), “Toll, Kay” Folder, Box 12, A. Fraser Papers; “NCC Weal: Nameless Sisterhood – Questionnaire” Folder, WEAL Papers (MC 500). For the most comprehensive documentation of Sisterhood meeting places and times, see Arvonne Fraser’s schedule books in Box 1, A. Papers.

<sup>633</sup> “Notes from Women’s Meeting” (26 May 1970), “Nameless Sisterhood – 1970-1972” Folder, Box 61, A. Fraser Papers. The group continued to learn about and advocate for the ERA until its successful passage through Congress in 1972. For more Sisterhood news on the ERA and Sen. Abner Mikva (D-IL), see Arvonne Fraser’s handwritten notes on a meeting at Martha Lewis’ house (n.d.), “Nameless Sisterhood – 1970-1972” Folder, Box 61, A. Fraser Papers.

Equal Employment Opportunities bill and Sen. Birch Bayh's Higher Education bill, which included a sex discrimination provision.<sup>634</sup>

Influencing government required that Sisterhood members formally join the national women's movement. Arvonne Fraser quickly attempted to roll the Nameless Sisterhood over into a second organization – a Capitol chapter of the Women's Equity Action League (NCC WEAL). WEAL was particularly appealing to these women because the League explicitly stated that it “works within the system” to research and advocate for noncontroversial women's equality policies.<sup>635</sup> “[P]rofessional women or working women of the middle classes and above” followed one another into the new group.<sup>636</sup> Some Sisterhood meeting announcements often included an invitation to join WEAL, and the policy-oriented Nameless Sisterhood meeting began charging one dollar to non-WEAL members by 1973.<sup>637</sup> This Sisterhood group was often referred to as “WEAL's Nameless Sisterhood” or “Sisterhood Joins WEAL.”<sup>638</sup>

NCC WEAL's comparatively privileged role within the policy process shaped the trajectory of WEAL nationally. Started by Elizabeth Boyer in 1968 as an Ohio-centric NOW splinter group, WEAL quickly veered towards a focus on national policy-making.<sup>639</sup> Early

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<sup>634</sup> “Nameless Sisterhood” notice, (n.d.), “Nameless Sisterhood – 1970-1972” Folder, Box 61, A. Fraser Papers.

<sup>635</sup> Fraser, *She's No Lady*: 150. Materials on the first meeting of NCC WEAL can be found in Arvonne Fraser to Betty Boyer (26 Mar 1971) and Betty Boyer to Arvonne Fraser (1 Apr 1971), “WEAL – Board Matters and Membership Mailings, 1971-1972” Folder, Box 11, A. Fraser Papers. The invitation to the “first convening meeting” can be found in “NCC – Board Matters & Correspondence, 1970-1973 (1)” Folder, Box 19, A. Fraser Papers. See Fraser's direct appeal for Sisterhood members to join NCC WEAL in See “nameless sisterhood. . . meets again. . .” notice (n.d.), “Nameless Sisterhood – 1970-1972” Folder, Box 61, A. Fraser Papers. WEAL's initial avoidance of positions on abortion and its staunch opposition to public demonstrations made the League attractive to women engaged in the policy process. Phone interview with Bernice Sandler (26 May 2011).

<sup>636</sup> Kay Toll, quoted in “WEAL Newsletter” (Feb 1974), “NCC – Newsletter, 1971-1980” Folder, Box 19, A. Fraser Papers.

<sup>637</sup> See the meeting announcements and “Agenda for Nameless Sisterhood” (2-3 Oct 1973), “Nameless Sisterhood – 1973-1974” Folder, Box 61, A. Fraser Papers. See also, Arvonne Fraser to Kay Toll (31 Jul 1973), “Toll, Kay” Folder, Box 12, A. Fraser Papers.

<sup>638</sup> “WEAL's Nameless Sisterhood Meeting, March 1974 Meetings” (Mar 1974), “Nameless Sisterhood – 1973-1974” Folder, Box 61, A. Fraser Papers; “The Nameless Sisterhood – April Meetings” (n.d.), “Nameless Sisterhood – 1973-1974” Folder, Box 61, A. Fraser Papers.

<sup>639</sup> WEAL periodically conducted national membership drives, but these drives were generally unsuccessful in attracting substantial numbers of women to the organizations. For information on WEAL's 1971 chapter formation

WEAL member Bernice “Bunny” Sandler’s highly visible and very successful attack on sex discrimination in higher education fundamentally changed WEAL’s goals and membership demographics.<sup>640</sup> The integration of Sisterhood and NCC WEAL memberships reinforced the emphasis on Washington. By the early 1970s, District women constituted a substantial minority of WEAL membership numbers.<sup>641</sup> Arvonne Fraser’s 1974 national League presidency signified how important Hill women had rapidly become within the organization. The predominance of well-connected and politically oriented District feminists would make WEAL a uniquely important player in national feminist policymaking.

Already linked to national politics through employment and social circles, Fraser and her fellow WEAL members continued to recruit feminists in high-ranking positions within government. Many members worked for women-oriented programs within the Department of Health, Education, and Welfare (HEW), the Equal Employment Opportunity Commission (EEOC), and the Labor Department, amongst other federal government institutions.<sup>642</sup> Fraser advised her successor that women like Carol Kummerfeld of the U.S. Commission on Civil Rights and Jill Ruckelshaus, Women’s Affairs Assistant to President Nixon and a founding member of the NWPC, should simply retain membership in NCC WEAL regardless of whether

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drive, see Folder 187, Series IX, Women’s Equity Action League (WEAL) Papers (MC 311), Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA. Hereafter referred to as WEAL Papers (MC 311).

<sup>640</sup> Sandler began filing complaints against colleges and universities in 1968, eventually charging several hundred institutions with sex discrimination. Such discriminatory practices meant that these institutions were ineligible for federal funds under former President Lyndon Johnson’s Executive Order 11248. For a short history of Bunny Sandler’s role in the creation of Title IX, see Bernice R. Sandler, “‘Too Strong for a Woman’ – The Five Words That Created Title IX,” <http://www.bernicesandler.com/id44.htm> (accessed 6 Feb 2013).

<sup>641</sup> District women so dominated the membership of WEAL that leadership unsuccessfully attempted to combat this dominance through recruitment drives in other areas of the country from 1973 onwards. Under Fraser’s guidance, national WEAL did attempt to export the Sisterhood/NCC WEAL structure to other states, but the structure never really took off. See the Arvonne Fraser to Kay Toll (31 Jul 1973), “Toll, Kay” Folder, Box 12, A. Fraser Papers; “The Small Group Concept” (Nov 1973), “WEAL Board Matters and Membership Mailings, 1971-1972” Folder, Box 10, A. Fraser Papers.

<sup>642</sup> It seems that the membership of NCC WEAL moved from women affiliated with WNDC and WOW to women embedded in these federal bureaucracies, with a constant minority of women employed on the Hill. See the membership rolls in the “NCC – Board Matters & Correspondence, 1970-1972” Folder versus those in “NCC – Member Directories, 1975, 1978” Folder, both Box 19, A. Fraser Papers.

they regularly paid dues.<sup>643</sup> Similarly, Fraser made sure that Phineas Indritz, the well-connected staffer to Rep. Martha Griffiths (D-MI), always received a copy of NCC WEAL mailings.<sup>644</sup>

Networks tied the Sisterhood and NCC WEAL tightly to both District feminism and political elites in Congress.<sup>645</sup> Federally Employed Women (FEW), the NWPC, NOW, and other women's groups often overlapped in membership, leaned on one another for material and information resources, and operated in close geographical proximity to each other.<sup>646</sup>

Women's organizations attempted to establish consistent information and newsletter exchanges to solidify these connections and "avoid duplication of efforts," often paying dues to one another.<sup>647</sup> As a member of NCC WEAL/Sisterhood, Fraser established the legislative office of national WEAL, staffing it primarily with WEAL/Sisterhood members and coordinating with other feminist congressional staffers who worked closely with Rep. Don Fraser's (D-MN) office on legislative research, writing, and lobby work. Executive committee meetings were occasionally held in the Fraser office during lunchtime.<sup>648</sup>

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<sup>643</sup> Arvonne Fraser to Kay Toll (31 Jul 1973), "Toll, Kay" Folder, Box 12, A. Fraser Papers.

<sup>644</sup> WEAL – NCC Luncheon Meeting Notice (13 Mar 1972), Folder 12, Box 11a, Phineas Indritz Papers, Special Collections and Archives, Howard University Law Library, Washington, D.C. Hereafter referred to as Indritz Papers.

<sup>645</sup> Fraser noticed and attempted to ease the domination of many of these groups by the same small cadre of women. See Arvonne Fraser to Kay (31 Jul 1973), "Nameless Sisterhood – 1973-1974" Folder, Box 61, A. Fraser Papers.

<sup>646</sup> Former AAUW employee and National Education Association staffer Shirley McCune joined NCC WEAL at the behest of local NOW and WEAL member Marian Norby. Marian Norby to Arvonne Fraser (23 May 1971), "NCC – Board Matters & Correspondence – 1970-1973 (2)" Folder, Box 19, A. Fraser Papers. Ruth Oltman, a researcher in higher education for the AAUW, continued the organization's presence in NCC WEAL.<sup>646</sup> Daisy Fields, the former president of FEW, joined the local League chapter. Arvonne Fraser to Janice Mendenhall, Bert Harty, and Judy McFadden (n.d.), "NCC – Correspondence, 1971-1972" Folder, Box 19, A. Fraser Papers. Co-founder of the Center for Women Policy Studies, Margaret Gates was an early NCC member and served on the Board with Arvonne Fraser and Bunny Sandler. See membership rolls in "NCC – Board Matters & Correspondence, 1970-1972" Folder, Box 19, A. Fraser Papers. See also materials in "Center for Women Policy Studies – 1973" Folder, Box 60, A. Fraser Papers.

<sup>647</sup> Mary Jo Binder (Women's Alliance), Helen Lewis (DC Commission on the Status of Women), Jan Margolis (Center for a Voluntary Society), and Ruth Whitney (NOW) to "Friend" (17 Mar 1972), "NCC – Correspondence, 1971-1973, 1975-1976" Folder, Box 19, A. Fraser Papers. NCC WEAL paid dues to DC NOW and Women's Legal Defense Fund (WLDF), in order to receive their newsletters. See Arvonne Fraser to Martha Lewis (23 Feb 1975), "NCC – Correspondence, 1971-1973, 1975-1976" Folder, Box 19, A. Fraser Papers.

<sup>648</sup> WEAL Executive Committee meeting memo (12 Apr), "NCC – Board Matters & Correspondence, 1970-1973 (1)" Folder, Box 19, A. Fraser Papers.

National WEAL's legislative program was shaped by local WEAL members who also worked as staffers on the Hill.<sup>649</sup> WEAL never acquired a broad national constituency like NOW. By 1974, D.C. membership constituted nearly a quarter of WEAL's total membership, the D.C. contingent was more than twice as large as that of any other state or region, and NCC women were the most likely to renew their memberships.<sup>650</sup> As well-placed women joined local groups and adopted feminism as a cause, they naturally melded their well-developed Rolodexes and knowledge of political processes with their activism. District women who were already individually well-connected within politics organized a system of overlapping local chapters, legislative office staffs, consciousness-raising groups, and legislative networks. The interwoven membership rolls of local government-oriented feminist organizations made information-sharing easier when the groups worked together to collect information or advocate for policy.

#### Grassroots and National: Approaches to Feminist Organizations

From their positions in and around government, staffers, wives, and other local feminists began the push for feminist legislation before any of the major new feminist organizations had established their D.C. legislative offices. Congress already contained large numbers of discontented female secretaries and aides willing to work for women's rights in small and large ways. Working for a budding legislative program, the local lobbyists and the staffers who assisted them were more openly feminist than many of the Caucus members who directly

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<sup>649</sup> This office predated the establishment of a national WEAL office in the District, formally shifting the organization from Cleveland, OH to D.C. in accordance with WEAL's primary constituency: women in government. Arvonne Fraser to Washington WEAL Executive Committee Members (2 Jul 1972), Folder 103, Series VII, WEAL Papers (MC 311). For Betty Boyer's recollections of early WEAL demographics, see Folder 27, Carton 1, WEAL Papers (MC 500).

<sup>650</sup> NCC WEAL accounted for 18.5% of the total membership of WEAL in 1975, down from 22.5% of the total membership the year before. NCC WEAL's 1974 renewed membership totaled 225 members, and the next largest state total was Ohio, with 127 renewals. See Jessie to Athena (12 Sep 1975), Folder 76, Series VI, Subseries A, WEAL Papers (MC 311).

targeted their employers. As legislators hired more women's issues staffers, the pool of recruits expanded. Groups that carefully, methodically accumulated contacts in a wide variety of congressional offices gained an invaluable resource. These individuals were the heart of feminism's "Washington underground."<sup>651</sup>

Legislative research and lobbying was initially a NCC WEAL project, rather than a national venture.<sup>652</sup> As policy interests expanded, the National Capitol chapter organized a legislative committee chaired by Sisterhood member Carol Foreman and Ellen Sudow, a staffer for the Democratic Study Group (DSG), the liberal legislative service organization in Congress. The committee produced a monthly overview of current women's equity bills and their standing within Congress.<sup>653</sup> Meanwhile, Arvonne Fraser lined up lobbyists from unions and traditional women's organizations to conduct training sessions for new recruits.<sup>654</sup> WEAL's national legislative office opened in the late months of 1972 operating "on a shoestring," as Fraser put it,

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<sup>651</sup> The term "Washington underground" is Betty Freidan's. For a short overview of East's role in federal government, see Kathleen A. Laughlin, *Women's Work and Public Policy* (Boston: Northeastern University Press, 2000): 112. The identities of these women in the "underground" remain elusive. For references in Betty Friedan texts, see Betty Friedan, *It Changed My Life: Writings on the Women's Movement* (Cambridge, MA: Harvard University Press, 1998): 103; Betty Friedan, *Life So Far: A Memoir* (New York: Simon and Schuster, 2006): 171. Historian Patrician Zelman contends that "the underground" was "a loose network of female employees in Congressional offices and executive agencies [who] shared a frustration over the discrimination faced by women, and a strong desire to see Title VII effectively enforced." See Zelman, *Women, Work, and National Policy: The Kennedy-Johnson Years* (Ann Arbor, MI: UMI Research Press, 1980): 105. Historian Cynthia Harrison identifies Catherine East, Sonia Pressman, Pauli Murray, and Martha Griffiths as key members of the "feminist underground." See Cynthia Harrison, *On Account of Sex: The Politics of Women's Issues, 1945-1968* (Berkeley, CA: University of California Press, 1989): 193.

<sup>652</sup> Members initially focused on child care policy, compiling information on the seven child care bills moving through the 92<sup>nd</sup> Congress. Ibid; "Child Care Bills – 92<sup>nd</sup> Congress," "WEAL – Board Matters and Membership Mailings, 1971-1972" Folder, Box 11, A. Fraser Papers.

<sup>653</sup> The chapter provided the report to the national because, as Arvonne Fraser put it, members felt that they had an "obligation" to do so. However, the D.C. chapter also allowed non-WEAL members to purchase subscriptions to the newsletter, giving them a small but useful source of external funding. See Arvonne Fraser to Norma Raffel (21 Dec 1971), "WEAL Board Matters and Membership Mailings, 1971-1972" Folder, Box 10, A. Fraser Papers.

<sup>654</sup> WEAL legislation volunteer Helene Fisher had previously worked on legislation for the National Council of Jewish Women. Arvonne Fraser to Ellen Sudow, Carol Foreman, Martha Lewis, Helene Fisher, Susan Tenenbaum, Jessie Baum, and Kay Toll (31 Jul 1973), "Toll, Kay" Folder, Box 12, A. Fraser Papers. NOW and NWPC also turned to older lobbying organizations when it established its legislative office. See Costain, *Inviting Women's Rebellion*: 50.

by leaning heavily on the staff within the Fraser office, as well as supplies and money donations from members.<sup>655</sup>

The informational flow between the Sisterhood, the local D.C. chapter, and the WEAL legislative office often generated policy research and analysis. While NCC WEAL and the WEAL legislative office used small groups or single person research units, Sisterhood meetings provided a venue for collective conversations about women's equity policies moving through the House and Senate. Ellen Sudow and Carol Foremen appeared at Sisterhood meetings and explained their work to members.<sup>656</sup> Similarly, WEAL legislative office staffer Maggie Kampelman presented information on abortion legislation at a noontime meeting.<sup>657</sup> Sometimes, WEAL/Sisterhood members would produce materials based on bills moving through Congress, which were then transmitted to WEAL's national legislative office. Other times, Sisterhood discussion topics would verge on policy brainstorming discussions, which the WEAL legislative office translated into bill research.<sup>658</sup>

The WEAL lobby was a small operation almost seamlessly integrated into the congressional work world. After Fraser's transition from legislative director to president of WEAL, DSG staffer Ellen Sudow was placed in charge of the national WEAL legislative office, a position she would maintain until Fraser returned to the post in 1975.<sup>659</sup> Other Hill women such as Susan Tenenbaum, a Fraser aide, and Linda Kamm, former counsel for the House Labor

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<sup>655</sup> Ibid.

<sup>656</sup> "nameless sisterhood... meets again..." notice (n.d.), "Nameless Sisterhood – 1970-1972" Folder, Box 61, A. Fraser Papers.

<sup>657</sup> "WEAL's Nameless Sisterhood Meeting, March 1974 Meetings" (Mar 1974), "Nameless Sisterhood – 1973-1974" Folder, Box 61, A. Fraser Papers.

<sup>658</sup> "Nameless Sisterhood Meets Again..." notice (n.d.), "Nameless Sisterhood – 1970-1972" Folder, Box 61, A. Fraser Papers. See also Arvonne Fraser to Kay Toll (31 Jul 1973), "Toll, Kay" Folder, Box 12, A. Fraser Papers.

<sup>659</sup> Arvonne Fraser to Luvern Conway (12 Jan 1973), "WEAL Correspondence, 1972-1973" Folder, Box 11, A. Fraser Papers.

Committee, provided free labor for the WEAL office's legislative committee.<sup>660</sup> Secretary Arlene Horowitz and Rep. Philip Burton's (D-CA) aide Judith Nies also worked for WEAL.<sup>661</sup> A number of other staffers put together the weekly *Washington Report*, maintained membership lists, answered the phone, typed, and generally maintained a local, fixed physical presence for WEAL.<sup>662</sup>

From this position, WEAL could network with a pre-existing group of feminists operating out of Rep. Martha Griffiths' office. A longtime civil rights activist in the federal government, lawyer Phineas Indritz became conscious of gender discrimination during Griffiths' speech on the House floor in favor of adding sex to the 1964 Civil Rights Act.<sup>663</sup> Familiar with her through his work as counsel on the House Government Operations Committee in the mid-fifties, Indritz began to work for Griffiths while using his staff position on an ever-changing set of committees to insert feminist materials into the *Congressional Record*.<sup>664</sup> As feminist staffer and WEAL member Bunny Sandler advised NOW Board chair Wilma Scott Heide in 1970, "[w]hile Mrs. Green will occasionally put stuff on the record, she tends to move slowly and cautiously in this area. Phineas is really a better bet. . . . This is Phineas' stock in trade, and he

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<sup>660</sup> Judith Nies, *The Girl I Left Behind: A Narrative History of the Sixties* (New York: Harper, 2008): 251.

<sup>661</sup> Ibid: 255. Nies identifies age differences as the major source of conflict within the office: "Arlene and I, who were younger than most of the others on the committee, remarked how older women often seemed to take credit for our ideas." This recollection is supported by Arlene Horowitz in a phone interview with Amanda Edwards (20 Nov 2008). Notes in files of Amanda Edwards. Horowitz performed clerical labor for Rep. Patsy Mink and then for the House Education and Labor Committee.

<sup>662</sup> A good overview of the legislative office duties and those performing those duties during 1976 can be found in the Arvonne Fraser to Paula, Eileen, Doris, and Bunny (31 Jan 1976), "WEAL – National Office Org, 1975-1976" Folder, Box 15, A. Fraser Papers.

<sup>663</sup> Emily George, *Martha Griffiths* (Washington, D.C.: University Press of America, 1982): 152.

<sup>664</sup> A transcript of Indritz's own account of his path from writing civil rights briefs and legislation to working with Rep. Martha Griffiths can be found in pages 27-30 of "NOW Origins" Folder 7, Box 7, Tully-Crenshaw Feminist Oral History Project Collection, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA. A brief overview of his career in Congress can be found in John Dingell's tribute upon Indritz' death. See Rep. John D. Dingell, *Congressional Record*, 143:143 (22 Oct 1997): H8978. This tribute can also be found at [http://capitolwords.org/date/1997/10/22/H8978-2\\_tribute-to-phineas-indritz/](http://capitolwords.org/date/1997/10/22/H8978-2_tribute-to-phineas-indritz/) (accessed 30 Jan 2013).



does well at it.”<sup>665</sup> Indritz was responsible for much of the visible information on sex inequalities floating around the Hill during the 1960s.

Phineas Indritz was a perfect advocate for women’s issues on the Hill. He was male, had worked as counsel or consultant to a number of committees that did not deal with feminist policies, had a lengthy Hill career, and feminism fit perfectly with his long history of support for civil rights.<sup>666</sup> Indritz’s substantial political skills also allowed him to work as a negotiator between groups of women’s rights activists on the Hill. As Sandler noted of Indritz, “[h]e knows virtually everyone who is interested in the subject [of women’s rights], knows their individual idiosyncrasies in terms of who would be scared off by one article and not by another, and he is quite a power broker behind the scenes.”<sup>667</sup> Depending on the situation, Indritz could be a more effective coalition-builder than Martha Griffiths. And Indritz’s Hill presence outlasted Griffiths’. Phineas Indritz remained in Congress through 1994 as a beloved consultant with a phone and desk “specially reserved for him.”<sup>668</sup>

Catherine East was similarly a feminist warhorse in the federal government, having worked for the Civil Service Commission before serving in a senior capacity for every presidential advisory committee on women from 1962 until 1977. East served as a “primary information source,” researching and writing her own reports, as well as cultivating the web of researchers in federal government.<sup>669</sup> She had access to free photocopying, making her the most

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<sup>665</sup> Bunny to “Wilma Heidi” (20 Sep 1970), Folder 8, Box 63, Sandler Papers.

<sup>666</sup> Indritz served as Chief Counsel for the House Committee on Government Operations’ Subcommittee on Public Works and Resources from 1957 until 1975. While working for the Committee he served as Chief Counsel for subcommittees on Executive and Legislative Reorganization, Assigned Power and Lands, Government Information, Government Activities, and Conservation and Natural Resources. He then served as a consultant for the Energy and Power Subcommittee of the House Interstate and Foreign Commerce Committee until 1978. See Ibid.

<sup>667</sup> Bunny to “Wilma Heidi” (20 Sep 1970), Folder 8, Box 63, Sandler Papers.

<sup>668</sup> Molly B. Alexander and Seth Kronemer, “Phineas Indritz Papers Finding Aid” (Washington, D.C.: Howard University, May 2006): <http://library.law.howard.edu/archives/indritz.html> (accessed 13 Nov 2012).

<sup>669</sup> Catherine East, quoted in Jacqueline Trescott, “Working for Women: Catherine East Honored for Showing the Way,” *Washington Post* (30 Apr 1983): CS, Folder 6, Carton 1, Catherine East Papers, Schlesinger Library,

economical and efficient disseminator of feminist legislative information in the country.<sup>670</sup> Pauli Murray recalled that Catherine East “toil[ed] away in her tiny office at the U.S. Department of Labor, making frequent trips to the Xerox room to reproduce data for the packets she sent out to her small constituency.”<sup>671</sup> Unlike many of her peers, East did not shy away from more radical feminism. She collected, photocopied, and redistributed women’s liberation journals and Women’s Bureau publications alike.<sup>672</sup>

East’s and Indritz’s working relationships with a multiplicity of women’s rights activists created lasting links between the federal government and the women’s movement.<sup>673</sup> Catharine East would often direct feminists to Phineas Indritz for information on legislative strategy and access the *Congressional Record*. In turn, Indritz became involved in both NOW and WEAL

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Radcliffe Institute, Harvard College, Cambridge, MA. Hereafter referred to as East Papers. Others in the movement emphasized this role. See Cathy S. Zahn, “Catherine East: Gatekeeper of the Women’s Movement” (18 May 1987): 5; 13, Folder 11, Box 1, East Papers.

<sup>670</sup> Phone interview with Bernice Sandler (26 May 2011). East had access to the Women’s Bureau cop machine. See Catherine East, quoted in Cathy S. Zahn, “Catherine East: Gatekeeper of the Women’s Movement” (18 May 1987): 13, Folder 11, Box 1, East Papers.

<sup>671</sup> Pauli Murray, *Song in a Weary Throat: An American Pilgrimage* (HarperCollins, 1987): 362. Journalist Eileen Shanahan suggested that the most important Washington underground was a network of female staffers: “We had about a dozen women in Congress. We had not very many women in the executive branch. I remember when I was in the Treasury Department a little earlier than that, in ‘61 and ‘62, that I was the highest ranking women in any of the economic policy agencies, four or five ranks below an assistant secretary—about four below that. I think there were a few women staffers in Congress. It wasn’t large. I do remember, for example, some hearings with women staffers. It was later—not much later, it was ‘73 because I remember the hearings ran simultaneously with the Watergate hearings so my stories ran deep inside the paper.” Eileen Shanahan, Interview #6 with Mary Marshall Clark (Washington, D.C., 21 Feb 1993): 113-14, available at <http://beta.wpcf.org/oralhistory/shan6.html> (accessed 24 Oct 2012).

<sup>672</sup> Sylvia Roberts, Regional Director of the South for NOW to Mary Danyluk (16 Apr 1970) and separate Sylvia Roberts to Evelyn G. Webster (16 Apr 1970), Box 20, Flora Crater Papers, Small Special Collections, University of Virginia, Charlottesville, VA. Hereafter referred to as Crater Papers.

<sup>673</sup> For information on East’s role in the founding of NOW, see Jacqueline Trescott, “Working for Women: Catherine East Honored for Showing the Way, *Washington Post* (30 Apr 1983): C3 in Folder 6, Carton 1, East Papers. For information on East’s role in the founding of WEAL, see “Catherine East Wins WEAL’s Elizabeth Boyer Award,” *WEAL Washington Report* (Jun/Jul 1983): 11 in Folder 6, Carton 1, East Papers, Schlesinger Library. The group initially focused their efforts on the EEOC’s non-enforcement of the anti-sex discrimination clause in the 1964 Civil Rights Act. See “A Decade of Accomplishments, 1968-1978,” *WEAL: Working for Women so Women Can Work for Themselves* pamphlet, Folder 7, Box 35, Gloria Steinem Papers, Periodicals Collection, Smith College Archives, Smith College, Northampton, MA. Hereafter referred to as Steinem Papers.

while donating time and money to feminist legal causes.<sup>674</sup> East's friendship with Phineas Indritz allowed for networking with the Griffiths office, even as Martha Griffiths herself maintained a hearty distrust of feminists in the bureaucracy.<sup>675</sup> And East's longstanding contacts with "more respectable" women's groups like the National Federation of Business and Professional Women (BPW) and the League of Women Voters (LWV) allowed her to network these groups together with explicitly feminist organizations like NOW and WEAL as well as local radical feminist groups.<sup>676</sup> East and Indritz were, as NOW activist Gene Boyer put it, feminism's resident "deep throats" in government.<sup>677</sup>

NOW members with personal and professional relationships to the Hill formed the basis for NOW's congressional presence through the 1960s and early 1970s. They could move seamlessly between their government jobs and their roles as representatives for a national women's constituency. Meanwhile, D.C. NOW member Barbara Ireton and Jean Faust, a New York City NOW member who worked as Rep. Bill Ryan's (D-NY) part-time women's issues legislative aide, co-chaired NOW's National Legislative Task Force. Jane Hart, wife of Sen. Philip Hart (D-MI), was a founding member of NOW and served as its Political and Legal Rights Task Force chair.<sup>678</sup> These women often represented NOW during congressional hearings and in policy strategy sessions with members of other feminist groups.<sup>679</sup>

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<sup>674</sup> For basic information on Indritz' connection to WEAL, see "Catherine East Wins WEAL's Elizabeth Boyer Award," *WEAL Washington Report* (Jun/Jul 1983), Folder 6, Carton 1, East Papers.

<sup>675</sup> Griffiths was especially distrustful of Women's Bureau feminists, who opposed the ERA and wanted to maintain protective legislation. This was true of other pro-ERA feminists; Betty Freidan, was distrustful of Katherine Clarenbach, whom she referred to as "the darling of the Women's Bureau." See Freidan, *It Changed My Life: Writings on the Women's Movement* (Cambridge, MA: Harvard University Press, 1998): 81.

<sup>676</sup> Freeman, *The Politics of Women's Liberation*: 193.

<sup>677</sup> See page 30 of "NOW Origins" Folder 7, Box 7, Tully-Crenshaw Feminist Oral History Project Collection, Schlesinger Library, Radcliffe Institute, Harvard College, Cambridge, MA.

<sup>678</sup> Kathryn Clarenbach to NOW Board Members (29 Nov 1966) at <http://www.feminist.org/research/chronicles/early1.html> (accessed 24 Oct 2012).

<sup>679</sup> Rawalt also operated as past president of the Federation of Business and Professional Women (BPW). Mary Eastwood worked for the Justice Department. For information on Rawalt's, Eastwood's, and East's participation in

Though this small, informal, and fragmented lobbying operation was technically supplanted by the new NOW legislative office when it opened in 1973, this office was not organized to effectively displace its ad hoc predecessor.<sup>680</sup> The 1972 proposal for the office asserted that the legislative office “should involve as many NOW members as possible around the country” in doing lobbying work. “It should always favor finding someone new to do a job than undertake everything itself.”<sup>681</sup> Instead of capitalizing on local policy expertise, the NOW legislative office attempted to democratize its lobbying operations. This decision drastically reduced the scope and effectiveness of legislative office operations through the 1970s.

The NOW legislative office reflected legislative director Ann Scott’s belief that “the chapters are where the real work of NOW is done. [It is] grassroots lobbying that gets legislation passed.”<sup>682</sup> Scott’s belief in the importance of grassroots work was shared by most members of the national board, one of whom concluded that “No uniform program at the national level” was feasible.<sup>683</sup> NOW often assumed that government and “the vanguard” were fundamentally opposed to one another.<sup>684</sup> The very act of lobbying a male-dominated institution implied compromise with the enemy. The work of NOW lobbyists was tied to the diffuse and often contradictory positions of state and local chapters, even as chapters refused to pay dues in

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the policy process, see Kathleen Laughlin, *Women’s Work and Public Policy: A History of the Women’s Bureau* (Boston: Northeastern University Press, 2000).

<sup>680</sup> The office was established as part of a wave of new national offices established in the same year. NOW also placed a public relations office in New York City and an administrative national office in Chicago. See Maryann Barakso, *Governing NOW: Grassroots Activism in the National Organization for Women* (Ithaca, NY: Cornell University Press, 2004): 54.

<sup>681</sup> “Proposal for NOW’s Legislative Office in D.C.” (Jul 1972), Folder 1, Box 51, National Organization for Women (NOW) Papers, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA. Hereafter referred to as NOW Papers.

<sup>682</sup> Ibid. This belief was reflected in Elizabeth Cox’s explanation of office activities. She noted that “We feel that pressure from the district is much more effective than pressure from Washington. ‘Our function is not so much to be a lobbyist on the Hill as to coordinate the districts.’” See Elizabeth Cox, “An Interview with Ms. Elizabeth Cox of the National Organization for Women” (31 Oct 1974), Folder 7, Carton 52, NOW Papers.

<sup>683</sup> Beverly Jones, quoted in Barakso, *Governing NOW*: 57.

<sup>684</sup> These problems are fleshed out in Ibid: 139-40.

retaliation for the little work that NOW did pursue in Congress.<sup>685</sup> It is for these reasons that NOW retained a reputation as radical within the District, something that surprised younger feminists who arrived in D.C. thinking that NOW was on the conservative end of the political spectrum.<sup>686</sup>

The national NOW legislative office also repeatedly dealt with divisive infighting that hindered its effectiveness through the 1970s.<sup>687</sup> A number of staffers deemed the legislative office structure to be undemocratic.<sup>688</sup> NOW legislative office's organization mirrored the hierarchical congressional offices.<sup>689</sup> The office's constant battles over office structure and pay scales contributed to and heightened a high staffing turnover rate and chronic money problems.<sup>690</sup> In 1974, the board fired three of the legislative office employees, including the only

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<sup>685</sup> Political scientist Anne Costain notes that NOW's legislative program and presence on the Hill exacerbated the divisions between grassroots membership and the national office. See Anne Costain, "Representing Women: The Transition from Social Movement to Interest Group," *The Western Political Quarterly* 34:1, Special Issue on Women and Politics (Mar 1981): 104. The decentralized nature of NOW work eventually led to the development of the "CD-D.C. Connection," an information dispersal system that facilitated the mobilization of NOW women on behalf of key pieces of feminist legislation but further did not make substantial use of the legislative office's position at the heart of federal government. Upkeep for this system fell heavily on ERA and abortion-oriented staffers. For information on the CD-DC Connection program, see Folder 33, Carton 54, NOW Papers; Mary Vogel, legislative office notes (n.d.), Folder 25, Carton 53, NOW Papers.

<sup>686</sup> Charlotte Bunch, "Bringing Together Feminist Theory and Practice: A Collective Interview," *Signs* 21:4 (Summer 1996): 926.

<sup>687</sup> See Gelb and Palley, *Women and Public Policies*: 68.

<sup>688</sup> The turning point was the firing of longtime staffer Mary Vogel, who was supported by a number of part-time and intern staffers in the office. See materials in Folder 25, Carton 53, NOW Papers.

<sup>689</sup> The office strictly divided administrative and policy jobs and refused to equalize pay amongst the various employees, though some employees claimed that this equalization would actually allow the office to hire an extra full-time policy-oriented staffer. For an overview of the office structure, see Ann Scott and Casey Hughes to Personnel and Procedures Committee, Re: Requested Personnel Actions (29 Nov 1974), Box A8-14E, Crater Papers.

<sup>690</sup> Legislative Vice President Ann Scott had cancer and later took another fulltime job, substantially restricting the time she could devote to NOW's legislative agenda. See Mary Vogel's legislative office notes (n.d.), Folder 25, Carton 53, NOW Papers. She died in 1975, after which Casey Hughes formally took her place. Legislative office director Casey Hughes stepped into the power vacuum created during the illness, compounding tensions over salary disparities and unequal office labor distribution. See Mary Vogel to Casey Hughes, NOW Legislative Office (11 Nov 1974), Box A8-14E, Crater Papers. Mary Vogel was the only full-time staffer in the NOW office from 1973-74. She and fellow staffers Cathy Reeverts and Barbara Leerskov were fired after they sent a 1 Nov 1974 memo complaining of the hierarchical pay scales used in the legislative office and demanding a more top-down approach to agenda-setting. See Barbara Leerskov, Cathy Reeverts, and Mary Vogel to Members of Personnel and Procedures Committee, CC Board of Directors (1 Nov 1974), Box A8-14E, Crater Papers.

full-time staffer with any tenure in the office.<sup>691</sup> In 1975, NOW fired all of its legislative staffers.<sup>692</sup> Meanwhile, NOW's more radical members openly attacked the national legislative office's policy agenda.<sup>693</sup> The sole full-time employee responsible for both office management and any policy areas excepting the ERA and abortion, Mary Vogel scribbled on the bottom of her list of duties, "[s]ometimes the frustrations are just too much."<sup>694</sup>

NOW's broad legislative program quickly narrowed to two issues: the ERA and abortion.<sup>695</sup> Part of this narrowing was the result of resource management. In 1976, intern Mary Jean Neault complained of "literally mountains of bills that NOW should be concerned with." She wanted the office to prioritize, "so that energies can be channeled in the most important areas."<sup>696</sup> NOW allowed grassroots activists to determine which areas were "most important." When Congress passed the ERA in 1972, NOW shifted the bulk of its efforts to disseminating information and coordinating communications between various NOW chapters lobbying for the amendment at the state level. The amendment consumed enormous resources.<sup>697</sup> Compounding these efforts was the initiation of a National Right to Choose campaign in the wake of *Roe v.*

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<sup>691</sup> Mary Vogel to Casey Hughes, NOW Legislative Office (11 Nov 1974), Box A8-14E, Crater Papers.

<sup>692</sup> Anne Costain, "Representing Women: The Transition from Social Movement to Interest Group," *The Western Political Quarterly* 34:1, Special Issue on Women and Politics (Mar 1981): 105.

<sup>693</sup> Anne Costain, "Representing Women: The Transition from Social Movement to Interest Group," *The Western Political Quarterly* 34:1, Special Issue on Women and Politics (Mar 1981): 105.

<sup>694</sup> Vogel listed these policies, which included a Rape bill, the Women's Educational Equity Act, the Equal Credit bill, Title IX, the Flexible Hours bill, "and other bills you read about from time to time." Mary Vogel, legislative office notes (n.d.), Folder 25, Carton 53, NOW Papers. For a sense of the impossibility of one fulltime-employee staffing an office, see "Functions of the NOW Legislative Office" (n.d.), Folder 25, Carton 53, NOW Papers.

<sup>695</sup> These twin issues were monetarily privileged as well. In 1974, NOW budgeted \$430,000 for general expenses while devoting \$140,750 to ERA ratification and \$34,900 to reproductive issues. No other policy areas received their own funding pools. See Freeman, *The Politics of Women's Liberation*: 91.

<sup>696</sup> Mary Jean Neault, "Weekly Report – Legislative Office" (1976), Folder 23, Carton 53, NOW Papers.

<sup>697</sup> NOW often characterized ERA opponents as right-wing fringe radicals who belonged to the John Birch Society. They also asserted that anti-ERA and anti-NOW materials distributed by these groups "makes N.O.W. look more radical than we are." See Elizabeth Cox, "An Interview with Ms. Elizabeth Cox of the National Organization for Women" (31 Oct 1974), Folder 7, Carton 52, NOW Papers.

Wade.<sup>698</sup> Instead of establishing a local presence in Congress, NOW chose to hire two consultants – one for the ERA and one for abortion – who would work on these policy issues.<sup>699</sup>

Office fragmentation made it difficult to ascertain what, exactly, NOW's position was on other issues. In December of 1975, the Capitol Hill NOW chapter wrote a letter to the Seattle-based legislative vice president Elaine Latourell, complaining that "something is very wrong at the N.O.W. Legislative Office." The group specifically cited lobbyist Casey Hughes' refusal to take calls regarding an Abzug bill mandating equal rights for gays and lesbians. Their letter went on to note that another NOW lobbyist had reportedly referred to the measure as "the bill for those queers."<sup>700</sup> Whether or not these rumors were true, NOW's disorganization made it difficult to eliminate these kinds of missteps.<sup>701</sup> The national NOW did not develop a comprehensive legislative bulletin until 1976.<sup>702</sup> One of the first issues of this bulletin disclosed the existence of a single lobbyist, Pat Leeper, who was responsible for the Herculean task of following dozens of bills moving through both the House and the Senate.<sup>703</sup>

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<sup>698</sup> "The NOW Legislative Office," Box A8-13D, Crater Papers; Barbara Leerskov, "National Right to Choose Program" (29 Jul 1974), Box A8-13D, Crater Papers. The *Washington Blue Sheet*, the national bulletin issued by the NOW legislative office, focused almost solely on abortion and the state-by-state ERA ratification effort. See Blue Sheets in Folder 29, Carton 53, NOW Papers.

<sup>699</sup> Elizabeth Cox was Program Coordinator for the ERA and abortion. Mary Barber Van Buskirk was NOW's ERA consultant. Cathy Reeverts took the place of Van Buskirk when she moved back to Montana in the mid-1970s. One of the two interns the office managed to employ worked on the ERA and abortion. Mary Vogel, legislative office notes (n.d.), Folder 25, Carton 53, NOW Papers.

<sup>700</sup> NOW Vice President of Legislation Elaine Latourell lived in Seattle, WA. For information on Hill chapter anger, see Eva Freund, Marilyn Klein, Nicole Burton, Judy Scott, and Arlene Ross to Elaine Latourell (22 Dec 1975) in Folder 70, Carton 52, NOW Papers. The issue of lesbianism divided NOW's national office, even after Betty Freidan left the president's post in 1970. While NOW formally acknowledged lesbian rights as a feminist issue in its 1971 national conference and set up a task force on lesbian rights in 1973, the issue continued to be contentious. See Barakso, *Governing NOW*: 50; 132.

<sup>701</sup> This situation was fairly well-known to key women's rights lobbyists on the Hill. Flora Crater, NOW member and Women's Lobby co-president, presumably read the correspondence, since it is included in her archival materials. See Box A8-14E, Crater Papers. Similarly, WEAL member and congressional staffer Judith Nies describes the leadership struggles within the NOW office as "well-publicized." See Nies, *The Girl I Left Behind*: 255.

<sup>702</sup> *NOW Legislative Update* 1:11 (16 Dec 1976), Box A8-12A, Crater Papers. Prior to 1976, NOW had an all-purpose newsletter *Do It NOW!*, which covered legislative and volunteer ventures.

<sup>703</sup> *Ibid.*

Members from local NOW chapters thus filled a lobbying vacuum. Elizabeth Cox openly admitted that “[w]e have not been a noticeable presence on the Hill. In the past we have relied heavily on volunteer lobbyists.”<sup>704</sup> These volunteers were a hodgepodge of D.C. and Northern Virginia NOW members. Northern Virginians Flora Crater and Carol Burris organized a rotating cadre of local women willing to lobby on Wednesdays, a group that coalesced into the Women’s Lobby in 1972.<sup>705</sup> Though the Lobby was considered by congresspersons to be one of the most effective on the Hill, the group had little funding and operated out of an upstairs bedroom in Burris’ house.<sup>706</sup> Crater also self-published *The Woman Activist*, which updated subscribers on feminist legislation moving through Congress – a service she began providing before NOW national started its own legislative bulletin.<sup>707</sup>

WEAL did not experience as much tension between women devoted to lobbying the federal government and women focused on their local concerns in other areas of the country. Indeed, there is some evidence that the dissemination of NCC WEAL’s “Washington Reports,” which charted legislation moving through Congress, were part of WEAL’s national recruitment strategy.<sup>708</sup> WEAL’s first president Betty Boyer encouraged Fraser to expand her work because “[t]hey [Fraser’s legislative projects] are things that your chapter, uniquely, can attack.”<sup>709</sup>

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<sup>704</sup> Elizabeth Cox, “An Interview with Ms. Elizabeth Cox of the National Organization for Women” (31 Oct 1974), Folder 7, Carton 52, NOW Papers.

<sup>705</sup> Susan Hartmann, *From Margin to Mainstream: American Women and Politics since 1960* (Philadelphia: Temple University Press, 1989): 100-01.

<sup>706</sup> See Betty Furness to Katie Louchheim (12 Sep 1973), Folder 8, Box 60, Katie Louchheim Papers, Manuscript Division, Library of Congress, Washington, D.C. In the letter, Furness quoted Sen. Jacob Javits’ assertion that Women’s Lobby was “the best lobby on Capitol Hill.”

<sup>707</sup> The first issue is *The Woman Activist* 1:1 (14 Jan 1970), Box 20 (10203-1), Crater Papers. Most of the issues are in this same box.

<sup>708</sup> Doris Seward to Arvonne Fraser (3 Sep 1971), “WEAL - Board Matters & Membership Mailings, 1971-1972” Folder, A. Fraser Papers. Further, by 1976, readership had escalated to 4,000 subscribers. See Arvonne Fraser to Paula, Eileen, Doris, and Bunny (31 Jan 1976), “WEAL – National Office Org, 1975-1976” Folder, Box 15, A. Fraser Papers.

<sup>709</sup> Betty Boyer to Arvonne (1 Apr 1971), “WEAL - Board Matters & Membership Mailings, 1971-1972” Folder, A. Fraser Papers.



Because of their small numbers and position within the District, NCC WEAL members could rapidly formulate and pursue policies without much fear of dissension within their ranks.

Mass membership organizations like NOW and smaller policy-oriented groups like WEAL complemented one another on the Hill.<sup>710</sup> NOW's decision to focus on the grassroots made the organization uniquely able to marshal thousands of constituent letters, phone calls, and telegrams.<sup>711</sup> Cooperation between well-connected WEAL member-staffers and NOW operatives resulted in an effective local and national mobilization on behalf of women's equity legislation.<sup>712</sup> WEAL members provided up-to-date information on bills moving through congressional offices and committees to NOW members, who could then generate mail in support of feminist legislation.<sup>713</sup> Cooperation extended beyond just NOW and WEAL, though these two organizations had some of the most direct links to congresspersons on the Hill.<sup>714</sup>

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<sup>710</sup> For an analysis of different forms of lobby, see Janet Boles, "Local Feminist Policy Networks in the Contemporary American Interest Group System," *Policy Sciences* 27:2/3, Feminism and Public Policy (1994): 163.

<sup>711</sup> This reliance on membership kept NOW in the position of demanding legislative action from congresspersons, a method that differed from WEAL's assistance-driven approach to lobbying. Even congresswomen complained that "Women's Lobby and NOW spend too much time pushing Congresswomen and not enough time helping them." Quoted in Anne Costain, "The Struggle for a National Women's Lobby: Organizing a Diffuse Interest," *The Western Political Quarterly* 33:4 (Dec 1980): 481.

<sup>712</sup> This cooperation was not without its hiccups. In 1973, Bernice Sandler – a member of local chapters of both WEAL and NOW – wrote to NOW Board President Wilma Scott Heide to complain that local NOW officials including Heide were telling women not to join WEAL because of the abortion issue and WEAL's strict devotion to education and employment, rather than a full range of anti-discrimination legislation. While it was true that WEAL did focus primarily on these two areas in the early 1970s, Heide's description was certainly an inadequate examination of WEAL's early efforts. See Bunny Sandler to Wilma (2 Apr 1973), Folder 8, Box 62, Sandler Papers.

<sup>713</sup> For example, Green staffer and WEAL member Bunny Sandler frequently worked with NOW officers. While Sandler informed legislative vice president Ann Scott and local NOW leaders of committee proceedings and recommended individuals to target with letter-writing campaigns, Scott ferried information on grassroots efforts to challenge discriminatory practices in higher education to Sandler, who could use this information to improve legislative materials or mobilize Rep. Edith Green. See materials in Folder 8, Box 62, Sandler Papers. Sandler also had a good working relationship with NOW's Board president Wilma Scott Heide, whom she or Catherine East housed when Heide came to lobby the Hill. See Bunny to Ann (27 Sep 1970); Wilma to Bunny (n.d.), Folder 8, Box 62, Sandler Papers. At this point, Sandler was a member of the National Capitol Area Chapter of NOW. See Nancy Clinch to Bunny Sandler (4 Jan 1971), Folder 8, Box 62, Sandler Papers.

<sup>714</sup> Political scientist Anne Costain notes that the grassroots of both NOW and NWPC were concerned that national legislative office could not accurately represent their national constituencies. Several chapters' refusal to pay dues left the local office crippled. One reporter for the radical feminist journal *off our backs* noted of the NWPC office that "[t]he phone rang a lot. Neither of them [the office women] appeared to have all the answers and often referred callers to other women at other phone numbers. They said they were computerizing the volunteer list and worried that they hadn't been able to stay on top of the mail that came in to the office asking to help the Caucus in some way

These newer organizations networked with older women's organizations, including union women, traditional voluntary groups like the LWV and the AAUW, and staffers located in the Women's Bureau.<sup>715</sup>

This cross-pollination eventually produced a formal network called the Clearinghouse on Women's Issues (CWI). Former congressman Eugene McCarthy's wife Abigail was the major force behind the group's formation. Original 1973 members included a bipartisan mix of Hill staffers, women involved in local feminist groups, women employed by national women's rights organizations, and the heads of various federal women's program and agencies.<sup>716</sup> CWI operated with and out of the offices of the National Council of Jewish Women, assisted by influential NCJW lobbyist Olya Margolin.<sup>717</sup> Two years later, the network had established a monthly meeting at which members heard speakers, pooled research from their respective organizations, and developed lobbying strategies.<sup>718</sup> The committee filled a coalition-building hole and was an important first step in bringing together women across race and class to demand more equitable

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or just wanting to know more about it." See Onka Dekkers, "National Women's Political Caucus," *off our backs* 2:4 (Dec 1971): 19. For Anne Costain's observations, see "Representing Women: The Transition from Social Movement to Interest Group," *The Western Political Quarterly* 34:1, Special Issue on Women and Politics (Mar 1981): 104.

<sup>715</sup> Some of these women were also employed by congresspersons. Joan Goodin, a Rep. Barbara Mikulski aide, also worked for the Coalition for Labor Union Women (CLUW) and was in consistent contact with Catherine East and women from WEAL. Biographical materials on Joan Goodin can be found in Folder 64, Box 7, East Papers. See also, Joan Goodin, "Working Women: The Pros and Cons of Unions," *Women in Washington*: 140-147. For information on this coalition, see Anne Costain, "The Struggle for A National Women's Lobby: Organizing a Diffuse Interest," *The Western Political Quarterly* 33:4 (Dec 1980): 476-91; Anne Costain, "Representing Women: The Transition from Social Movement to Interest Group," *The Western Political Quarterly* 34:1, Special Issue on Women and Politics (Mar 1981): 100-13.

<sup>716</sup> The group was initially formed by twenty feminist leaders with ties to the Hill. As the group stated, it was their "feeling . . . that these [feminist] organizations contained within themselves the resources for informing their members and either influencing legislation or creating a climate for it." See "Dear Friend" letter (n.d.) in "Foreign Assistance Act (Judy Nies), 1973-1974" Folder, Box 14, A. Fraser Papers. See For a sense of the scope of Women United membership after the group's formation, see the attendance lists for meetings. For Chisholm, Griffiths, and Sullivan, see Notice of Meeting (n.d.). Margaret Heckler is included in Clearinghouse on Women's Issues Minutes (22 May 1973). All located in "Clearinghouse on Women's Issues - 1973-1976" Folder, Box 60, A. Fraser Papers.

<sup>717</sup> Arvonne Fraser to Ellen Sudow, Carol Foreman, Martha Lewis, Helene Fisher, Susan Tenenbaum, Jessie Baum, and Kay Toll (31 Jul 1973) and "Minutes on Clearinghouse (26 Jun 1973), "Toll, Kay" Folder, Box 12, A. Fraser Papers.

<sup>718</sup> Anyone from any feminist group on or near the Hill was invited to attend meetings. See an overview of the Clearinghouse's activities and an invitation to attend in "WEAL Newsletter" (Dec 1973), "NCC - Newsletter, 1971-1980" Folder, Box 19, A. Fraser Papers.

treatment.<sup>719</sup> Though the Clearinghouse would grow too large and unwieldy to be effective by the late 1970s, its early efforts encouraged an exchange of lobbying tactics and legislative knowledge between more established women and those newer to Hill politics.

National and local politics were functionally the same for many of these women. In targeting Congress, they were simply capitalizing on their available resources and following their common sense. Often, local legislation emanated out of federal bills in development on the Hill, while in other cases, information gathered for local government could serve as the basis for federal legislation.<sup>720</sup> For the women in these D.C. chapters, grassroots and national activism were one and the same. They were already connected to national politics through their friends, their husbands, and their own jobs. And these women understood how to build organizations that could influence the national legislature. Government was both the homey backyard of District feminists and the place where they believed that they could make their most important contribution to the women's rights cause.

#### "Meaningful Employment": Congress Invites Feminists In

In the mid-1970s, one feminist lobby director told congressional offices "to hire their own feminists rather than calling on her group's overburdened staff for information."<sup>721</sup> Perhaps unbeknownst to the lobbyist, several legislators had already followed or would follow her directive. Some women joined the Hill after working in movement organizations, hired by progressive legislators who saw policy opportunities in the women's movement. Influenced by

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<sup>719</sup> Clearinghouse on Women's Issues Minutes (27 Feb 1973), "Clearinghouse on Women's Issues, 1973-1976" Folder, Box 60, A. Fraser Papers.

<sup>720</sup> The fact that Congress retained control over a number of aspects of D.C. government assisted this elision of difference between local and national. Civil rights policy and credit discrimination were two such policy areas. See "WEAL Newsletter" (Apr 1973), "NCC – Newsletter, 1971-1980" Folder, Box 19, A. Fraser Papers.

<sup>721</sup> Costain, *Inviting Women's Rebellion*: xi. Costain's observations are based on interviews conducted in the mid-1970s.

the national women's movement, other staffers embraced feminism. Together, all of these aides facilitated the smooth movement of proposals between the offices of lobbies and legislators. Determined to avoid the "political naivety" of the women's movement, these feminist pragmatists would quickly coalesce into a loosely-knit network of women's equity policymakers in and around Congress.<sup>722</sup>

Predictably, congresswomen took the lead in hiring women's issues staffers, in part because they were more devoted to women's issues and in part because that devotion drew feminists to their offices. Women interested in women's rights wanted to work for someone like Rep. Bella Abzug (D-NY), despite her gruff manner and haphazard management style. As the *Washington Post* noted in one article on Abzug, "while staffers have the stamina to last, they can work on important legislation and they often feel they have a whack at changing things." The "hoards of cause-minded young women [shunned] the placement office on the Hill," instead going straight to Abzug's office for "meaningful employment."<sup>723</sup> Similarly, Rep. Shirley Chisholm (D-NY) developed a corps of female staffers who called themselves the "Chis-ettes" and remained devoted to an employer who "embraced us and encouraged us."<sup>724</sup>

Congresswomen's offices were integral to the construction of a feminist policy network in Congress.<sup>725</sup> Given Abzug's reputation as wildly liberal and personally abrasive, it was important that she acquire staffers capable of talking with less radical women's organizations,

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<sup>722</sup> Arvonne Fraser, "Insiders and Outsiders: Women in the Political Arena," *Women in Washington*: 121.

<sup>723</sup> "Rep. Bella Abzug," *Washington Post* (2 Aug 1974): PO11 (accessed 7 Oct 2012).

<sup>724</sup> Laura Murphy, "Shirley Chisholm's Gifts," *Washington Post* (13 Jan 2005): A20 (accessed 11 Feb 2013).

<sup>725</sup> This is a point made by political scientist Irene Murphy, who noted in her 1973 study of feminist policymaking in Congress that "In the late sixties, as the movement intensified, women's groups for the most part lacked experience as Hill or bureau lobbyists. Resources were slim in terms of expertise and money. At the same time, interest group inexperience was matched by lack of knowledge and lack of awareness of feminist goals on the part of both Hill and agency staffs. Staffs of representatives, with a deep interest in national policy on sex discrimination – Bella Abzug, Martha Griffiths, Patsy Mink, and Edith Green, among others – bore the burden of building up knowledge about women's rights issues in the Congress." See Irene L. Murphy, *Public Policy on the Status of Women: Agenda and Strategy for the 70s* (Lexington, MA: Lexington Books, 1973): 64.

staffers, and congresspersons.<sup>726</sup> Rep. Patsy Mink (D-HI) hired a substantial number of women. Shirley Chisholm relied heavily on aides like Shirley Downs, who remained her primary aide through much of the 1970s. Downs worked closely with staffers for Abzug and Mink to advance women's equity policies. Rep. Patricia Schroeder's (D-CO) office was populated with feminists, including Mimi Barker and Joyce Abbell. These offices were so uniformly female and supportive of feminist legislative efforts that WEAL invited the entire offices to Washington events, in contrast to the offices of Sens. Walter Mondale (D-MN) or Howard Cannon (D-NV), where a single person from the office might be invited.<sup>727</sup>

In the 1970s, a number of male legislators identified women's rights as a legislative area that could help them build their political careers. The women's movement consistently cited the importance of a national constituency of women who voted, and this threat pushed numerous congressmen towards support for feminist policy.<sup>728</sup> Furthermore, feminism provided a set of legislative opportunities that could be seized without "invading the turf" of other legislators. These policies were saleable because of the ease with which they could be publicized.<sup>729</sup> After all, Bella Abzug demonstrated the media-friendly nature of feminism every day.<sup>730</sup> Sen. Birch

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<sup>726</sup> Though by no means unique Abzug's abrasive personality remained a focus of journalists and other legislators. Labeling Abzug as "Battlin' Bella" or "Mother Courage," journalists frequently qualified their endorsements of Abzug's political behavior by suggesting that her personality, while temporarily useful, would also assure a quick end to her political career. For a couple good examples, see Pete Hamill, "A Woman's Place," *New York Post* (4 Jun 1970), Box 1028; Jerry Tallmer, "A 'Hellraiser' Heads for Congress," *New York Post* (27 Jun 1970), Box 111; Margaret Crimmins, "Lower Manhattan's Bella Abzug Rasps It like It Is," *The Washington Post* (5 Jul 1970), Box 111, all in Bella Abzug Papers, Columbia University Archives and Special Collections, Columbia University, New York, NY. Hereafter referred to as Abzug Papers.

<sup>727</sup> Women in Government Cocktail Hour at WEAL Convention, "WEAL Correspondence, 1975 (2)" Folder, Box 11, A. Fraser Papers. The offices listed also include those of Reps. Yvonne Brathwaite Burke, Lindy Boggs, and Barbara Mikulski.

<sup>728</sup> Anne Costain and Steven Majstorovic, "Congress, Social Movements and Public Opinion: Multiple Origins of Women's Rights Legislation," *Political Research Quarterly* 47 (1994): 130; Anne Costain, *Inviting Women's Rebellion*.

<sup>729</sup> "Minutes Staff Meeting Breakfast" (3 Mar 1969), "Staff Meeting Minutes, 1968-1969" Folder, Box 153.J.12.10F, Walter Mondale Papers, Minnesota Historical Society, Saint Paul, MN. Hereafter referred to as Mondale Papers.

<sup>730</sup> Other congressional members resented this continual coverage of Abzug. Journalist Jack Cleland noted that "[Abzug's] committee members on the committees on Public Works and Government Operations think her

Bayh quickly attempted to carve out a reputation as a women's equity legislator.<sup>731</sup> He hired Barbara Dixon, who became one of the most prolific women's issues staffers in the Senate. Other senators with presidential aspirations like Sens. Walter Mondale and William Brock (R-TN) followed suit.<sup>732</sup>

Some of these men either hired women's issues experts from feminist organizations, or they expanded the research scope of a female policy staffer they already employed. And feminism was a train that picked up steam; female aides often pushed their employers towards feminist policies. Penny Welbourne encouraged Sen. Charles Mathias' (R-MD) growing interest in the area, telling *Roll Call* reporter Liz Wiener that Mathias was "coming out more in front on women's issues in recent months."<sup>733</sup> Jane Frank added women's issues to her already wide-ranging set of policy concerns for Sen. John Tunney (D-CA).<sup>734</sup> Irene Emsellem worked on the staff of the Senate Constitutional Rights Committee and then the Subcommittee on Administrative Practice and Procedure before moving to Sen. Ted Kennedy's (D-MA) personal staff. She supported feminist policy from each of these positions.<sup>735</sup> Rep. Don Edwards (D-CA)

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performance somewhat less than desirable for a newcomer. What particularly galls some of them is that when Bella shows up, usually late, at a hearing wearing that floppy hat that has become her trademark, the Klieg lights go on and the television cameras grind away hoping to catch one of her colorful utterances." See Jack Cleland, "Sexism on Capitol Hill," *Harper's Bazaar* (Jan 1972): 92.

<sup>731</sup> Rochelle Jones and Peter Woll, *The Private World of Congress* (New York: The Free Press, 1979): 128.

<sup>732</sup> Women's issues was noticeably absent from the Mondale office's agenda prior to Ellen Hoffman's employment. For a good example, see "Proposed Agenda for Staff Meeting" (25 Mar 1969), "Staff Meeting Minutes, 1968-1969" Folder, Box 153.J.12.10F, Mondale Papers. For information on the importance of presidential aspirations, see Anne Costain and Steven Majstorovic, "Congress, Social Movements and Public Opinion: Multiple Origins of Women's Rights Legislation," *Political Research Quarterly* 47 (1994): 130.

<sup>733</sup> Penny Welbourne, quoted in Liz Wiener, "Senate Considers Rape," *Roll Call* 19:6 (20 Sep 1973): 5. Welbourne also noted that a number of congresswomen had called the Mathias office to inquire about his bill to establish a National Center for the Prevention and Control of Rape, opining that "[t]hey sound as if they're wondering why they didn't think of it first."

<sup>734</sup> Marlene Cimon, "Tunney Aide Brings Lib Out of Woodwork," *Los Angeles Times* (12 May 1972): 7-8 in Folder 10, Box 1, Jane Harman Papers, Periodicals Collection, Smith College, Northampton, MA.

<sup>735</sup> Jane Frank to Gloria Steinem (1 Nov 1979), "Kennedy" Folder, Correspondence Files, Ms. Magazine Papers, Sophia Smith Collection, Sophia Smith Archives, Smith College, Northampton, MA.

and Sens. Charles Percy (R-IL) and Paul Sarbanes (D-MD) had feminist staffers on their committees.<sup>736</sup>

Meanwhile, female Hill staffers began to join the District chapters of feminist organizations.<sup>737</sup> A substantial number of these women were hired to work as or would become the women's issues aides in their offices through the 1970s. Bonnie Cowan joined Washington Women's Network and NCC WEAL while working in Rep. Clifford Allen's (D-TN) office, alongside a number of other staffers from various House and Senate personal and committee offices.<sup>738</sup> Linda Kamm worked in multiple organizations, serving WEAL and the CHPWC while working part-time as a staffer for Rep. Sam Gibbons (D-FL) and then for the House Select Committee on Committees, also known as the Bolling Committee.<sup>739</sup> Women like Rep. Bill Hathaway's (D-ME) research assistant Eleanor Bachrach and Ann Lewis of Rep. Stanley Lundine's (D-NY) office joined NOW and NWPC.<sup>740</sup> And many of Rep. Donald Fraser's (D-MN) staffers helped to found or joined the local NOW, WEAL, and NWPC Hill chapters.

The distance between feminist ideals and actual office practices, especially in assertively liberal offices, made some female staffers more receptive not simply to the CHWPC, but to all feminist lobbies. Lobbyists certainly understood the opportunities of staffer recruitment. As the

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<sup>736</sup> Charles Percy hired Julia Bloch and Paul Sarbanes hired Janice O'Connell to work on the Senate Intelligence Committee. For information on Julia Bloch, see For information on Janice O'Connell, see Gloria Steinem to Robin Morgan (18 Oct), "Janice O'Connell" Folder, Correspondence Files, Ms. Magazine Collection, Sophia Smith Archives, Smith College, Northampton, MA. Don Edwards' feminist committee staffers are examined in Chapter Six.

<sup>737</sup> Arlene Kaplan Daniels notes that numerous women in WEAL gained critical political experience by working for members of Congress. See Daniels, "Careers in Feminism," *Gender and Society* 5:4 (Dec 1991): 590.

<sup>738</sup> The WWN worked to enhance job opportunities for women in the District. See "Washington Women's Luncheon," Folder 3, Box 64, Sandler Papers. For Bonnie Cowan's NCC WEAL membership, see *The New Real WEAL Source Book: A Directory of the National Capital Chapter Members, a Guide to Using Ourselves, Women, as Resources* (Washington, D.C.: NCC WEAL, 1978) in "NCC – Member Directories, 1975, 1978" Folder, Box 19, A. Fraser Papers.

<sup>739</sup> Memo on "Working Women Committee" (26 Mar 1971), Folder 19, Box 47, Sandler Papers.

<sup>740</sup> For information on Bachrach, see For background information on Lewis, see notes on interview with Lewis for the ERA Oral History Project (18 Feb 1983), "Lewis, Ann" Folder, "ERA – Oral History Project" Files, Sophia Smith Library, Smith College. Lewis later moved to Rep. Barbara Mikulski's office. See Rep. Mikulski to members of Congresswomen's Caucus (6 Jan 1981), Folder 38, Carton 27, East Papers.

national NOW legislative office observed in their annual reports, placing feminists on the staffs of House and Senate members was often more productive than conducting letter-writing campaigns. The NOW legislative office director noted that “[m]any members of congressional staffs belong to NOW’s Capitol Hill Chapter, and the Women’s Political Caucus. There is an incredible amount of discrimination on staffs.”<sup>741</sup> While some local chapters in other areas of the country shied away from involvement in legislative politics, arguing that “those old men won’t listen,” District chapters contained a number of staffers willing to use their positions within the legislative process.<sup>742</sup> These women were often the strongest link between feminist organizations and actual policymaking.<sup>743</sup>

While some female staffers worked to educate their employers about feminism and the women’s movement, it is arguable that the most effective pro-equity congressman was the one who simply kept out of the way of his feminist staffers. As Women’s Lobby president Carol Burris noted, “A lot of senators and congressmen just cannot sit down and receive intellectual information from you because you are a woman. Fortunately, more and more of them are hiring female legislative assistants.”<sup>744</sup> Men like Sen. Bob Packwood (R-OR) or Rep. Don Riegle were not uncommon. They were reliable supporters of policies to strengthen women’s rights. They hired women’s issues staffers and allowed those staffers to craft feminist bills or fight for the

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<sup>741</sup> Elizabeth Cox, “An Interview with Ms. Elizabeth Cox of the National Organization for Women,” 11, Folder 7, Carton 52, NOW Papers.

<sup>742</sup> “Comments, 1968,” Folder 3, Carton 56, NOW Papers.

<sup>743</sup> NOW president Wilma Scott Heide frequently used Bernice Sandler as an intermediary. Heide would send Sandler information which Bunny would forward to Phineas Indritz, who would insert it in the *Congressional Record*. See Folder 8, Box 63, Sandler Papers.

<sup>744</sup> Carol Burris, quoted in Judy Kelmserud, “Woman Are Opening Capitol Lobby Doors,” *Cleveland Plain Dealer* (16 Dec 1973): 27.



eradication of sex discrimination on the Hill. But they had enormous trouble changing their own behavior towards women.<sup>745</sup>

Female professionals on the Hill had a stake in increasing their ranks. When it came to shaping the opinions, official policy positions, and actual form of legislation, staffers had the upper hand.<sup>746</sup> As a result, some female staffers began to directly recruit women. In charge of employment processes in her husband's office, Arvonne Fraser noted that "I very deliberately started hiring women professionals at the time I was becoming an active feminist."<sup>747</sup> Given the maleness of most Hill policy networks, women understood that the chances of achieving their legislative goals increased exponentially as more professional women joined committee and personal staffs.<sup>748</sup> With networking in mind, a number of feminist groups created job banks and worked to place women in congressional jobs.<sup>749</sup>

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<sup>745</sup> For information on Riegle, see Chapter 3. In the 1990s, Sen. Bob Packwood's habit of sexually harassing his female employees became a divisive issue. For information on Packwood's longstanding relationship with Gloria Steinem, as well as his assistant Mimi Weyforth, see Bob Packwood to Gloria Steinem (8 Jan 1979), "Bob Packwood" Folder, Correspondence Files, Ms. Magazine Collection, Sophia Smith Archives, Smith College.

<sup>746</sup> A 1977 Democratic Study Group survey of legislators found that more than half of the 151 respondents relied most heavily on their personal office staffs for advice on bills that were developed outside of their own committees. In comparison, between thirteen and fourteen percent of the surveyed legislators acquired information from lobbies. "Congressional Attitudes towards Congressional Operations and Procedures: Wave II" (Jun 1977): 4d, Folder 7, Box II:121, DSG Papers, Seeley Mudd Manuscript Library, Princeton University, Princeton, NJ.

<sup>747</sup> Arvonne Fraser, quoted in Hillary Johnson, "Arvonne Fraser: For Her, Congress Is a Family Affair," *Minneapolis Tribune* (21 Aug 1975): 10C in "Clippings, 1970-1977" Folder, Box 1, A. Fraser Papers. Fraser's experience placing women in feminism-oriented jobs was widely-known. Indeed, House Foreign Affairs Committee staffer Mike Van Dusen identified Fraser as a good source for feminist employment in government when he wanted to find a job in the same area for his wife. Mike Van Dusen to Don Fraser, re: Conversation at Markup June 28, 1973 (5 Jul 1973), "Women's Issues and Organizations, 1973 (3)" Folder, Box 2, A. Fraser Papers.

<sup>748</sup> Feminist staffers reached out to fellow women, seeking to broaden their network of contacts on the Hill. Arvonne Fraser found a way to do this in a noninvasive way. See Arvonne Fraser to Nancy Teeters (20 Jan 1975) in "WEAL Correspondence, 1975" Folder, Box 11, A. Fraser Papers. For information on the Placement Office's recent scandal, see Peter Masley, "No Inquiry On Hiring Bias Seen," *Washington Post* (19 Aug 1974): A1 (accessed 25 Oct 2012); Janice Mendenhall, "Letters to the Editor: Hiring Practices on the Hill," *Washington Post* (25 Aug 2012): C7 (accessed 25 Oct 2012); Daniel Rappaport, "Congress Sidestepping Its Own Laws," *Washington Post* (15 Sep 1974): B5 (accessed 25 Oct 2012); Murial Allen, "Combatting Job Discrimination," *Washington Post* (31 Mar 1974): C1 (accessed 25 Oct 2012).

<sup>749</sup> Washington Opportunities for Women Bulletin (n.d.), "WOW, 1969-1974 (1)" Folder, Box 63, A. Fraser Papers. Groups like CHWPC created job banks and other resources for women seeking employment on the Hill. Ellen Hoffman to Andrea Dean (7 Oct 1974), "Women - Civil Rights (General), 1973-1974 (1)" Folder, Box 153.L.9.10F, Mondale Papers. Advertisements for the job bank can be found in the group's newsletters.

Rep. Charlie Rose (D-NC)'s office represented the culmination of this activism. Formally organized by Rose in 1975, the Congressional Clearinghouse on Women's Rights (CCWR) quickly expanded its scope from a weekly bulletin overview of women's rights legislation to "diverse legislative functions" ranging from "drafting legislation" and "directing seminars" to "devising a budgetary tracking system of line-item programs affecting women."<sup>750</sup> Meanwhile, the bulletin published a variety of articles, including an overview of Shirley Davis' case against Otto Passman, Shirley Chisholm's editorial on the intersection of race, gender, and welfare, and the Women's Action Alliance's "National Women's Agenda."<sup>751</sup> Rose's LA Carol Forbes also developed an intern program focused on the role of women in the legislative process.<sup>752</sup>

A number of other informal caucuses and legislator groups employed staffers willing to advocate for women's equity policy. Feminist Carol Mayer Marshall co-founded the Republican Discussion Group, an informal caucus of GOP legislative and administrative assistants on the Senate side.<sup>753</sup> Patricia Goldman, a member of the NWPC, worked for the House Wednesday Group, a set of liberal Republicans who collectively formulated policy.<sup>754</sup> Goldman's presence within the group allowed her to use the research capabilities of Congress to feminist ends.<sup>755</sup>

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<sup>750</sup> "Organization Keeps Congress Informed," *Lubbock Avalanche-Journal* (17 Apr 1977): 8E.

<sup>751</sup> *Congressional Clearinghouse on Women's Rights Newsletter* 4:15 (Oct-Nov 1978); Shirley Chisholm, *CCWR Bulletin* (15 Sep 1975); Women's Action Alliance, "U.S. National Women's Agenda," *CCWR Bulletin* (3 Nov 1975). All are located in the Periodicals Collection, Smith College Archives, Smith College, Northampton, MA. The Women's Action Alliance was formed in 1975 as an organization dedicated to assisting working women.

<sup>752</sup> "Discrimination on the Hill," *Equal Times* (Washington, D.C.: Capitol Hill Women's Political Caucus, Aug-Sep 1976): 1 in Equal Times Folder, National Women's Political Caucus (NWPC) Papers, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA; CCWR Press Release (14 Jul 1977) in *CCWR Bulletin* (18 Jul 1977), Periodicals Collection, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA. There is little evidence from any of these projects.

<sup>753</sup> Carol Mayer Marshall, oral history interview transcript (Menlo Park, CA, 17 Nov 2003): 14-15 in "Carol Mayer Marshall, Nov. 17, 2003" Folder, "A Few Good Women" Oral History Project Files, Eberly Family Special Collections Library, Pennsylvania State University, University Park, PA.

<sup>754</sup> Women in Government Cocktail Hour at WEAL Convention, "WEAL Correspondence, 1975 (2)" Folder, Box 11, A. Fraser Papers.

<sup>755</sup> For Goldman's involvement in the formation of the Washington Women's Network, see Goldman (n.d.) and attached materials, "WWN - 1977-178" Folder, Box 63, A. Fraser Papers. Goldman moved from the Wednesday Group to a position as chair of the Republican Task Force within the NWPC in 1975. See Rona P. Feit, "Organizing

Similarly, NCC WEAL and Sisterhood member Ellen Sudow worked for the Democratic Study Group (DSG). Feminist influence within the DSG was particularly important; legislators acknowledged the group as one of the most important policy research organs on the Hill.<sup>756</sup> By the early 1970s, the DSG was regularly producing “Women’s Rights and Opportunities” issue reports.<sup>757</sup> Donald Fraser’s presidency solidified the feminist network’s ability to use DSG resources and sway its members in favor of women’s equity bills.<sup>758</sup>

Advocates for women’s rights were spread across the Hill. Both the Library of Congress (LoC) and the Congressional Research Services (CRS) experienced rapid growth in the 1970s and hired a number of women who played key roles within the Washington feminist network. Former staffer Judith Nies recalls that the LoC contributed a large number of members to her local consciousness-raising group, which met in the Library of Congress cafeteria.<sup>759</sup> Some staffers moved between congressional offices and research agencies. It appears that Sen. Birch Bayh hired women’s issues staffer Barbara Dixon away from the CRS in the early 1970s.<sup>760</sup> Leslie Gladstone did the opposite, moving from Rep. Don Fraser’s office to the Congressional

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for Political Power: The National Women’s Political Caucus,” in *Women Organizing: An Anthology*, ed. Bernice Cummings and Victoria Schuck (Washington, D.C.: Scarecrow Press: 1979): 196.

<sup>756</sup> For information on DSG, see John R. Wright, “Interest Groups: Congressional Reform, and Party Government in the United States,” *Legislative Studies Quarterly* 25:2 (May 2000): 217-35. The DSG was especially influential after 1964, when its membership ballooned to 180, increasing the resources it had at its disposal. See Larry L. King, “Inside Capitol Hill: How the House Really Works,” *Harper’s* 237:1421 (Oct 1968): 70, <http://pao.chadwyck.com> (accessed 28 May 2013).

<sup>757</sup> Number 3 of the issue reports was produced in 1972. See Democratic Study Group, “Women’s Rights and Opportunities” No. 3 (1 Sep 1972), Folder 4, Box 567, Patsy Mink Papers, Manuscript Division, Library of Congress, Washington, D.C. Hereafter referred to as Mink Papers. The report states that “[t]he question of providing equal rights and opportunities for women emerged as a significant issue during the 92<sup>nd</sup> Congress and continues to be important this campaign year.” The DSG produced other issue reports on women’s rights, some of which found their way to feminist organizations and publications. See DSG, “Issue Report: Women’s Rights and Opportunities” No. 3 (8 Aug 1974), “Women’s Movement” Folder, Box 32, Ms. Magazine Files, Sophia Smith Collection, Sophia Smith Archives, Smith College, Northampton, MA.

<sup>758</sup> For materials on Fraser’s DSG leadership, see Boxes 151.I.11.8f and 149.G.13.5B, Donald MacKay Fraser Papers, Minnesota Historical Society, Saint Paul, MN. Hereafter referred to as D. Fraser Papers.

<sup>759</sup> Nies, *The Girl I Left Behind*: 277-78.

<sup>760</sup> Dixon worked on research services for CRS, producing reports like “Major Legislation Enacted by the 92<sup>nd</sup> Congress Affecting the Status of Women” HQ 1428 U.S. D, 73-42 GGR (1 Jun 1973), Folder 4, Box 567, Mink Papers.

Research Service staff in 1979 as resident specialist on women's rights.<sup>761</sup> Housing feminists in these agencies was important, since legislators used LoC and CRS research to identify areas for policy innovation and craft specific legislation.<sup>762</sup>

A growing number of research institutes housed in D.C. also the Hill with feminist policy research. The Institute for Policy Studies (IPS) was home to a number of women's rights scholars and activists, including the radical feminist Charlotte Bunch. Through the IPS, congressional feminists and more anti-establishment women could exchange information and ideas.<sup>763</sup> Bunch and a number of other IPS staffers published *Quest*, a feminist quarterly. They held their meetings at the Center for Women Policy Studies (CWPS), a research organization established in 1972.<sup>764</sup> The Center and IPS were well-known to feminist Hillites, in no small part because Margaret Gates was a NCC WEAL member and co-director of CWPS.<sup>765</sup>

Women's equity lobbies needed this web of well-placed and loosely connected women embedded within Hill offices because actually gaining direct access to elected officials was

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<sup>761</sup> Eileen Thornton to Leslie Gladstone (30 Apr 1979), Folder 63, Carton 4, WEAL Papers (MC 500).

<sup>762</sup> As Mondale staffers Sid and Lilly Mary noted in their memo to Mondale, generating and maintaining personal office connections with instituted like CRS, Brookings, and executive departments would "alert us to impending developments and lead to the discovery of good, but otherwise unpublished facts. . ." See Sid & Lilly Mary to Senator (4 Jun 1973), "ASJ Memos to Sen. Mondale – Oct 1973" Folder, Box 153.L.8.2F, Mondale Papers.

<sup>763</sup> Indeed, women formed a group within the Institute because, as Charlotte Bunch recalls, many male IPS staffers held the "prevailing attitude that women were not political serious." Charlotte Bunch, *Passionate Politics*: 5.

<sup>764</sup> Leslie Wolfe, quoted in "On the Cutting Edge: The Center for Women Policy Studies at 25" (Washington, D.C.: Center for Women Policy Studies, 1997):

<http://www.centerwomenpolicy.org/publications/documents/CuttingEdge.pdf> (accessed 30 Jan 2013). Charlotte Bunch was a member of the Center's Board of Directors. See 33. Bunch left the Institute in 1977 because of a split within the organization over "internal process and political directions . . . primarily between male factions." She left to form the less economically secure Public Resource Center. See Ibid: 11.

<sup>765</sup> The importance of feminist policy centers is reviewed in Jane Roberts Chapman's "Policy Centers: An Essential Resource," *Women in Washington*: 177-90. Chapman's account focuses on the ECOA and networking between CWPS and Emily Card. For information on Gates' WEAL work, see "Luncheon Meeting" notes (13 Mar), "NCC – Board Matters & Correspondence, 1970-1972" Folder, Box 19, A. Fraser Papers. The formation of CWPS was announced in the NCC WEAL newsletter. See untitled newsletter (n.d.), "NCC – Board Matters & Correspondence, 1970-1972" Folder, Box 19, A. Fraser Papers. Card would eventually also present her materials to the Clearinghouse on Women's Issues. See Clearinghouse on Women's Issues Minutes (22 May 1973), "Clearinghouse on Women's Issues, 1973-1976" Folder, Box 60, A. Fraser Papers. Ellen Sudow remained in close communication with the institute, encouraging other staffers to use CWPS resources. Nies, *The Girl I Left Behind*: 3, 248.

difficult and unreliable. As Donna Brazile recalls, members were fairly inaccessible to other staffers and lobbyists from other offices:

You didn't get close enough to the Schroeders and the Chisholms and these other great people to know them personally, but you got close enough to their AAs to know them nonetheless. Most AAs, most chiefs of staff, are the alter egos of the members. This is another kind of powerful female presence on the Hill.<sup>766</sup>

Political scientist Anne Costain notes that this inability to talk to an actual legislator was far more problematic if the legislator in question was a man, increasing the importance of the thin network of woodwork feminists spread through congressional offices. Through these women, feminism was a diffuse but often highly effective force on the Hill.<sup>767</sup>

#### “Switching Hats”: Combining Feminist Organizational Work and Legislative Activism

Many feminists combined work in feminist lobbies and Hill offices for ideological, practical, and financial reasons. Feminist lobbyists simply could not access members of Congress as easily and comfortably as staffers already situated within the Hill milieu. The congressional social and political world was simply too large and fractured. The fact that staffers worked and were friends with other Hill staffers gave them entrée to information about longstanding or new coalitions and relationships, as well as information on the legislative quirks that every bill inevitably encountered as it moved from individual offices through the House and Senate committee systems and onto the floors of the House and Senate. A multiplicity of “hats” also allowed feminists to be whoever they needed to be in any given situation along the way – a feminist, a lobbyist for women's equality, a congressional staffer, or a workplace friend.

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<sup>766</sup> Donna Brazile, quoted in Karen Foerstel and Herbert N. Foerstel, *Climbing the Hill: Gender Conflict in Congress* (Westport, CT: Praeger Publishers, 1996): 152.

<sup>767</sup> Anne N. Costain, “Representing Women: The Transition from Social Movement to Interest Group,” *Western Political Quarterly* 34:1 (Mar 1981): 111-12.

Relationships between feminist staffers bound office together in the 1970s. The personal and legislative relationship between the Fraser and Mondale offices was cemented by the feminist policy concerns shared by Arvonne Fraser and Mondale legislative aide Ellen Hoffman. With Capitol chapter WEAL members like Ellen Sudow and Carol Foreman, they ran workshops on lobbying for the NWPC.<sup>768</sup> Within Congress, they regularly traded policy research, reported back to one another on the progress of women's equity bills, and shared insider information on committee proceedings.<sup>769</sup> Their friendship and camaraderie cemented this working relationship.<sup>770</sup>

Feminists needed to be spread across offices and friendly enough with one another that they could exchange information. The way that Hill staffers attacked discriminatory codes within the pension system demonstrates the multiplicity of contacts necessary for successful feminist policy activism. Closely connected with a number of liberals in the Senate, Phineas Indritz initially flagged S. 4, a pension bill by Sens. Harrison Williams (D-NJ) and Jacob Javits (R-NY). Indritz notified Arvonne Fraser of the bill's existence early in the legislative process, suggesting that female congressional staffers look at the bill from "a woman's angle." Fraser immediately referred the pension policy research to Ellen Sudow and Carol Polowy, a Labor Department employee and "legal chairman" of WEAL.<sup>771</sup> Many legislators and staffers previously had failed

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<sup>768</sup> See workshop schedules for the 1973 NWPC National Elective Strategy, "NWPC – 1971-1973" Folder, Box 62, A. Fraser Papers.

<sup>769</sup> For instances of information trading beyond the WEEA, see memos between the two in "WEAL – Correspondence, 1975" Folder, Box 11, A. Fraser Papers. Memos include information on equal credit and vocational education.

<sup>770</sup> It is likely that Hoffman was the individual from the Mondale office who sent Arvonne Fraser a 17 May 1973 *Milwaukee Journal* cartoon making fun of Justice William Rehnquist's consternation over the recent Supreme Court decision in *Laffey v. Northwest*, which found that Northwest Airlines' was guilty of sex discrimination because of sex-based pay, promotion, benefits, and weight monitoring policies. See "Women's Issues and Organizations, 1973 (2)" Folder, Box 2, A. Fraser Papers. Other friendly correspondence includes Ellen Hoffman to AF (2 Jan 1973), "Women – 1973" Folder, Box 147.B.14.15B, D. Fraser Papers.

<sup>771</sup> Arvonne Fraser to Luvern Conway (12 Jan 1973) in "WEAL Correspondence, 1972-1973" Folder, Box 11, A. Fraser Papers. Ellen Sudow and Carol Polowy were often included in meetings Arvonne Fraser held with political active women in the District. All three were scheduled for a 1973 meeting with Carol Kummerfeld, Director of the

to consider how their policies affected women. Now, Hill feminists consistently reminded Congress of this fact.<sup>772</sup>

Bipartisan networking opened up opportunities for legislative production. Congresswomen provided the most visible evidence for this bipartisan endorsement of women's rights. Staffers were also arrayed across Republican and Democratic offices.<sup>773</sup> Bipartisan feminism meant that policy ideas could easily be swapped between offices. One Small Business Committee staffer pitched a policy idea for increasing business opportunities for women to Sen. Gaylord Nelson (D-WI) because "I thought that Nelson ought to be involved with women in business because a lot of women vote, and I had a good issue. Nelson rejected the proposal because of legislative and campaign timing issues. But the staffer then handed the issue to staffers for Sen. Dewey Bartlett (R-OK), who pursued the legislation from their office."<sup>774</sup> Staffers' free exchange of policy ideas across offices regardless of partisan affiliation strengthened the sense that women's rights was a common concern and an inevitable byproduct of changing social, economic, and political circumstances.

Social and political circles strengthened many of these feminist relationships. Progressive Midwesterners, male and female alike, were principal allies who could be marshaled in support

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Women's Rights Program for the United States Commission on Civil Rights. See Carol Bonosaro Kummerfeld to Arvonne Fraser (18 Jan 1973), "Women's Issues and Organizations, 1973 (2)" Folder, Folder, Box 2, A. Fraser Papers.

<sup>772</sup> Feminist staffers recognized that they were the ones in the best position for keeping legislators aware of women's concerns. See Anne N. Costain and W. Douglas Costain, "Strategy and Tactics of the Women's Movement in the United States: The Role of Political Parties," *The Women's Movements of the United States and Western Europe: Consciousness, Political Opportunity, and Public Policy*, ed. Mary Fainsod Katzenstein and Carol McClurg Mueller (Philadelphia: Temple University Press, 1987): 205.

<sup>773</sup> Emily Card to Gloria Steinem (27 May 1985) in Folder 12, Box 85, Steinem Papers. A number of liberal young Republicans were willing to champion women's equity policy. Good examples of Republicans who consistently supported women's rights bills (and hired women's issues staffers) are Rep. Charles Mathias, Sen. Charles Percy, Rep. Bob Packwood, Rep. Margaret Heckler, Rep. Jacob Javits, and Rep. Mark Hatfield. Meanwhile, some of the most vocal opponents of women's equity were Democrats like Emmanuel Celler, who asserted that "the fallopian tube is not yet vestigial" during the 1972 Senate ERA debate, angering feminists throughout the country. Bella Abzug, speech to the International Women's Day Forum at the UN (8 Mar 1977), Box 1029, Abzug Papers.

<sup>774</sup> Michael Malbin, *Unelected Representatives: Congressional Staff and the Future of Representative Government* (New York: Basic Books, 1979): 36.

of women's equity policies. Sen. Walter Mondale (D-MN) was a friend of the Frasers, bound by party and state loyalties as well as social ties.<sup>775</sup> Midwestern solidarity extended outside of Minnesota. Kansan Democrat Rep. Martha Keys (D-KS) and Arvonne Fraser shared a devotion to women's rights, a concern that was strengthened by a shared Midwestern background.<sup>776</sup> And their friendship facilitated relationships between their friends and relatives.<sup>777</sup> Other regions and interests had formal caucuses; indeed, this form of organizing multiplied over the 1970s.<sup>778</sup> Though congresswomen failed to organize a formal caucus until the late 1970s, they had a weekly lunch spanned the decade, delightedly describing how "it drives the men nuts. . . . They don't know what we're up to."<sup>779</sup> Both friendship and substantial policymaking success in the 1970s held the group together.<sup>780</sup>

Staffers could capitalize on social familiarity in ways that lobbyists could not. As Carol Burris noted, "[legislators] know how to deal with a piece of mail or a telegram but dealing with a living person in your office is a different thing. You just can't file her away. . . . it's easier to

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<sup>775</sup> This friendship helped policymaking in other legislative areas as well. For information on Donald Fraser's role in helping Mondale pass the Mondale Lifelong Learning Act, see David W. Stewart, "Interest Group Roles in the Development and Passage of the Mondale Lifelong Learning Legislation," *Adult Education Quarterly* 28:4 (1978): 270. The Frasers were guests at a somewhat intimate dinner for close friends and colleagues. See the "May 3, 1975 Dinner" list, "Moe, Dick – Memos, 1975" Folder, Box 153.J.12.8F, Mondale Papers.

<sup>776</sup> For examples of letters that combined women's rights talk with friendly exchange, see Martha Keys to Arvonne Fraser (17 Nov 1976); Arvonne Fraser to Martha Keys (3 Dec 1976), Box 145.B.20.4F, D. Fraser Papers.

<sup>777</sup> As Fraser ended one letter to Keys, "[my] Don would like to talk to your Don." This was in response to a Keys wondering whether Fraser could use her friendship with Walter Mondale to see Arvonne Fraser to Martha Keys (3 Dec 1976), Box 145.B.20.4F, D. Fraser Papers.

<sup>778</sup> Roger H. Davidson and Walter Oleszek, *Congress against Itself* (Bloomington, IN: Indiana University Press, 1977): 271.

<sup>779</sup> Mary McGrory, "The Capitol Letter: Bella Sandpapers the House into Shape," *The New York Post* (14 Apr 1975), Box 1032, Abzug Papers. A similar quotation has been attributed to Rep. Lindy Boggs in Marjorie Hunter, "Capitol Hill Clubs Have Many Roles," *New York Times* (26 Dec 1975): 33, "Longworth HOB – Newspaper and Magazine Articles, 1974–" Folder, Architect of the Capitol Files, Office of the Architect of the Capitol, Washington, D.C. Additionally, Rep. Bella Abzug regularly met with the more liberal Congresswomen to discuss and coordinate approaches to legislation not directly related to women's issues. Irwin Gertzog, *Congressional Women: Their Recruitment, Integration, and Behavior*, 2<sup>nd</sup> ed. (New York: Praeger Publishers, 1995): 180.

<sup>780</sup> Former Abzug AA Margot Polivy notes that "The women in Congress worked pretty well together, and we had a wonderful run of successes. . . . [i]t was all easy because the right wing really hadn't yet mobilized." See Margot Polivy, quoted in Suzanne Braun Levine and Mary Thom, *Bella Abzug: How One Tough Broad from the Bronx Fought Jim Crow and Joe McCarthy, Pissed Off Jimmy Carter, Battled of the Rights of Women and Workers, Rallied Against the War and for the Planet, and Shook Up Politics Along the Way* (New York: Farrar, Straus and Giroux, 2007): 130.



accept the fact that she believes desperately in what she's fighting for."<sup>781</sup> Staffers spent the most time on the Hill and were far more likely to be on friendly terms with legislators and other staffers. This intimacy deepened their appeals. During a break in the 1974 Labor-HEW Appropriations conference to determine the scope of Title IX, WEAL member and Rep. Fraser staffer Susan Tenenbaum "grabbed [the] hand" of Sen. Edward Brooke (R-MA), a black Republican noted for his liberal stances on social issues, "urging opposition to Mrs. Green's proposed language limiting enforcement of Title IX."<sup>782</sup> This combination of familiarity and professional appeals was probably more difficult for lobbyists who, as one female lobbyist noted, live in a "different world" from legislators.<sup>783</sup>

Family ties created some of the strongest political appeals. Listening to female relatives pushed men towards support for feminist policies. During her interviews with congressional staffers and lobbyists in the 1970s, political scientist Anne Costain talked with a number of women who referred to wives and mistresses of congressmen as "active in conveying information from women's groups to the member." One LA "argued strongly that girl friends of representatives were an underutilized resource in lobbying campaigns."<sup>784</sup> Wives and sisters took a more visible role. Abigail McCarthy took a leading role in organizing the Clearinghouse on Women's Issues.<sup>785</sup> Congressional couples populated the lists of feminist organization supporters

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<sup>781</sup> Carol Burris, quoted in Marlene Cimon, "Capitol Lobby a Voice for Women," *Los Angeles Times* (11 Mar 1973): F1 (accessed 27 Oct 2012).

<sup>782</sup> Linda M. Carter, "Edward W. Brooke," in Jessie Carney Smith, ed., *Notable Black American Men* (Farmington Hills, MI: Gale Research, Inc., 1999).

<sup>783</sup> Judy Klemesrud, "Washington's Women Lobbyists Are Making Themselves Heard," *New York Times* (14 Nov 1973): 50 (accessed 27 Oct 2012).

<sup>784</sup> Costain, *Inviting Women's Rebellion*: 76. It is important to keep in mind that at least some of these girlfriends and wives were probably staffers themselves. This set of relationships also stretched across staffs. For instance, Ellen Sudow was married to William Eliot Sudow, a staff attorney for the U.S. Commission on Civil Rights in the early 1970s and later a staffer in Sen. John Brademas' (D-IN) office. See Charles Brownson, 1974 Congressional Staff Directory (Washington, D.C.: Charles Brownson, 1974): 761.

<sup>785</sup> For information on the Clearinghouse, see materials in "Clearinghouse on Women's Issues, 1973-1976" Folder, Box 60, A. Fraser Papers.

like the NWPC.<sup>786</sup> Charlie Wilson's sister, who worked for Planned Parenthood, shaped her brother's liberal approach to women's rights.<sup>787</sup> Legislators seemed more predisposed to support bills for women's equity if friends and family supported these policies.<sup>788</sup>

Both relatives and staffers had unique access to the social world that overlapped with legislative politicking. Former staffers asserted that "informal partying" and "gatherings . . . often involved an exchange of ideas and information."<sup>789</sup> Advocates for women's rights needed to be in a position to trade contacts and favors. So they too threw parties and attended receptions with networking in mind. Large numbers of these receptions honored the women in Congress or were held after the successful passage of a feminist bill.<sup>790</sup> These receptions made the presence of women on the Hill more visible while providing for cultivation of the friendships that formed the basis of the Washington feminist network. All of these social connections opened up opportunities for integration into the policy-oriented gossip mill on the Hill.<sup>791</sup> This information

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<sup>786</sup> The NWPC "Ballot of Friends Program Committee" included the following congresspersons and their wives: Birch Bayh, Edmund Muskie, George McGovern, Henry Jackson, Paul McCloskey, Vance Hartke, John Lindsey, and Hubert Humphrey. See "NWPC – National Convention, Houston, 8-11 Feb 1973" Folder, Box 62, A. Fraser Papers.

<sup>787</sup> Allison Wilson apparently agreed to not challenge Wilson's staunch support for gun rights if Wilson continued to support what was becoming an unpopular pro-choice position. Sharon Allison, transcript, Charlie Wilson Oral History Project Interview I, 17 Jun 2011, by M. Scott Sosebee and Paul Sandul, Stephen F. Austin State University. Online: <http://www.sfasu.edu/heritagecenter/5464.asp> (accessed 28 Feb 2013); Kathleen Murphy, transcript, Charlie Wilson Oral History Project Interview I, 15 Mar 2012, by Paul J.P. Sandul, M. Scott Sosebee, and Laura Blackburn, Stephen F. Austin State University. Online: <http://www.sfasu.edu/heritagecenter/5380.asp> (accessed 28 Feb 2013).

<sup>788</sup> A legislator's greater willingness to consider feminist policy was not necessarily a sign that they were ready to change the way they dealt with their wives or other women in their life. See McPherson, *The Power Lovers*, especially pages 411-13.

<sup>789</sup> Harrison W. Fox, Jr. and Susan Webb Hammond, *Congressional Staffs: The Invisible Force in American Lawmaking* (New York: The Free Press, 1977): 128, n11.

<sup>790</sup> There was a congresswomen's reception at the opening of each Congress.

<sup>791</sup> Susan Tenenbaum regularly briefed Norma Raffel, who was WEAL president and head of WEAL's education committee, on the status of Title IX regulations. Raffel lived in Pennsylvania and would only arrive in D.C. for committee testimony. Arvonne Fraser told Tenenbaum to communicate with Raffel. See the initial explanation of sex-based affirmative action legislation moving through congressional committees in the Sue T to Norma Raffel (15 Aug 1974), "Women's Issues and Organizations, 1974" Folder, A. Fraser Papers. In her memo of August 1974, Tenenbaum noted that Senate Education Subcommittee staffer Web Buell told her that little time was being spent on Title IX. The "scuttlebutt" indicated that Chairman James O'Hara's (D-MI) hearings were primarily a reaction to a recent affirmative action Supreme Court decision, rather than an assault on anti-sex discrimination amendments to the 1964 Civil Rights Act. Susan Tenenbaum to Norma Raffel (28 Aug 1974) in "WEAL Correspondence, 1974"

was important in discerning which tactics would be best suited to preserving the anti-sex discrimination amendments within the large bill.

Feminist staffers also provided lobbyists and congresswomen alike with vote-counting networks and information that could lock up votes from legislators who remained on the fence.<sup>792</sup> In supplying vote counts on a minimum wage bill for Rep. Don Fraser, staffer Val Flesichhacker included the number of children Rep. Edward Biester (R-PA) had, a description of Rep. Robert McClory (R-IL) as a “strong [Nixon] Administration supporter but very good on women’s rights,” and a note that Fraser should “congratulate” Rep. Silvio Conte (R-MA) “on his role in getting subway funds pried loose from Natcher’s appropriations.”<sup>793</sup> The Women’s Lobby – a set of volunteer D.C. lobbyists – relied on a network of secretaries to provide them with information. These were often the most accurate vote counts produced by the feminist lobby.<sup>794</sup> Staffers who served on committees could be particularly useful when it came to vote-counting, since they were privy to secret votes.<sup>795</sup>

Multiple positions on congressional staffs and in feminist organizations allowed these women to adjust their titles and behavior to suit a variety of situations. Feminists referred to this flexibility as “switching hats.” As Arvonne Fraser noted in one 1974 letter, “Bunny [Sandler] often uses my name on letters when she can’t use her own for employment reasons.”<sup>796</sup> Fraser

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Folder, Box 11, A. Fraser Papers. The case to which Tenenbaum referred was *DeFunis v. Odegaard*, 416 U.S. 312, 94 S. Ct. 1704, 40 L. Ed. 2d 164 (1974).

<sup>792</sup> As political scientist Anne Costain has argued, “[f]eminists on congressional staffs provided vote-counting networks for both women’s groups and feminist members of Congress such as Martha Griffiths, Edith Green, and Margaret Heckler (R, Mass.), who were rounding up support for women’s rights legislation.” Costain, *Inviting Women’s Rebellion*: 75.

<sup>793</sup> Val to DMF (4 May), “HR 7130 – Minimum Wage Bill” Folder, Box 147.G.11.4F, D. Fraser Papers.

<sup>794</sup> Flora Davis, *Moving the Mountain*: 131.

<sup>795</sup> Ellen Sudow to Patsy Mink (30 Jan 1973) and attached voting charts, Folder 1, Box 202, Mink Papers.

<sup>796</sup> Arvonne Fraser to Doris Seward (14 Sep 1974), Folder 3, Carton 5, WEAL Papers (MC 500).

also swapped her own signature out for her husband's to increase a request's appeal.<sup>797</sup> Similar letters from local chapters and national feminist organizations followed. A small number of individuals could produce a substantial and varied set of mailings in support of a bill.<sup>798</sup> This hat-swapping helps to explain Anne Costain's observation that "members of Congress were sensitive to women's issues [policies] without quite realizing where pressure for these bills was coming from."<sup>799</sup> This invisibility occasionally irked WEAL women, but ultimately, invisibility enhanced the efficacy of the women's rights lobby.<sup>800</sup>

Feminists' effectiveness relied upon the apparent boundaries between their various roles. When he accepted a position on the WEAL National Advisory Board, Phineas Indritz cautioned that he should be identified as a lawyer rather than a congressional committee staffer, because "[t]here will be times when WEAL will be involved in matters relating to the Federal government or Congress" and he wanted to ensure that everyone understood that he was "acting solely as an individual."<sup>801</sup> Indritz maintained the same policy with NOW, an organization that he had helped to found.<sup>802</sup> Without the label "feminist," rights advocates were regarded as less biased, more pragmatic, and at times more knowledgeable than their counterparts who worked

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<sup>797</sup> Arvonne Fraser to Janice Mendenhall, Bert Hartry, and Judy McFadden (n.d.), "National Capitol Chapter Correspondence, 1971-1972" Folder, Box 19, A. Fraser Papers. As office manager, she regularly wrote letters for her husband to sign. This process would have been standard procedure for any office, but Arvonne's work blurred the lines between feminist activism and standard congressional information-sharing. Judith Nies recalls co-writing letters on sex discrimination in federal fellowships with Arvonne, which Don Fraser then signed "with a wry smile." Nies, *The Girl I Left Behind*: 251.

<sup>798</sup> Arvonne Fraser to Elizabeth Boyer, Daisy Fields, Bernice Sandler, and Marilyn Schiff (6 Apr 1971), Folder 19, Box 47, Sandler Papers.

<sup>799</sup> Costain, *Inviting Women's Rebellion*: xix. Costain also observes that "Congressional opinions of groups such as NOW and WEAL varied from 'No one in that group has ever visited the office' to 'I think I remember someone from that group testifying at the hearings.'" See page xxi.

<sup>800</sup> Arvonne Fraser to Paula Treder (27 Mar 1973), "WEAL – Correspondence, Paula Treder and Carolyn Goodwin, 1973" Folder, Box 22, A. Fraser Papers.

<sup>801</sup> Indritz to Elizabeth Boyer (15 Nov 1968), Folder 12, Box 11a, Indritz Papers.

<sup>802</sup> Ibid.

purely as lobbyists.<sup>803</sup> Ann Smith, an employee with the Congressional Caucus for Women's Issues (CCWI), noted that "We always call them and think of them as women's issues, not feminist issues."<sup>804</sup> Many staffers were themselves more comfortable with the "women's rights" label, since they viewed "women's liberationists" and "feminists" as tactically and thus ideologically more radical than themselves.<sup>805</sup>

Women at the heart of feminist congressional networks became information hubs, connecting woodwork feminists across the Hill. Because of her contacts on a number of important committees, Arvonne Fraser received notes and memos relating to her well-known interest in women's equity legislation from staffers and legislators alike.<sup>806</sup> It was not unusual for female staffers in other offices to contact Rep. Bill Ryan's office, searching for Jean Faust as a

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<sup>803</sup> It helped that many women's liberationists were openly distrustful or disdainful of the language, tactics, and class privilege of woodwork feminists. For instance, *off our backs* published an article on the NWPC that complained about the "ladylike jive" used by the group. See Onka Dekkers, "National Women's Political Caucus," *off our backs* 2:4 (Dec 1971): 19.

<sup>804</sup> Ann Smith, quoted in Anne N. Costain and W. Douglas Costain, "Strategy and Tactics of the Women's Movement in the United States: The Role of Political Parties" in *The Women's Movements of the United States and Western Europe: Consciousness, Political Opportunity, and Public Policy*, ed. Mary Fainsod Katzenstein and Carol McClurg Mueller (Philadelphia: Temple University Press, 1987): 205.

<sup>805</sup> Indeed, women like Bernice Sandler had entered the women's movement through WEAL because they viewed the organization as the least radical option available.

<sup>806</sup> For instance, Fraser received a Ruth Warlick, a secretary on the House Subcommittee on Conservation and Natural Resources regarding the fact that a man had been appointed head of the new Office of Civil Rights and Urban Affairs. There are few other pieces of evidence that Warlick and Fraser knew one another, but the committee also housed a number of progressive representatives with whom Fraser had relationships, including Bella Abzug, John Conyers, alongside feminist staffer Phineas Indritz, who was then working as chief counsel for the subcommittee. See note attached to "EPA Established Office of Civil Rights, Urban Affairs" press release (28 Jan 1972), Box 147.G.11.2F, D. Fraser Papers. For information on the subcommittee make-up, see Charles Brownson, *Congressional Staff Directory*, 13<sup>th</sup> ed. (Washington, D.C.: Charles Brownson, 1971): [http://www.archive.org/stream/1971congressiona008514mbp/1971congressiona008514mbp\\_djvu.txt](http://www.archive.org/stream/1971congressiona008514mbp/1971congressiona008514mbp_djvu.txt) (accessed 4 Feb 2013). Congresswomen also shuttled materials through Fraser. In February of 1975, Rep. Yvonne Brathwaite Burke's legislative aide attached a note to a "Dear Colleague" letter on Burke's Flexible House Employment Act which noted that the bill would be of interest to both Fraser and the WEAL *Washington Report* readership. The bill subsequently appeared in the WEAL bulletin, and Donald Fraser signed on as a co-sponsor. See Renee Montgelas to Arvonne Fraser (Feb 1975) in "Miscellany: WEAL Washington Report, 1974-1976" Folder, Box 12, A. Fraser Papers. For a separate example, see "Bipartisan Group of Senators and Congressmen to Seek Child, Family Services Bill" press release (Feb 1975) in "Miscellany: WEAL Washington Report, 1974-1975" Folder, Box 12, A. Fraser Papers.

resource on “women’s lib.”<sup>807</sup> Congressional staffers also worked to disseminate information on policy to a wider constituency of feminists by writing articles for *Ms. Magazine*.<sup>808</sup> For example, Mondale staffer Ellen Hoffman provided *Ms.* with briefing materials in advance of the Title IX Senate hearings, noting that *Ms.* staffer Joanne Edgar should “give me a call if I can help explain anything about the formalities of a Senate hearing, etc.”<sup>809</sup>

The Hill’s feminist lobby was effective because of women who held multiple positions within congressional offices and women’s rights organizations. Aides and the local groups with which they were affiliated could use local gossip, relationships, and knowledge to augment traditional lobbying and issue advocacy. The feminism of these staffers emerged from the Hill environment, and their activism naturally centered on legislative politics. As political scientists Karen Foerstel and Herbert N. Foerstel observed, “[c]ongressional staff positions have provided women an access to significant Capitol Hill influence in numbers well beyond the meager representation they have acquired to date through the ballot box.”<sup>810</sup> Switching hats was an enormously successful strategy through the 1970s.

## Conclusion

By 1971, partway through her first term in Congress, Rep. Bella Abzug could announce that “[t]his is the year of women’s lib,” proudly detailing the thirty-five women’s legislative bills

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<sup>807</sup> Mary Beth to Jean F. (9 Jul 1971): “Faust, Jean and Irvin” Folder, Box 120, William Fitts Ryan Papers, Seeley Mudd Library, Princeton University, Princeton, NJ.

<sup>808</sup> DSG staffer Ellen Sudow, “Women’s Washington Representative” staffers and co-editors Susan Tenenbaum and Judith Ann Paulus, and Chisholm staffer Shirley Downs all produced articles reviewing congressional policies on the docket for a number of years. Carol Burris and Shirley Downs, “What Congress Can Do for You [or to You],” *Ms. Magazine* (Feb 1975): 97-100; Shirley Downs and Carol Burris, “What [Else] the 94<sup>th</sup> Congress Might [or Might Not] Do,” *Ms. Magazine* (Mar 1975): 97-100; Susan Tenenbaum and Judith Ann Paulus, “Legislation to Watch – and Work for – in the 95<sup>th</sup> Congress,” *Ms. Magazine* (Feb 1977): 99-102.

<sup>809</sup> Ellen Hoffman to Joanne Edgar (2 Nov 1973), “Women – Civil Rights (General), 1973-1974 (3)” Folder, Box 153.L.9.10F, Mondale Papers.

<sup>810</sup> Karen Foerstel and Herbert N. Foerstel, *Climbing the Hill: Gender Conflict in Congress* (Westport, CT: Praeger Publishers, 1996): 158.

introduced in the opening weeks of the 92<sup>nd</sup> Congress.<sup>811</sup> Legislators and their staff were pushed to focus on women's rights policy as analogous to civil rights policy, and many began scrambling to produce noncontroversial bills that would prop up their legislative records and allow them to build careers.<sup>812</sup> These staffers and legislators in effect altered what political scientist John Kingdon calls "the policy stream," influencing House and Senate agendas by integrating anti-sex discrimination bills into a legislative flow designed to solve national problems and inequities.<sup>813</sup> They performed an integral role, bridging gaps between a diffuse set of local and national women's rights organizations, feminist research organs, the federal bureaucracy, and an ever-changing congressional world.

Feminist influence came only when policies establishing women's rights were placed in the hands of noncontroversial individuals. Women like those in the Sisterhood were asking for simple justice from their friends. Instead of picketing or forcefully demanding anything from men, female staffers organized policy seminars to educate their colleagues.<sup>814</sup> The 1973 seminar on "Legislation Affecting the Status of Women" was so popular that it warranted two sessions.<sup>815</sup> A number of supportive legislators sponsored a three film series on women in education for

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<sup>811</sup> Bella Abzug, legislative report to Women's Panel at New Democratic Coalition Conference, Washington Irving High School, New York City (7 Feb 1971), Box 1033, Abzug Papers.

<sup>812</sup> Gelb and Palley argue that the noncontroversial bills were those that paralleled pre-existing civil rights policy, especially bills which would cost the federal government little money. See Gelb and Palley, *Women and Public Policies*.

<sup>813</sup> John Kingdon, *Agendas, Alternatives, and Public Policies*, 2nd ed. (New York: Little, Brown, 1995).

<sup>814</sup> Some of these seminars were short, but others involved months of site visits and luncheon talks. For information on feminist staffer seminars, see Folder 6, Box 71, Margaret Dunkle Papers, Schlesinger Library. One shorter seminar was the 1976 NETWORK legislative seminar on sex, race, and employment, geared specifically towards educating liberal Catholic lobbyists. Arvonne Fraser and Frances Hardin, a staffer on the House Subcommittee on Equal Opportunity, comprised the seminar speakers' panel. See "5<sup>th</sup> Legis Seminar – NETWORK, 13-18 Jun 1976" Folder, Box 17, A. Fraser Papers. Another seminar on "The Potential of Girls" was hosted by D.C. NOW and included Fraser staffer Leslie Gladstone. See Folder 3, Box 200, Mink Papers.

<sup>815</sup> The panelists for the seminar were Carol Burris of Women's Lobby, WEAL member Daisy Fields of FEW, WEAL member Carol Foreman for worked as Executive Director for the Consumer Federation of America, and Ann Scott, NOW member and Associate Executive Director for the American Association for Higher Education. See "Seminar: Legislation Affecting the Status of Women" overview sheet; Lester S. Jayson to Administrative Assistants (3 Dec 1973), Folder 4, Box 567, Mink Papers.

congresspersons and their staff.<sup>816</sup> These informal gatherings did not fully determine the fate of feminist legislation, but they often represented the first feminist pitches heard by male staffers.<sup>817</sup> After one session on sex discrimination in higher education, staffer George Arnstein exclaimed, “I sensed there was a problem, but I never knew the magnitude. Those facts and figures are really shockers!”<sup>818</sup>

The impact of this small, informal, and generally invisible and thus inaccessible group of wives, feminist lobbyists, staffers, and friends profoundly affected the content and trajectories of women’s equity bills in Congress. Successful bills required feminists located at a multitude of pressure points throughout the Hill, loosely coordinated in an information exchange facilitated by Hill groups like the Nameless Sisterhood and NCC WEAL. Feminist legislation required independent, entrepreneurial staffers like Arvonne Fraser, feminist wives like Sala Burton, researchers like Bonnie Cowan, and born networkers like Val Fleischhacker, alongside activist congresswomen, more quietly supportive staffers across the Hill, and all the constituency letters that a broad-based organization like NOW could muster. Without each of these ingredients, much of the successful 1970s feminist legislation might not have made it out of House and Senate committees.

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<sup>816</sup> Reps. Silvio Conte and Robert Drinan had signed on to sponsorship by 3 Jul 1974, and the NIE asked Sen. Walter Mondale to sponsor in the Senate, and Mondale obliged. The films were “Matina Horner,” which dealt with the Radcliffe College president’s life and research, “Girls at 12,” a documentary of young American girls, and “Joyce at 34,” which examined the problems encountered by young career women with children. See Ellen to Senator (3 Jul 1974), draft “Dear Colleague” letter (18 Jun 1974), “Women – Civil Rights (General), 1973-1974 (4)” Folder, Box 153.L9.10F, Mondale Papers.

<sup>817</sup> As Mondale staffer Ellen Hoffman noted in her thank you letter to the Educational Staff Seminar director, these seminars were a “valuable opportunity . . . to meet informally with my colleagues and with others who have similar interests but are officially affiliated with executive agencies.” Ellen Hoffman to Norman Drachler (28 Mar 1974), “Hoffman, Ellen – Letters, 1973-1974” Folder, Box 153.L8.2F, Mondale Papers.

<sup>818</sup> Samuel Halperin to Arvonne Fraser, cc Bernice Sandler (27 Sep 1971) in Folder 23, Box 11, Sandler Papers.



## Chapter 5

### **“A Moral Climate for Reform”: Constructing and Pursuing a Feminist Legislative Agenda**

In the early 1970s, women’s issues carried a low profile. Few people considered them to be important, much less threatening. Once a piece of legislation was introduced, it was likely to pass, but the problem was in getting sufficient support to move the bill to the floor. – Irene Tinker, 1983<sup>819</sup>

Feminist policymaking reached its peak in the 1970s. In the aftermath of the passage of the Equal Rights Amendment, landmark educational, employment, and economic rights measures seemed to fly through the congressional process. Reflecting on the flood of 1970s feminist legislation, Rep. Martha Griffiths (D-MI) declared that “The ERA created a moral climate for reform. Once it was put through, everything else became logical.”<sup>820</sup> Logical did not mean easy. Though the ERA was a necessary precursor, Griffiths’ remark obscured the fact that feminist legislative success was the product of hard work. Feminist legislators and staffers labored through the decade to build a new policy specialization: women’s issues.<sup>821</sup> Local networks of feminist legislators, staffers, lobbyists, wives, and daughters mobilized to push feminist bills through Congress, using personal appeals and connections, as well as the threat of a women’s constituency mobilized by the ERA. In the process, they succeeded in convincing Congress that sex discrimination was a national problem that required legislative remedies.

To date, there has not been much scholarship on feminist policymaking in the 1970s. Current literature leans heavily on Griffiths’ observation, erasing the fact that feminist staffers and legislators worked for years to convince male legislators and staffers of the reality of sex

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<sup>819</sup> Irene Tinker, Introduction to Part 4: “Win Some, Lose Some: Case Studies,” *Women in Washington: Advocates for Public Policy*, ed. Irene Tinker (Beverly Hills, CA: Sage Publications, 1983): 223.

<sup>820</sup> Martha Griffiths, interview with Jo Freeman (Feb 1973), quoted in Jo Freeman, *The Politics of Women’s Liberation: A Case Study of an Emerging Social Movement and Its Relation to the Policy Process* (Lincoln, NE: Backinprint.com, 2000): 222.

<sup>821</sup> House members in particular relied on specialization as a path to legislative production. As political scientists have noted, “There is no argument among observers of Congress that specialization is the defining characteristic of the manner in which the House conducts its business.” See Arthur G. Stevens, Jr., Arthur H. Miller, and Thomas E. Mann, “Mobilization of Liberal Strength in the House, 1955-1970,” *American Political Science Review* 68:2 (Jun 1974): 667.

discrimination.<sup>822</sup> Certainly, Hill feminists benefitted from and built upon preceding debates over civil rights legislation, which had established the moral rightness of equality for all and tied numerous legislators to a progressive politics of equal opportunity.<sup>823</sup> But women had another strength that civil rights advocates lacked: numbers in Congress. Women were arrayed across the

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<sup>822</sup> Suzanne Kahn, “Valuing Women’s Work in the 1970s Home and the Boundaries of the Gendered Imagination,” *Harvard Journal of Law & Gender* 36:1 (2013), available at [http://harvardjlg.com/wp-content/uploads/2013/02/KahnComment.Final\\_2.15.13.pdf](http://harvardjlg.com/wp-content/uploads/2013/02/KahnComment.Final_2.15.13.pdf) (accessed 20 Apr 2014). Political scientist Jo Freeman’s examination of the “policy network” of feminists on the Hill does not extend much further than the passage of the ERA. Freeman, *The Politics of Women’s Liberation*. Most scholarship reiterates her work without further examination. For political science literature that reproduces and finesses this argument, see Janet A. Flammang, *Women’s Political Voice: How Women Are Transforming the Practice and Study of Politics* (Philadelphia: Temple University Press, 1997): 253-96; Janet Boles, “Local Feminist Policy Networks in the Contemporary American Interest Group System,” *Policy Sciences* 27:2/3, *Feminism and Public Policy* (1994): 161-78; Sarah A. Soule and Braydon G. King, “The Stages of the Policy Process and the Equal Rights Amendment, 1972-1982,” *American Journal of Sociology* 111:6 (May 2006): 1871-1909. Historians who rely on this interpretation include Sara Evans, *Born for Liberty* (New York: Free Press, 1997): 263-86; Flora Davis, *Moving the Mountain: The Women’s Movement in America since 1960* (Springfield, IL: University of Illinois Press, 1999); Ruth Rosen, *The World Split Open: How the Modern Women’s Movement Changed America* (New York: Viking Press, 2000); Sara Evans, *Tidal Wave: How Women Changed America at Century’s End* (New York: Free Press, 2004). Other political science analyses have focused on comparing and contrasting policy areas, in order to determine whether the legislative successes of the 1970s were the product of feminist lobbying or an electoral ploy to capture the votes of a newly mobilized women’s constituency. My analysis owes much to Joyce Gelb and Marian Lief Palley, whose recreation of a multitude of policy conversations and networks has greatly assisted my own analysis. However, their study is focused on comparing and contrasting various policy areas with an eye towards creating a list of recommendations for future feminist policy advocates. This analysis does not account for change over time, nor does it deal with the uneven development of feminism across a large, decentralized institution. Joyce Gelb and Marian Lief Palley, *Women and Public Policies: Reassessing Gender Politics* (Charlottesville, VA: University of Virginia Press, 1996). Gelb and Palley also rely exclusively on interviews and secondary sources. For their list of recommendations for future feminist policy activism, see Gelb & Palley: 1-11. I would argue that this source material contributes to the de-radicalization of some of the language and demands of the Hill network. For other arguments that emphasize feminist moderation as the key to acquiring and successfully wielding political and economic resources, see Pamela Johnston Conover and Virginia Gray, *Feminism and the New Right: Conflict over the American Family* (Praeger, 1983); Jo Freeman, ed. *Social Movements of the Sixties and Seventies* (New York: Longman, 1983); Jane Mansbridge, *Why We Lost the ERA* (Chicago: University of Chicago Press, 1986); Barbara Ryan, *Feminism and the Women’s Movement: Dynamics of Change in Social Movement Ideology and Activism* (New York: Routledge, 1992); Janet Boles, “Local Feminist Policy Networks in the Contemporary American Interest Group System,” *Policy Sciences* 27:2/3, *Feminism and Public Policy* (1994): 161-78; Jo Freeman and Victoria Johnson, ed. *Waves of Protest: Social Movements Since the Sixties* (New York: Rowman & Littlefield, 1999). In Freeman’s edited work, this emphasis on tactical and ideological moderation can be seen most clearly in Part Four: Strategy and Tactics, which appears in both books.

<sup>823</sup> This point has been mentioned by numerous scholars, though there is no work that examines these connections in much depth. Instead, scholars use the similarities and differences between feminist policies and previously enacted civil rights legislation to establish whether feminist policies are really challenging the status quo. This approach characterizes adding anti-sex discrimination language to civil rights bill as conservative feminist politics, in contrast with policies that dealt with the special needs of women. For an example, see Anne N. Costain, *Inviting Women’s Rebellion: A Political Process Interpretation of the Women’s Movement* (Baltimore: The Johns Hopkins University Press, 1992): xiv.

Hill and, in the 1970s, many of them were willing to do small things to assist feminist legislative efforts. These staffers were invested in a platform that extended beyond the ERA.

Both secretaries and professional aides authored a number of these bills. Staffers began their 1970s feminist policy work with bills to rectify discriminations that they themselves had experienced, discussed, and researched with other Hill feminists. These same individuals sought to convince Congress that feminist policy was not simply politically beneficial but just, using a combination of personal and political appeals. While mixed messaging was a problem for feminists fighting for their own rights on the Hill, women in Congress uniformly supported equal educational opportunities and equal access to credit. Further, the diffuse nature of this network reduced the possibility of serious disagreements within the feminist policymaking network. As the decade wore on, the “incipient network” of legislators, staffers, and lobbyists coalesced, creating the research and policy bases for the establishment of women’s issues as serious politics in Congress.

### An Overdue Objective: Passing the Equal Rights Amendment

In May of 1970, Sen. Birch Bayh (D-IN) opened the Senate Judiciary’s Subcommittee on Constitutional Amendments hearings with the declaration that “today begins an all-out effort to secure a long overdue objective – equal rights under the law for men and women.”<sup>824</sup> As a cohesive body of testimony piled up, these hearings helped to solidify a policy agenda for feminist legislators and staffers. As many scholars have noted, the push for this amendment also convinced Congress that women’s issues had staying power on the Hill.<sup>825</sup> Legislators, lobbyists,

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<sup>824</sup> Birch Bayh, U.S. Congress, Senate, Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, *The “Equal Rights” Amendment Hearings*, 91<sup>st</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1970): 1.

<sup>825</sup> For a graph demonstrating the steep rise in “government events raising equality and special-needs issues” relating to women in 1970, see Costain, *Inviting Women’s Rebellion*: 128.

and staffers worked together to pull off a stunning victory that made outright opposition to women's rights seem untenable. Importantly, the chairs of both the House and the Senate Judiciary Committees were strong supporters of the ERA by 1972, having identified women's issues as both important and politically beneficial. Given its breadth of support on the Hill, Congress needed to respond to this new movement.

As historian Cynthia Harrison has skillfully detailed, women's activism within the executive provided an important precursor to feminist policymaking in the 1970s. Both Kennedy's 1961 President's Commission on the Status of Women (PCSW) and the 1966 Citizen's Advisory Council on the Status of Women (CACSW) found broad popular support for eliminating state and federal laws that discriminated against women.<sup>826</sup> Reps. Martha Griffiths and Edith Green (D-OR) served on these commissions and based their policy agenda on the research and findings of these groups. Assisted by Catherine East and Phineas Indritz, both congresswomen had a ready set of ideas for feminist bills when the women's movement arrived on the Hill.<sup>827</sup>

President Nixon's apathy helped to establish bipartisan support for these policies. The Nixon Administration's disinterest in women's issues and the executive's refusal to appoint a woman to the Cabinet angered Republican congresswomen, prompting a 1969 memo to the executive that accused members of the executive of being "anti-woman."<sup>828</sup> The administration

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<sup>826</sup> Cynthia Harrison, *On Account of Sex: The Politics of Women's Issues, 1945-1968* (Berkeley, CA: University of California Press, 1989).

<sup>827</sup> In April of 1966, Rep. Martha Griffiths gave a speech taking the EEOC to task for failure to enforce anti-sex discrimination legislation. She then had the speech Xeroxed at her own expense. An admirer of Griffiths and a friend of Griffiths aide Phineas Indritz, Catherine East helped Griffiths to distribute the speech at a meeting of state Commissions on the Status of Women held in D.C. Afterwards, East, Mary Eastwood, and Marguerite Rawalt spent several nights in East's basement, stuffing the speech into stamped envelopes for nationwide distribution.

<sup>828</sup> This memo came with seventeen recommendations that demanded support for current women's legislation, greater recruitment of women into top positions within the executive and within the party, an investigation into sex discrimination within government and in society more broadly, the enactment of the ERA, and the establishment of

responded by appointing a Task Force on Women's Rights and Responsibilities, an action understood by many women as an attempt to defuse rather than substantively respond to discrimination complaints.<sup>829</sup> Unfortunately for Nixon, the Task Force endorsed policy recommendations that closely resembled those of their Democratic predecessors. In addition, the group endorsed the ERA.<sup>830</sup> The executive branch failed to take these recommendations to heart. In the following months, the Nixon Administration refused to issue a number of the Task Force reports or appoint a sufficient number of women in the executive.<sup>831</sup>

The executive's indifference made Congress the best available target for feminists. In 1970, women's liberation movement activists invaded the Hill. Sen. Gaylord Nelson's (D-WI) January 1970 hearings on the safety of the birth control pill were the first target of feminist anger. After all, there were no women on the subcommittee, few women testified, and none of the few female testimonies dealt with the effects of the pill.<sup>832</sup> On February 17, 1970, a small number of NOW officers and local women's liberationists disrupted hearings on a pending bill to amend the Constitution to enfranchise eighteen-year-olds, demanding that the Senate take up the

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"multi-purpose" day-care centers for the children of working mothers. See Freeman, *The Politics of Women's Liberation*: 206-207.

<sup>829</sup> Women in the executive propagated this explanation for the Task Force's existence. Task Force member Elizabeth Anthanakos observed that Nixon "did what any other man does and that is, 'Oh, you have a problem? We'll appoint this committee and go talk about it.' I think that's how the task force came about. I guess we made more noise than they bargained for." See the Betty Anthanakos 20 May 2009 edited oral history interview transcript (3 Feb 2005), "Anthanakos, Elizabeth Edited Transcript SK Edited 5-20-09" Folder, "A Few Good Women" Oral History Project, Eberly Family Special Collections Library, Pennsylvania State University, University Park, PA.

<sup>830</sup> For a copy of the Task Force report and an analysis of the group's work, see Lee Stout, *A Matter of Simple Justice: The Untold Story of Barbara Hackman Franklin and a Few Good Women* (College Town, PA: Pennsylvania State University Press, 2012).

<sup>831</sup> While other members of the Task Force avoided discussing this refusal, Task Force Chair Virginia Allan carefully noted that she was not at liberty to talk about some of the findings during the first set of 1970 ERA hearings. See U.S. Congress, Senate, Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, *The "Equal Rights" Amendment Hearings*, 91<sup>st</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1970): 537. Nixon's failure to act contrasted with President Johnson's appointment of a record number of Democratic women to the previous administration. See Harrison, *On Account of Sex*: 174-75.

<sup>832</sup> Stanley Auerbach, "Women Disrupt Hearing on the Pill," *Washington Post, Times Herald* (24 Jan 1970): B1 (accessed 21 Oct 2012). Of course, the lack of women on the subcommittee should have been unsurprising, given that Sen. Margaret Chase Smith was the only woman in the Senate at that time. The entire list of demands can be found in the "Women's Liberation Press Release" (1970) at [http://www.pbs.org/wgbh/amex/pill/filmmore/ps\\_declaration.html](http://www.pbs.org/wgbh/amex/pill/filmmore/ps_declaration.html) (accessed 16 Apr 2013).

ERA.<sup>833</sup> Observing the committee's make-up, activists noted that no women served on the committee and no women's representatives had been allowed to submit testimony in person. They connected this dearth of women with legislators' refusal to consider women's rights as seriously as they regarded the rights of minority groups or the young.<sup>834</sup>

This activism made it impossible for Congress to ignore the feminist movement. It was this February politicking that led to the May 1970 hearings on the ERA, chaired by Sen. Bayh.<sup>835</sup> Endorsed by a powerful and highly supportive male member of the Senate, the hearings signified the new legitimacy of feminist policy concerns. Committed to the amendment, Bayh and ERA co-sponsor Sen. Marlow Cook (R-KY) structured the hearings to lean towards ERA support. Women's organization representatives, independent lawyers, Democratic and Republican party officials, and members of state commissions on the status of women testified to the wide breadth of sex discrimination. Dissenters tended to be feminists who challenged Congress as a patriarchal institution attempting to "co-opt a growing women's revolution."<sup>836</sup> Almost all endorsed the ERA as a suitable first step in eliminating sex discrimination.

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<sup>833</sup> For a brief description of the hearings and an example of the little press coverage the protest received, see "Bayh Optimistic on Voting Age of 18 after the White House Backs Measure," *New York Times* (18 Feb 1970): 20. A good description of the ensuing disruptions can be found in the participant Carol Vance to Karen Keesling (14 Apr 1971), Folder 221, Box 23, Catherine East Papers, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA. Hereafter referred to as East Papers.

<sup>834</sup> Judith Hole and Ellen Levine, *Rebirth of Feminism* (New York: Quadrangle Books, 1971): 55-56.

<sup>835</sup> This was certainly Heide's opinion, which she noted during her testimony before the Ervin Subcommittee hearings. See U.S. Congress, Senate, Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, *Hearings on S.J. Res. 61 and S.J. Res. 231 Proposing an Amendment to the Constitution of the United States Relative to Equal Rights for Men and Women*, 91<sup>st</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1970): 203.

<sup>836</sup> Emma Goldman of Washington Women's Liberation, U.S. Congress, Senate, Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, *Hearings on S.J. Res. 61 and S.J. Res. 231 Proposing an Amendment to the Constitution of the United States Relative to Equal Rights for Men and Women*, 91<sup>st</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1970): 78. The confrontational decision of Washington Women's Liberation members to speak to the nearly all-female audience rather than the committee caused Sen. Marlow Cook to unsuccessfully demand that WWL remarks be stricken from the record. Bayh argued that WWL comments should be included in record if the testifiers wished, especially in light of the show of support within room for WWL sentiments. Bayh also noted that he wanted to speak with Goldman and her associates later, because he was not sure whether they supported or opposed the ERA. See *Ibid*: 78-81.

Scattered throughout was the testimony of legislators who supported the amendment based on the experiences of their wives, daughters, and female staffers. Both DC NOW president Barbara Ireton and Sen. Marlow Cook believed that their daughters regularly experienced sexism.<sup>837</sup> Cook also noted that when his female staffer graduated from law school, none of the women in her class received job offers.<sup>838</sup> Feminists understood the utility of personal appeals. Rep. Bill Ryan (D-NY) staffer Jean Faust convinced Rep. Bill Ryan to sponsor the ERA by “reminding him that he daily violates state protective legislation in both his New York and Washington Offices which are run by women, and by reminding him that he has three daughters whose futures he should be considering.” Faust considered the approach so successful that she recommended “a similar campaign” with other legislators.<sup>839</sup>

Through 1970, congresspersons struggled with the personal and political ramifications of ERA support. Bayh’s wife Marvella later recalled “arguing with Birch with tears streaming down my face . . . trying to explain to him *why* a woman would need to feel fulfilled in her own right.”<sup>840</sup> Several legislators were affected by discrimination against female friends and family.<sup>841</sup> Other legislators strove to understand the legal ramifications of the amendment with the little information available to them.<sup>842</sup> In 1970, the Library of Congress had never prepared a

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<sup>837</sup> Cook regularly brought up this fact. See Ibid: 43, 111, 497. For Barbara Ireton’s statement, see page 646.

<sup>838</sup> Ibid: 67.

<sup>839</sup> Jean Faust, “Report of the National Legislative Committee” at the NOW National Conference (20-22 Mar 1970), Folder 3, Carton 27, East Papers.

<sup>840</sup> Marvella Bayh, quoted in Myra McPherson, *The Power Lovers: An Intimate Look at Politics and Marriage* (New York: GP Putnam’s Sons, 1975): 373.

<sup>841</sup> Martha Griffiths noted that “Many a senator was persuaded to commit himself to a personal case of discrimination against one of the women close to him.” Quoted in Fern Ingersoll, “Former Congresswomen Look Back,” *Women in Washington*: 201.

<sup>842</sup> Ed Brooke to Mrs. Jean Kyte (24 Jan 1972), “ERA - Correspondence” Folder, Women’s Rights Collection, Sophia Smith Archives, Smith College, Northampton, MA. Allied with labor unions, Mink had long supported protective legislation, believing that these policies protected working women. Before she committed to co-signing the amendment, she wanted to make sure that the ERA would extend protective legislation to men, rather than revoking it entirely. As she argued to one constituent, “I am not yet convinced the good to be achieved by a Constitutional Amendment outweighs the mischief particularly for the women who are at the lowest end of the economic ladder whom I have a special burden to represent.” See Patsy Mink to Mrs. Myra Ruth Harmon (20 Jun

document on the effects the amendment would have on local, state, and federal laws “because of the novelty of the issue.”<sup>843</sup> As the most up-to-date compilation of evidence for and against the ERA, Bayh’s hearings were integral in convincing a number of these legislators of the amendment’s utility.

Nationally, the Equal Rights Amendment was gaining support. By 1970, anger over the EEOC’s refusal to pursue sex discrimination complaints as forcefully as race-based complaints tipped the scales towards the ERA.<sup>844</sup> A mounting pile of evidence revealed the systematic abuse of protective legislation, which often prevented women from obtaining better-paid and more prestigious jobs. The Supreme Court began handing down rulings chipping away at regulations and hiring qualifications that discriminated against women as a class.<sup>845</sup> Meanwhile, women’s organizations capitalized on increased press attention to the amendment, facilitating hundreds of pro-ERA letters to legislators.<sup>846</sup> Anyone who testified that unequal access to jobs or unequal treatment on the job was legitimate was roundly booed by the packed galleries.<sup>847</sup>

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1970), Folder 11, Box 553, Patsy Mink Papers, Manuscript Division, Library of Congress, Washington, D.C. Hereafter referred to as Mink Papers. At the time, Harmon was the president of the National Federation of Business and Professional Women’s Clubs (BPW), a pro-ERA organization.

<sup>843</sup> Stephen C. Orenstein to Patsy T. Mink (1 May 1970), Folder 5, Box 552, Mink Papers.

<sup>844</sup> The EEOC consistently interpreted the *bfoq* or “bone fide occupational qualification” broadly in the case of sex, which accorded with the fact that “sexual segregation of jobs was an unchallenged axiom of American business practice” in the late 1960s, as noted by historian Patricia Zelman. See Zelman, *Women, Work, and National Policy: The Kennedy-Johnson Years* (UMI Research Press, 1980): 93.

<sup>845</sup> For an overview of this interactive legal, political, and social process, see Dorothy McBride Stetson, *Women’s Rights in the U.S.A.: Policy Debates and Gender Roles*, 2<sup>nd</sup> ed. (New York: Garland Publishing, Inc., 1997): 33-44.

<sup>846</sup> By the end of the ERA campaign drive, Rep. Donald Fraser staffer Val Fleischhacker asserted that “you could make twelve phone calls and get five to ten thousand letters.” See Val Fleischhacker, interview with Jo Freeman (Feb 1973) quoted in Freeman, *The Politics of Women’s Liberation*: 218.

<sup>847</sup> Mortimer Furay of the Metro Detroit AFL-CIO Council came in for particularly active audience anger when he commented that using tools not “designed for women” and working over ten hours might mean that women hurt themselves while doing household chores like ironing or cooking. Bayh had to quiet the galleries, telling women that then needed to be willing to “give those of differing opinion an opportunity to be heard.” Audience members persisted in vocally denouncing Furay’s testimony, audibly arguing that “I question the scientific basis.” & “I think this is a good argument for the amendment.” See U.S. Congress, Senate, Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, *Hearings on S.J. Res. 61 and S.J. Res. 231 Proposing an Amendment to the Constitution of the United States Relative to Equal Rights for Men and Women*, 91<sup>st</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1970): 87-88, 97.



Feminist policy benefitted from President Nixon's attempts to slow the federal government's enforcement of civil rights laws. Nixon's intransigence fuelled liberal anger, crystalizing a mostly Democratic cadre's support for bill strengthening equal opportunity.<sup>848</sup> Bills to establish women's rights fit right into this agenda. In June of 1970, Rep. Abner Mikva (D-IL) proposed a Women's Equality Act to implement the recommendations of the Nixon Task Force.<sup>849</sup> This bill was intended to complement the ERA by giving anti-amendment testifiers exactly what they wanted: a legislative attack on specific inequities in the law, employment, and education. Both the House and Senate advanced proposals for increasing the EEOC's enforcement powers. Rep. Martha Griffiths pursued bills to equalize Social Security benefits for working wives and provide equal benefits for married women in the federal military and civil services.<sup>850</sup>

Local feminists seized on these opportunities. Rep. Martha Griffiths and the members of a local group of lobbyist housewives – the Crater's Raiders – managed the historic feat of discharging the ERA from the House Judiciary Committee. They were successful precisely because they understood the potential inherent in a network of woodwork feminists. After Griffiths spoke to a District consciousness-raising group that contained a number of Hill employees, about twenty staffers responded to Griffiths' request for assistance. They formed the Ad Hoc Committee for the ERA, which became the core of the amendment's most effective

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<sup>848</sup> Votes to expand the EEOC's enforcement powers split almost perfectly along party lines, with Democrats supporting the expansion of EEOC resources and powers and Republicans favoring lesser agency powers. For background information on the EEOC bills, see the Democratic Study Group Fact Sheet 92-12, "Equal Employment Opportunities Act of 1971" (16 Aug 1971), Folder 1, Box 392, Mink Papers.

<sup>849</sup> See 91 H.R. 18278, introduced on 30 Jun 1970. A copy of the bill can be found in Folder 20, Box 24, Bernice Resnick Sandler Papers, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA. Hereafter referred to as Sandler Papers. In 1971, Mink proposed an Equal Rights for Women Act, which pinpointed particular areas of sex discrimination. A copy of the bill can be found in Folder 5, Box 556, Mink Papers.

<sup>850</sup> For Griffiths' work on Social Security and pension reform, see Suzanne Kahn, "Valuing Women's Work in the 1970s Home and the Boundaries of the Gendered Imagination," *Harvard Journal of Law & Gender* 36:1 (2013), available at [http://harvardjlg.com/wp-content/uploads/2013/02/KahnComment.Final\\_2.15.13.pdf](http://harvardjlg.com/wp-content/uploads/2013/02/KahnComment.Final_2.15.13.pdf) (accessed 20 Apr 2014).

lobbying group.<sup>851</sup> Wives, daughters, and granddaughters used personal appeals to sell the amendment.<sup>852</sup> Griffiths called in favors accumulated during her time on the powerful Ways and Means Committee.<sup>853</sup> In order to produce more accurate preliminary vote counts in the weeks leading up to the floor vote, Griffiths used a network of staffers. Martha Griffiths later recalled that “if the Senate had ever realized what we knew about what was going on in those offices, I will swear that they would have fired every employee . . . we knew exactly where to apply the pressure.”<sup>854</sup>

The anti-ERA grandstanding that followed Rep. Martha Griffiths’ successful discharge petition campaign backfired and, in the end, assisted the amendment. Rep. Emanuel Celler’s (D-NY) opinion that “there is more difference between a male and a female than between a horse chestnut and a chestnut horse” infuriated women, strengthening the association between, as one feminist gallery member put it, “tasteless antifemale horseplay” and opposition to the amendment.<sup>855</sup> In a pattern that would hold through the largely anti-ERA Senate hearings, even those opposed to the amendment conceded that massive discrimination against women did exist.<sup>856</sup> Most anti-ERA testifiers simply preferred the “specific bills for specific ills” method of

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<sup>851</sup> Freeman, *The Politics of Women’s Liberation*: 213-14.

<sup>852</sup> Fern Ingersoll, “Former Congresswomen Look Back,” *Women in Washington*: 201.

<sup>853</sup> Freeman notes that “despite the fact that committee chairmen normally oppose discharge petitions as undermining of their power,” fifteen of seventeen chairs chose to sign Griffiths’ petition. See Ibid: 214.

<sup>854</sup> Quoted in Davis, *Moving the Mountain*: 131.

<sup>855</sup> Cathleen Schurr, U.S. Congress, House, Subcommittee No. 4 of the House Committee on the Judiciary, *Hearings on H.J. Res. 35, 208, and Related Bills and H.R. 916 and Related Bills*, 92<sup>nd</sup> Cong., 1<sup>st</sup> Sess. (Washington, D.C.: GPO, 1971): 454.

<sup>856</sup> Anti-ERA stalwart and Hotel and Restaurant Employees union representative Myra Wolfgang repeatedly insisted that “Women are being discriminated against unjustly in hiring and in promotion. Our Social Security laws remain discriminatory. Equal access to our educational institutions is still denied [to] women. Qualified women are, in the main, excluded from the policymaking bodies of this Nation from the Cabinet down to our county institutions.” Wolfgang testified similarly at both the Bayh and Ervin hearings. For the quotation, see Wolfgang, U.S. Congress, Senate, Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, *Hearings on S.J. Res. 61 and S.J. Res. 231 Proposing an Amendment to the Constitution of the United States Relative to Equal Rights for Men and Women*, 91<sup>st</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1970): 28.

legislative production.<sup>857</sup> Meanwhile, ERA proponents had a simple, saleable argument: women deserved equality before the law. On August eleventh, at the end of a shortened floor debate controlled by Martha Griffiths, the House voted to pass the ERA by a vote of 350 to 15.<sup>858</sup>

Local advocates understood that legislators needed to actually see the women's movement in order to believe in its political power. The end of August 1970 brought hundreds of women to the Hill for the Women Strike demonstration, which celebrated the fiftieth anniversary of women's suffrage. Edith Green, local NOW president Flora Crater, and Fraser staffer Val Fleischhacker organized many of the Hill events.<sup>859</sup> Cultivating Senate support after the amendment's passage in the House, strike organizers invited Sens. Bayh, Charles Goodell (R-NY), and Eugene McCarthy (D-MN) to speak. Hill feminists helped to head the Senate-side "teach-in" for the amendment.<sup>860</sup> The ERA was not the only goal of the protest. Activists also demanded free twenty-four hour child care opportunities and free abortion on demand.<sup>861</sup> As Women's Lobby head Carol Burris asserted, "[o]ur goal is education. We just don't want these members to forget women every time they write a bill."<sup>862</sup>

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<sup>857</sup> Indeed, this was the opinion of Rep. Patsy Mink, who opposed the amendment and refused to sign the discharge petition through 1970. Her notes on the ERA assert that she felt that the "objectives" of the ERA "could be . . . accomplished through specific legislation." See Folder 8, Box 554, Mink Papers.

<sup>858</sup> Eileen Shanahan, "Equal Rights Plan for Women Voted by House, 350-15," *New York Times* (11 Aug 1970): 1 (accessed 11 Jul 2013). A successful discharge petition results in limited debate on House floor. As the key sponsor of the petition and the ERA, Martha Griffiths ran floor debate, requiring that she use time efficiently and effectively. As Marguerite Rawalt noted, "Had it not been for Martha Griffiths in that House, I think we'd still be battling with Congress to get it through." See taped interview with Marguerite Rawalt (Arlington, VA: 25 Jan 1978), Box 59, Martha Griffiths Papers, Bentley Historical Library, University of Michigan, Ann Arbor, MI. Hereafter referred to as Griffiths Papers.

<sup>859</sup> Note from Aileen Hernandez to Flora Crater (8 Jul 1970), Folder 1, Box 20 (10203-a), Flora Crater Papers, Small Special Collections, University of Virginia, Charlottesville, VA (hereafter referred to as Crater Papers); Professional Women's Caucus press release (n.d.), Folder 1, Box 63, Sandler Papers. Fleischhacker headed the House side ERA work, eliciting praise from Rep. Martha Griffiths. See handwritten note on Dear Colleague Martha Griffiths (5 Aug 1970), Box 147.G.11.2F, Donald Mackay Fraser Papers, Minnesota Historical Society, Saint Paul, MN. Hereafter referred to as D. Fraser Papers.

<sup>860</sup> Aug. 26<sup>th</sup> EXTRA flyer, Folder 1, Box 63, Sandler Papers.

<sup>861</sup> Judy Klemesrud, "A Herstory Making Event," *New York Times Magazine* (23 Aug 1970): 6.

<sup>862</sup> Carol Burris, quoted in Marlene Cmons, "Capitol Lobby a Voice for Women," *Los Angeles Times* (11 Mar 1973): F1 (accessed 27 Oct 2012).

The 1971 House and Senate Judiciary Committee hearings on the ERA and the Women's Equality Act demonstrated that some legislators were listening to Burris' message. Many congresspersons saw the amendment as the precursor to a multitude of other feminist bills. As Sen. Bayh repeatedly stated in arguments for the ERA, the amendment would not be "a panacea."<sup>863</sup> Rep. Mikva testified that his Equality Act was "needed interim to and supplemental to" the ERA, further asserting that the two bills were not "inconsistent" or "in competition with each other."<sup>864</sup> Judiciary Committee members envisioned a broad set of policies that would build off of one another over the course of a number of years. As Rep. John Conyers (D-MI) asserted, "once you have embedded [women's equal rights] in the Constitution, then from it will flow all of the bills, all of the laws, that anyone can think of, and they will have a very rational basis."<sup>865</sup>

Meanwhile, advocates for the amendment established firm bases of support on the Hill. Feminists worked with House Judiciary Committee counsel Jerry Zeifman to draft an ERA hearings report that could be used to promote the bill in the Senate.<sup>866</sup> Chair of the House subcommittee responsible for ERA hearings, Rep. Don Edwards (D-CA) was a willing lobbyist for the bill, updating a number of feminist groups and individuals on vote counts and procedural tactics.<sup>867</sup> Supportive staffers and lobbyists worked out of Rep. Martha Griffiths' office.<sup>868</sup> Rep.

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<sup>863</sup> Birch Bayh, U.S. Congress, Senate, Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, *The "Equal Rights" Amendment Hearings*, 91<sup>st</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1970): 488.

<sup>864</sup> Abner Mikva, U.S. Congress, House, Subcommittee No. 4 of the House Committee on the Judiciary, *Hearings on H.J. Res. 35, 208, and Related Bills and H.R. 916 and Related Bills*, 92<sup>nd</sup> Cong., 1<sup>st</sup> Sess. (Washington, D.C.: GPO, 1971): 85.

<sup>865</sup> Rep. John Conyers repeatedly asked testifiers to choose between the two bills, asserting that there was a low likelihood of reporting both the ERA and the Women's Equality Act to the House floor. Most on the committee agreed with Conyers' preferred approach. See John Conyers, U.S. Congress, House, Subcommittee No. 4 of the House Committee on the Judiciary, *Hearings on H.J. Res. 35, 208, and Related Bills and H.R. 916 and Related Bills*, 92<sup>nd</sup> Cong., 1<sup>st</sup> Sess. (Washington, D.C.: GPO, 1971): 436.

<sup>866</sup> Zeifman worked primarily with Marguerite Rawalt. Women United Press Conference (31 Mar 1971), "Women United – 1971" Folder, Box 63, Arvonne S. Fraser Papers, Minnesota Historical Society, Saint Paul, MN (hereafter referred to as A. Fraser Papers); Arvonne (17 Apr 1971), "Women United – 1971" Folder, Box 63, A. Fraser Papers.

<sup>867</sup> See Highlights from the Hearings before House Judiciary Sub-Committee No. 4 (Mar & Apr 1971); Don Edwards to "Dear Friend" (8 Jul 1971), all in Folder 5, Box 64, Bernice Resnick Sandler Papers, Schlesinger Library. Edwards' broader role in the congressional ERA effort is documented in the notes on his interview (22 Mar

Donald Fraser's (D-MN) office kept a careful collection of notes on the ERA's status, options for progress, and various procedural rules for both the House and the Senate.<sup>869</sup> Birch Bayh's office provided a meeting space on the Senate side. Feminist staffers cultivated Don Leach, a staffer for the Democratic Policy Committee, who could explain Senate scheduling and provide tactical advice.<sup>870</sup> Feminists regularly checked in on Sen. Mike Mansfield (D-MT), Senate Majority Leader and generally reliable ERA supporter.<sup>871</sup>

Insider information was integral, given Congress' antipathy to actually passing the amendment. As Val Fleischhacker noted in a memo to the Coalition for the ERA, any amendments would send the ERA to conference, where it would once again die. Yet amendments proliferated.<sup>872</sup> Male legislators who had long supported the ERA but never thought it would come to a vote posed an equally problematic hurdle for feminists. These policymakers

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1983), "Edwards, Don, 3/22/1983, Washington, D.C." Folder, "ERA – Oral History Project" Files, Sophia Smith Library, Smith College.

<sup>868</sup> This strategizing was especially important for the success of Griffiths' discharge petition. Discharge petitions are notoriously difficult to move, given Congress' general unwillingness to contravene the wishes of chairpersons. For Griffiths' advice on targeting individual congressmen for NOW mailings to push the bill out of committee, see Copy of Martha Griffiths to Aileen Hernandez, President of the National Organization for Women (24 Jul 1970), Box 20, Crater Papers. This information was requested. Aileen Hernandez requested that "I would appreciate your political assessment of that approach for the Senate. It is my understanding that a subcommittee vote is scheduled, but there have been [*sic*] a quorum problem. What strategy seems best to you – knowing your colleagues in the Senate as you do. We are so close to an affirmative vote that it would be disastrous to miscalculate and 'blow it.'" See Copy of reply from Hernandez (24 Jul 1970), Box 20, Crater Papers.

<sup>869</sup> For notes, see 13 Aug, 19 Oct 1972 Schedule, all located in Box 147.G.11.2F, D. Fraser Papers. As California-based WEAL vice president Doris Seward noted in her September 1971 query concerning the status of the ERA and its corollary Wiggins rider, Fraser's legislative summary sheets were "of tremendous value," since "[w]e have our WEAL contacts in Sacramento; keeping up with Congress is another matter." See note from Doris K. Seward to Arvonne Fraser (3 Sep 1971), "WEAL - Board Matters & Membership Mailings, 1971-1972" Folder, A. Fraser Papers.

<sup>870</sup> Leach gave the coalition an overview of the Senate's workload, explaining why ERA consideration would be pushed to the next session, given the need to get the resolution out of the subcommittee and the full committee and onto the floor before adjournment. See Val to Members of the Coalition for the ERA (21 Oct 1971), Box 147.G.11.2F, D. Fraser Papers.

<sup>871</sup> Ibid. The group also visited Sen. Frank Moss' (D-UT) LA, Virginia Rishel, whom Fleischhacker described as "very cooperative and encouraging."

<sup>872</sup> The Hayden rider was initially tacked onto the ERA after a January 1950 debate over the amendment. Named after its author, Sen. Carl Hayden (D-AZ), the rider reads, "The provisions of this article shall not be construed to impair any rights, benefits, or exemptions now or hereafter conferred by law upon persons of the female sex." Perennial ERA opponent Sen. Sam Ervin had several amendments related to the draft and bussing, which he employed from 1970 until the bill's successful passage in the Senate in 1972. See Val Fleischhacker to Members of Coalition for the Equal Rights Amendment (3 Mar 1972), Box 147.G.11.2F, D. Fraser Papers.

were likely to be absent during votes, either because they were uninterested, or because they simply wanted to avoid any controversies that might hinder their reelection efforts.<sup>873</sup> After the successful 1970 House passage of the bill, the Senate did not begin floor debate until five legislative work days before the end of the 91<sup>st</sup> Congress. Floor supporters worried that too many supportive senators had left for their districts, decreasing the likelihood of an unencumbered ERA. They preferred to kill it for the session.<sup>874</sup>

But feminists seemed to be everywhere on the Hill. The 1971 campaign featured a reception that, as one Women United bulletin gleefully noted, attracted aides from twenty-nine Senate offices.<sup>875</sup> Many male staffers and legislators solicited promises for votes and floor speeches in favor of the amendment.<sup>876</sup> Wives and daughters were particularly important prods.<sup>877</sup> Intent on maintaining the appearance of overwhelmingly pro-ERA sentiment, feminists explicitly challenged the maleness of congressional spaces like the cloakrooms and invaded the private spaces of personal offices. A lobbying instructions sheet for the Judiciary Committee's hearings on the ERA required that women "pack the Senate Gallery." Organizing memos noted that activism needed to extend across the three days of hearings and "[w]omen, or women who

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<sup>873</sup> Val Fleischhacker noted the need to "impress on the members of the subcommittee and the full Judiciary Committee that we expect them to be there for the entire time." See Val to Members of the Coalition for the ERA (21 Oct 1971), Box 147.G.11.2F, D. Fraser Papers.

<sup>874</sup> See Spencer Rich, "Rights for Women Debated by Senate," *Washington Post* (8 Oct 1970): A1 (accessed 11 Jul 2013).

<sup>875</sup> Women United Board Briefs (10 Feb 1972), Folder 5, Box 64, Bernice Resnick Sandler Papers, Schlesinger Library.

<sup>876</sup> Feminists had Rep. Edwards and counsel Jerry Zeifman on the House Judiciary Committee, while Sen. Birch Bayh and assistant counsel Peter Coogan provided them with updates from the Senate Subcommittee on the ERA. For a Coogan update, see memo (13 Aug), Box 147.G.11.2F, D. Fraser Papers. The Fraser office also used male staffers to lobby legislators. One office memo noted that "Roy Olson will follow up with Conte; we want to have a statement from him on the floor on the day of the vote. Stan McFarland knows him personally and will call to reinforce our visit. Think the meeting with Ray Madden was worthwhile – let him know of our concern on who would manage the bill for Rules on the floor; he suggested we call on Colmer and we intend to. The visit with John Anderson of Ill. Went very well. He not only committed himself to vote to strike the Wiggins amendment but made a fairly firm commitment to speak for it on the floor. Hope to see Boggs, Albert and Colmer. We will be calling." See Jim to Val (n.d.), Box 147.G.11.2F, D. Fraser Papers.

<sup>877</sup> One unsuccessful prod appears to have been Sen. Sam Ervin's daughter. See Val to Members of the Coalition for the ERA (21 Oct 1971), Box 147.G.11.2F, D. Fraser Papers. The wives of some legislators attended hearings on the amendment, and others were well-known supporters who remained active in the movement through the 1970s.

are only free in the evenings should call the Senate Cloak Room . . . to find out if the Senate will be in session in the evening and then get down there.”<sup>878</sup>

Fanfare surrounding the passage of the ERA was substantial. Forty-nine years after the amendment’s first introduction, feminists watched the Senate pass the ERA in March of 1972. Reps. Bella Abzug (D-NY), Margaret Heckler (R-MA), and Martha Griffiths were on the floor for the vote, Griffiths meticulously counting votes the entire time. After an Ervin amendment to exempt women from the draft failed, opponents only managed to muster eight votes. When the Senate approved the measure, the Senate galleries, filled with women, “cheered and let out a few cowboy yells.”<sup>879</sup> Within two hours of Senate passage, Hawaii won the race to be the first state to ratify the amendment. A handful of states quickly followed in the next several days.<sup>880</sup> Warning signs also quickly emerged. Two Democratic presidential candidates stayed away from the vote and three state legislatures voted against ERA approval.<sup>881</sup> But within Congress, such overwhelming passage of the amendment signaled to legislators that the feminist movement was, in fact, an important force within their constituencies and American society writ large.

The passage of the ERA did not mean that legislators were uniformly enthusiastic about the measure. But the overwhelming success of the amendment indicated to legislators that open opposition to women’s rights legislation would be virtually impossible. Male members were reminded again and again that women were more than half of the population and voted more

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<sup>878</sup> “Equal Rights Amendment” in Box 147.G.11.2F, D. Fraser Papers.

<sup>879</sup> The Ervin amendment failed with a vote of 73-18. The ERA passed with a vote of 84-8. Eileen Shanahan, “Equal Rights Amendment Is Approved by Congress,” *New York Times* (23 Mar 1972): 1; Eileen Shanahan, “A Vote for Equal Status – And Equal Burden,” *New York Times* (26 Mar 1972): E6 (both accessed 7 Sep 2013).

<sup>880</sup> New Hampshire and Nebraska ratified the amendment the day after Hawaii. Iowa, Idaho, Delaware, Kansas, Texas, Maryland, Tennessee, Alaska, Rhode Island, and New Jersey quickly followed. See Marget Scherf, “The Equal Rights Amendment. . .” *The Washington Post* (23 Apr 1972): G16 (accessed 7 Sep 2013).

<sup>881</sup> Presidential candidates George McGovern (D-and Harry Jackson (D-WA) missed the vote. Presidential candidates Hubert Humphrey (D-MN) and Edmund Muskie (D-ME) missed the previous day’s votes on key debilitating amendments proposed by Ervin, but broke away from their campaigns for the floor vote. See Eileen Shanahan, “Equal Rights Amendment Is Approved by Congress,” *New York Times* (23 Mar 1972): 1 (accessed 7 Sep 2013).

consistently than men.<sup>882</sup> The Democratic leadership had pushed the bill forward in part because they feared voter backlash from a broad women's constituency.<sup>883</sup> Elizabeth Holtzman's (D-NY) defeat of longtime House member and anti-ERA campaigner Rep. Emanuel Celler demonstrated that anti-feminist grandstanding could have electoral consequences.<sup>884</sup> As one senator noted in response to the ERA's 1972 success, "In their heart of hearts, many of those guys don't believe in this amendment. But they were getting so much heat from the women, they didn't have any choice."<sup>885</sup>

This apathy opened up space for those who did care. And individuals who did care and were in a position to assist the ERA effort had multiplied substantially since 1940s and 1950s, when the amendment languished on the Hill.<sup>886</sup> While the amendment remained the most symbolically important victory of the women's liberation movement and the clearest demonstration of the movement's political savvy, it was never perceived by local feminists as the only or even the most important anti-sex discrimination bill on the table. As Bella Abzug's aide Margot Polivy asserted, "1972 was a watershed year. We put sex discrimination provisions into

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<sup>882</sup> The weight of this fact can be seen in its frequent invocation – by both women's rights lobbyists and congresspersons – during House and Senate hearings on women's rights legislation of any stripe.

<sup>883</sup> Speaker Mansfield required that Ervin wrap up his hearings on the resolutions by the eighth or ninth of September, which Fraser office notes characterized as "[v]ery unusual for the leadership to be so firm." 13 Aug, notes, Box 147.G.11.2F, D. Fraser Papers. Yet Ervin broke his promise. As the ERA hearing and subcommittee operations dragged on, Mansfield became irked. Ervin seemed to be placing the Democratic Party in a difficult position. In October 1971, Mansfield extracted from Ervin a promise that the amendment would be reported to the Senate floor by February 1<sup>st</sup> of 1972. See Val to Members of the Coalition for the ERA (21 Oct 1971), Box 147.G.11.2F, D. Fraser Papers N; Mike Mansfield, *Congressional Record* (19 Oct 1971): S16536.

<sup>884</sup> Taped interview with Don Edwards (Washington, D.C.: 27 Jan 1978), Box 59, Griffiths Papers. See also, Marlene Cimon, "Women Candidates See Feminism as Aid," *Los Angeles Times* (6 Nov 1972): D1 (accessed 7 Sep 2013).

<sup>885</sup> Quoted in Isabelle Shelton, "Crater's Raiders Pull Off Coup – How Equal Rights Passed Senate," *The Sunday Star* (26 Mar 1972) in Folder 4, Box 6, Crater Papers.

<sup>886</sup> It is likely that the tone-deaf nature of resistance to the ERA brought some older women's organizations around to support for the amendment. Senators like Sam Ervin (D-NC) had lengthy histories of support for civil rights legislation, and yet they appeared retrograde when it came to sexism. In a speech to the powerful lobby National Council of Jewish Women, Ervin opined that "God could not be everywhere, so he made mothers." See Sam Ervin, quoted in "Toward Female Power at the Polls," *Time* 99:12 (20 Mar 1972): 43-44.



everything. There was no opposition. Who'd be against equal rights for women?"<sup>887</sup> Staffers and lobbyists worked on bills to eliminate sex discrimination in the tax code and Social Security, improve educational and employment opportunities for women, correct discrimination in housing and credit, and expand child care options. Congressional feminists were not short of work after 1972.

### Using the Moral Climate for Reform: Feminist Educational Policy

The success of the ERA forced Congress to take feminist policies more seriously. Legislators and staffers attempted to capitalize on this new legitimacy even as the amendment was still working its way through Congress. Educational equity legislation quickly moved to the fore. After all, the House Education and Labor Committee was stacked with knowledgeable congresswomen with long tenures on the Hill, as well as large numbers of liberal male legislators supportive of feminist goals.<sup>888</sup> Further, the Legislative Reorganization Act of 1970 had expanded committee, subcommittee, and personal office staffs at the right time for feminists. NCC WEAL members were particularly well-represented in Hill positions where they could assist bills. With little to no fanfare, female Hill staffers formulated and successfully pursued educational policy through the 1970s.

After experiencing discrimination during her academic job search, Bernice Sandler spent much of 1969 collecting research on discrimination against women in colleges and universities.

She eventually filed sex discrimination complaints against 250 universities under Lyndon

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<sup>887</sup> Margot Polivy, quoted in Mary Ann Millsop, "Sex Equity in Education," *Women in Washington*: 94.

<sup>888</sup> Political scientist Jo Freeman has noted that education policy also fuelled the emergence of a feminist network, partially because education policy was seen as equitable and partially because of the large number of feminist congresswomen on the House Committee on Education and Labor. See Freeman, *The Politics of Women's Liberation*: 222. The only in-depth analyses of the history of educational equity policy are Andrew Fishel and Janice Pottker, *National Politics and Sex Discrimination in Education* (Lexington, MA: Lexington Books, 1977) and Amanda Ann Ross Edwards, "Policy Dialogues: Gender Equity in Sport" (Hartford, CT: University of Connecticut Diss., 2002). Most analyses focus on the fights over regulations after Congress passed the legislation.

Johnson's Executive Order 11246, which prohibited sex discrimination at institutions receiving federal monies.<sup>889</sup> Rep. Edith Green learned about Sandler's work through their joint membership in WEAL and seized upon a legislative opportunity.<sup>890</sup> Green had long been interested in discrimination against women in higher education, but lacked sufficient evidence, as well as a constituency whose discontent would legitimate a hearings process. Sandler's work gave Green both. Letters decrying unfair admissions, classroom treatment, and university employment practices flooded Congress.<sup>891</sup> Empowered by the Legislative Reorganization Act of 1970, Edith Green hired Sandler – the first committee staffer to work solely on women's issues.<sup>892</sup>

Occurring just a few months after Sen. Birch Bayh's 1970 ERA hearings, Rep. Edith Green's Discrimination against Women (DAW) hearings surveyed evidence of sex-based inequities in higher education. The hearings resulted in an undeniable public record of national discrimination against women in postsecondary education.<sup>893</sup> Yet few besides Rep. Green and her assistant Harry Hogan attended the DAW hearings. No collegiate representatives arrived to testify against the rising mountain of evidence for sex discrimination. The influential American

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<sup>889</sup> Sandler had begun this campaign on 31 Jan 1970, after discovering that Executive Order 11246 could be used to demand sex equitable practices from educational institutions receiving federal funds. By the time of the hearings, she and WEAL had lodged complaints against almost 250 colleges and universities. Following Sandler's lead, women at institutions of higher education also began to lodge complaints themselves. For background on this process and related materials used to encourage women to file complaints, see Folder 8, Box 8, Sandler Papers.

<sup>890</sup> See 91 H.R. 16098, introduced 19 Feb 1970. A copy of the bill can be found in Folder 20, Box 24, Sandler Papers. The push for H.R. 16098 would eventually morph into the push for Title IX, a bill jointly conceived by Sandler and Green.

<sup>891</sup> Taking advice from Vincent Macaluso, Director of the Office of Federal Contract Compliance at the Department of Labor, Sandler's approach involved telling women who contacted her with data or complaints to write their two senators and representative. Sandler also could provide a national constituency of disgruntled female education workers with data documenting discriminatory patterns in higher education. See Bernice Sandler, "Title IX: How We Got It and What a Difference It Made," *Cleveland State Law Review* 55:4 (1 Jan 2007): 476-77.

<sup>892</sup> Bernice Sandler, "'Too Strong for a Woman' – The Five Words That Created Title IX," available at <http://www.berniceandler.com/id44.htm> (accessed 4 Mar 2014).

<sup>893</sup> U.S. Congress, House Special Subcommittee on Education, *Hearings on Discrimination against Women* (Washington, D.C.: GPO: 1970). The hearings were designed to support Green's Omnibus Postsecondary Education Act, which updated the bill to increase allocations to higher education, while extending the Civil Rights Act of 1964 to ban sex discrimination in all federally-funded programs.

Council on Education dismissed accusations of sex discrimination as unfounded and unimportant, declining an invitation to testify.<sup>894</sup> Most legislators failed to read the developing Title IX language. Without any opposition to counter, even Bernice Sandler did not understand the full scope of the legislation she was drafting.<sup>895</sup>

Sex discrimination was becoming a legitimate policy issue, but legislators still found plenty of other issues more important. Controversy over equal access to schools overshadowed conversations about Title IX during early 1970s. Local and national debates over student busing escalated after the Supreme Court ruled in 1971 that the practice was an acceptable method of achieving racial integration in schools.<sup>896</sup> As historian J. Harvie Wilkinson has asserted, busing subsequently became “the flash point of domestic policy in the early 1970s.”<sup>897</sup> Alongside busing battles, newspapers covered a number of other hot button issues like prayer in schools and sex education.<sup>898</sup> Whole communities mobilized in defense of local control over these school policies. In comparison, Title IX seemed innocuous. It is hardly surprising that sex equity in education barely registered on the Hill.

Women also worked hard to attach Title IX to the seemingly inevitable Equal Rights Amendment. Feminists deployed a seamless set of arguments for the two bills. Sandler testified in front of Bayh’s committee, citing sex inequities in higher education as the basis for her pro-ERA stance. A number of university women and women’s rights organization heads did the same thing. Many of the studies and reports that appeared in support of the ERA reappeared in

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<sup>894</sup> Bernice Resnick Sandler, “Title IX: How We Got It and What a Difference It Made,” *Cleveland State Law Review* 55:4 (1 Jan 2007): 477.

<sup>895</sup> Bernice Sandler, “‘Too Strong for a Woman’ – The Five Words That Created Title IX,” <http://www.bernicesandler.com/id44.htm> (accessed 4 Mar 2014).

<sup>896</sup> *Swann v. Charlotte-Mecklenburg Board of Education* 402 U.S. 1 (1971); <http://www.law.cornell.edu/supremecourt/text/402/1> (accessed 7 Jul 2014).

<sup>897</sup> J. Harvie Wilkinson, *From Brown to Bakke: The Supreme Court and School Integration, 1954-1978* (New York: Oxford University Press, 1981): 131.

<sup>898</sup> Gareth Davies, “Towards Big-Government Conservatism: Conservatives and Federal Aid to Education in the 1970s,” *Journal of Contemporary History* 43:4 (Oct 2008): 626.

support of the Green bill.<sup>899</sup> The failure of Title VII enforcement loomed large in both hearings. And on a more theoretical level, numerous men and women attested to the existence of “male supremacy values” that demanded changing a wide variety of legal, social, economic, and cultural practices.<sup>900</sup> Acceptance of the need for an Equal Rights Amendment legitimated the need for other women’s rights bills.

A low profile ensured that opposition to the measure would remain nonexistent, even as Title IX’s creators worked to expand the bill’s scope. Congress’ general familiarity with and acceptance of civil rights language was helpful. Green and Sandler consulted with civil rights groups and a small number of WEAL women. The resulting bill hewed closely to existing language in Title VI of the 1964 Civil Rights Act; this was legislative language that already had legitimacy on the Hill.<sup>901</sup> The American Council on Education declined to read preliminary Title IX drafts. As a result, few university heads understood what the bill meant and “did not believe it would have any meaningful impact.”<sup>902</sup> So too with university athletics coordinators, who failed to notice that the proposed legislation could have wide ramifications for their field. The bill’s low profile and carefully obtuse language even hid a controversial clause extending the Equal Pay Act to executive, administrative, and professional positions. Assigned to help with writing

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<sup>899</sup> For an argument for the hearings as de facto ERA testimony, see Gilbert Yale Steiner, *Constitutional Inequality: The Political Fortunes of the Equal Rights Amendment* (Washington, D.C.: Brookings Press, 1985): 16-17.

<sup>900</sup> Quotation from Wilma Scott Heide, U.S. Congress, House Special Subcommittee on Education, *Hearings on Discrimination against Women* (Washington, D.C.: GPO: 1970): 122. Numerous other representatives of women’s organizations voiced similar sentiments.

<sup>901</sup> The enabling clause prohibited discrimination in “any educational program receiving Federal financial assistance.” For information on Green’s consultation of civil rights groups and the consequent decision to model Title IX language off of Title VI rather than amend Title VI itself, see Bernice Sandler, “Title IX: How We Got It and What a Difference It Made,” *Cleveland State Law Review* 55:4 (1 Jan 2007): 479.

<sup>902</sup> Ibid: 477. Some institutions – mostly Ivy League schools and all-women’s schools – recognized the scope of the bill later in the process, successfully campaigning for exemptions for private undergraduate admissions.

the bill by Department of Labor feminist and Equal Pay Act expert Morag Simchak slipped this “technical amendment” into Title IX.<sup>903</sup>

Measures for low-income and minority students and the ongoing debate over busing to correct racial imbalances in public schools were the focus of intra-committee debate over the 1972 Education Amendments package.<sup>904</sup> Lobbyists against the bill shrugged off the Title IX section, briefly mentioning that universities were already moving to correct discriminatory practices against women before moving on to other issues.<sup>905</sup> In the Senate, Birch Bayh once again took a leading role, following orders from his aide Barbara Dixon and other Hill feminists. While the bill remained in committee, Bayh carefully crafted a number of exemptions to appease potential opponents, writing the exemptions as narrowly as possible.<sup>906</sup> In 1972, the Department of Labor publication *American Education* noted that Title IX had passed with “no special fanfare about it, and not even much of a conversation,” despite the fact that legislation passed during 1972 made the year “a climactic historical date in the drive by women for treatment in education equal to that afforded men.”<sup>907</sup>

While the ERA created a “moral climate for reform,” as Rep. Martha Griffiths put it, the passage of Title IX established a network of feminists working on women and education that

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<sup>903</sup> Ibid: 479, n. 9. See also, Flora Davis interview with Bernice Sandler, cited in Davis, *Moving the Mountain*: 543, n. 212.

<sup>904</sup> These foci are visible in the DGS Fact Sheet on the amendments. For a copy, see Folder 12, Box 182, Mink Papers.

<sup>905</sup> Duke University President Terry Sanford to Edith Green, Re: S. 659, Education Amendments of 1972 (22 May 1972), Folder 1, Box 183, Mink Papers. Sanford was also the chair of the National Council of Independent Colleges and Universities.

<sup>906</sup> These exemptions included groups like the Boy and Girl Scouts, as well as private institutions like religious schools. Bayh wrote the military institution exemption specifically for Sen. Strom Thurmond, who initially voted against the bill. Thurmond voted for the second version of the bill. Bayh also submitted an amendment purposefully broadening a number of Title IX provisions. Birch Bayh to Arvonne Fraser (24 Feb 1972), “NCC – Board Matters & Correspondence, 1970-1973 (2)” Folder, Box 19, A. Fraser Papers. Political scientists Joyce Gelb and Marian Lief Palley credit Green and Bayh with passage of this legislation. See Gelb and Palley, *Women and Public Policies*: 94.

<sup>907</sup> The author was referring to the Title IX, the Equal Employment Opportunity Act of 1972, and the Comprehensive Manpower Training Act of 1971. Robin Dorr, “Education and Women: What the Law Says Now,” *American Education* 8:10 (Nov 1972): 5.

connected the Hill and the federal bureaucracy. The law created a wide variety of agencies and programs to monitor its implementation. Often, feminists familiar with or part of the Hill lobby moved on to staff positions in the federal bureaucracy, happy to turn their feminist activism into a concrete career. Bernice Sandler was hired to head the Project on the Status and Education of Women within HEW. Former Abzug staffer Margot Polivy took a position representing women's athletics associations.<sup>908</sup> This reach would come in handy, as Congress, HEW, and a number of higher education associations battled over the scope of Title IX through the decade.<sup>909</sup> The expanding network would also provide key support for new educational equity bills moving through the Hill.

Staffers began work on new legislative ventures immediately. Arlene Horowitz, a secretary for the House Education and Labor Committee, wrote the first draft of the Women's Educational Equity Act after a particularly exasperating day. Horowitz "decided to knock off a bill," frustrated with congressmen who "felt that women were only good for typing and carrying out their wishes."<sup>910</sup> The proposal outlawed educational practices that tracked young girls into traditional sex roles and demanded a reevaluation of textbook treatments of women. The legislation mirrored goals of radical feminist groups such as North Carolina's Lollipop Power, which wrote their own children's books with women's heroines and opened an independent grade school in 1970.<sup>911</sup> WEEA also provided funds for programs that, as one feminist study put it, provided "consciousness-raising in the public schools," including courses to re-educate

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<sup>908</sup> Arvonne Fraser to Patsy Mink (11 Jun 1974), Folder 3, Box 184, Mink Papers.

<sup>909</sup> Andrew Fishel, "Organizational Positions on Title IX: Conflicting Perspectives on Sex Discrimination in Education," *The Journal of Higher Education* 47:1 (Jan-Feb 1976): 93-105.

<sup>910</sup> Arlene Horowitz, quoted in Sara Evans, *Tidalwave: How Women Changed America at Century's End* (New York: Free Press, 2004): 68. See also Elizabeth Howard, "Women Learn Political 'Push,'" *The Daily Progress* (30 Sep 1974), Folder 7, Box 204, Mink Papers.

<sup>911</sup> Sara Evans, *Tidalwave*: 11-13. Several of these groups produced studies which appeared in the hearings for WEEA. NCC WEAL members were notified of these kinds of publications through their newsletter. For a newsletter specifically recommending Lollipop Power books, see WEAL Newsletter (Jan), "NCC – Newsletter, 1971-1980" Folder, Box 19, A. Fraser Papers.

teachers about the roles of girls and boys in classrooms.<sup>912</sup> WEEA was ambitious and expensive enough that the small number of women Horowitz consulted about the bill were skeptical of its viability.<sup>913</sup>

As with Title IX, WEAL members shaped the content and legislative trajectory of WEEA. A member of NCC WEAL, Horowitz introduced her legislative idea soon after the group's formation.<sup>914</sup> Other members were already interested. In 1971, DC NOW member and future NCC WEAL member Shirley McCune had moved from the AAUW to work for the National Educational Association (NEA) and was interested in challenging sexism in textbooks.<sup>915</sup> A year later, Horowitz's bill gave women like McCune a concrete project. In 1972, McCune, Marguerite Rawalt, Arvonne Fraser, Bernice Sandler, and Arlene Horowitz had an evening meeting at George Washington University to workshop the initial bill. Rawalt was there to ensure that the resulting draft would not conflict with the ERA.<sup>916</sup> The small group represented key feminists in the women's lobby and the education lobby. Together, they fleshed out a bill that both constituencies could support.<sup>917</sup>

Because of the new popularity of bills to advance women's rights, Arlene Horowitz had an array of potential sponsors to consider. Equipped with intimate knowledge of the committee, she could strategically choose a legislator to help chart a legislative path for the bill. Horowitz

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<sup>912</sup> Kathryn Heath, "A Proposal for Consciousness-Raising in the Public Schools" in U.S. Congress, House, Subcommittee on Equal Opportunities of the Committee on Education and Labor, *Hearings on H.R. 208*, 93<sup>rd</sup> Cong., 1<sup>st</sup> Sess. (Washington, D.C.: GPO, 1973):

<sup>913</sup> Mary Ann Millsap, "Sex Equity in Education," *Women in Washington*: 96.

<sup>914</sup> See "Women's Equity Action League (WEAL) Directory" (10 Mar 1972), "NCC – Board Matters & Correspondence, 1970-1972" Folder, Box 19, A. Fraser Papers.

<sup>915</sup> Marian Norby to Arvonne Fraser (23 May 1971), "NCC – Board Matters & Correspondence – 1970-1973 (2)" Folder, Box 19, A. Fraser Papers.

<sup>916</sup> Arvonne S. Fraser, "Insiders and Outsiders: Women in the Political Arena," *Women in Washington*: 131.

<sup>917</sup> The initial bill draft can be found attached to Arlene Horowitz to Oscar Johnson (23 Mar 1972), Folder 8, Box 199, Mink Papers. The group continued to meet and review recommendations from numerous women with expertise in education. See materials "Education – WEEA, 1972" Folder, Box 14, A. Fraser Papers. Most of these recommendations were relayed to the group through Rep. Patsy Mink, whose office was the destination for most mail regarding WEEA. See Patsy Mink to Arlene Horowitz (12 Sep 1972), "Education – WEEA, 1972" Folder, Box 14, A. Fraser Papers.

remained wary of House Education Committee chair Rep. John Brademas (D-IN), whom she felt would support the legislation but was far less likely to actively listen to a former secretary's thoughts on bill content and congressional procedure.<sup>918</sup> In the end, Rep. Patsy Mink's (D-HI) solid feminist credentials made her a logical sponsor choice. Aware of Title IX's history, Horowitz already had an initial strategy. She wrote Mink, advising that the bill proposal remain vague during initial conversations with Brademas, in order to "keep a few of our cards hidden."<sup>919</sup> Meanwhile, DSG staffer and WEAL Legislative Committee chair Ellen Sudow provided information on Title IX voting patterns, so that Mink was aware of potentially unfavorable legislators early in the congressional process.<sup>920</sup>

Hill feminists tightly controlled congressional consideration of WEEA in the House. Though she left congressional staffing work after 1972, Arlene Horowitz continued to provide feedback on the bill as head of the Project on Equality in Education, a group composed primarily of women who had contributed to the bill's construction.<sup>921</sup> These feminists provided research and lobbying support to supportive legislators alongside support from Mink's office.<sup>922</sup> Female

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<sup>918</sup> Arlene Horowitz also noted that going through the Green Committee was also problematic because of "the Higher Education debacle which was a result of Mrs. Green's standing (or lack of it) with the male majority of the Committee. See Horowitz to "People" (11 Apr 1972), Folder 36, Carton 17, East Papers.

<sup>919</sup> Horowitz also advised against the creation of a bluesheet, which would break down the bill, line by line. Arlene Horowitz to Patsy Mink (13 Apr 1972), Folder 5, Box 198, Mink Papers.

<sup>920</sup> Sudow noted that "You were right about Bill Ford. He failed to vote on one [full committee vote on Title IX], then voted with us against the Quie amendment, but then offered a motion to strike the entire Title. (He did vote correctly on the House floor.) Also, as I mentioned in the meeting William Lehman is a moderate Democrat from Dade county. His district is solidly Democratic – conservative but not reactionary." Ellen Sudow to Patsy Mink (30 Jan 1973), Folder 1, Box 202, Mink Papers. Voting patterns are documented in the attached charts. Preparations were not all smooth. Sudow and Mink were unsuccessful in their efforts to pressure Education Committee chair Carl Perkins into establishing a subcommittee for hearings.

<sup>921</sup> Horowitz had varied career, frequently changing jobs. She worked for the National Council of Jewish Women in 1973, moving the work for NWPC and then onto a position as Administrative Assistant for the Council of Chief State School Officers. See Arlene Horowitz to Patsy Mink (1 Sep 1972); Arlene Horowitz to Patsy Mink (12 Sep 1972); Patsy Mink to Arlene Horowitz (12 Sep 1972), all in Folder 2, Box 199, Mink Papers; Press Release (17 Jun 1974), Folder 9, Box 203, Mink Papers.

<sup>922</sup> Mink, Brademas, and Rep. Augustus Hawkins (D-CA) to survey fact sheets prepared by WEAL, decide on materials to enter into the *Congressional Record*, organize hearings testimony, and coordinate lobbying strategy. Arlene Horowitz to Patsy Mink (1 Sep 1972); Carol Lasser to Arlene Horowitz (25 Aug 1972) in Folder 2; Arlene Horowitz to Patsy Mink (7 Oct 1972) in Folder 3; notes (1973) in Folder 5, Box 199, Mink Papers. Patsy Mink to



aides from around the Hill contacted Mink's staffers, looking for information on the bill.<sup>923</sup>

Feminist subcommittee staffer Susan Grayson nixed NOW testimony, believing that a strong NOW endorsement might lead to a "radical" label for the bill.<sup>924</sup>

Feminist staffers also successfully cultivated support on the Senate side. Mondale's aide Ellen Hoffman successfully pushed her boss towards support for the bill, arguing that "by introducing [WEEA in the Senate] you could gain considerable stature with the women's groups – without alienating the education lobby."<sup>925</sup> Hoffman engaged in "brainstorming" sessions with Women's Lobby head Carol Burris, Bernice Sandler, and Arvonne Fraser, who by 1973 had ascended to the WEAL presidency.<sup>926</sup> Fraser herself arranged coffee sessions and suggesting individuals who might submit testimony to the Senate hearings. Rep. Mink and Sen. Mondale employed a strategy that capitalized on Mink's reputation among and pre-existing relationships

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Arlene Horowitz (11 May 1973); Arlene Horowitz to Patsy Mink (8 May 1973), Folder 2, Box 202, Mink Papers. One of the fact sheets prepared by Arlene Horowitz can be found in Folder 7, Box 199, Mink Papers. Other preliminary materials can be found in Folder 36, Carton 17, East Papers. See notes from Reps. Moakley and Drinan (17 Jul 1973), Chisholm, Froehlich and Roosevelt (24 Jul 1973), Folder 9, Box 203, Mink Papers. For information on the Fraser office, see message for Susan from Jessica (21 Aug 1973) and typed note (11 Sep), Folder 9, Box 203, Mink Papers. Notes between Susan Kakesako and Subcommittee staffer Susan Grayson can be found in Folder 3, Box 204, Mink Papers. The power these members had within the House grew through the decade, as the strength of southern Democrats waned. For information on the power shifts within the Democratic Party in the House, see Julian Zelizer, *On Capitol Hill: The Struggle to Reform Congress and Its Consequences* (New York: Cambridge University Press, 2004): 97-98.

<sup>923</sup> OMJ note (2 May), Folder 9, Box 203, Mink Papers. Susan Kakesako, Mink's aide, maintained contact with these women as the bill made its way through Congress. A list of co-sponsor staff contacts can be found in Folder 11, Box 202, Mink Papers.

<sup>924</sup> In order to incorporate NOW voices without scheduling the "radical" organization, Grayson scheduled a number of women were members of NOW but would testify as authors of studies on sex discrimination in textbooks and vocational programs. For the broad planning process, see typed and handwritten notes between Susan Grayson, Patsy Mink, and Susan Kakesako for the months of June, July, Folder 10, Box 203, Mink Papers. The note that specifically warned against NOW testimony is a typed note from Susan Kakesako to Patsy Mink (27 Jun 1973), Folder 10, Box 203, Mink Papers.

<sup>925</sup> Ellen to Senator, re: Women's Educational Equity Act" (16 Aug 1973), "Women – Civil Rights (General), 1973-1974 (3)" Folder, Box 153.L.9.10F, Walter Mondale Papers, Minnesota Historical Society, Saint Paul, MN. Hereafter referred to as Mondale Papers.

<sup>926</sup> Ellen Hoffman to Bernice Sandler (11 Oct 1973), Ellen Hoffman to Bernice Sandler (3 Jan 1974), "Women – Civil Rights (General), 1973-1974 (3)" Folder, Box 153.L.9.10F, Mondale Papers; Ellen Hoffman to Carol Burris (11 Jul 1974), Ellen Hoffman to Arvonne Fraser (23 Oct 1973), "Women – Civil Rights (General), 1973-1974 (4)" Folder, Box 153.L.9.10F, Mondale Papers.

with feminists: Mink consulted with feminists, and then discussed options with Mondale, and if Mondale had concerns, he relayed them to women's groups through Mink.<sup>927</sup>

It was now taboo to openly disparage women's rights. However, many legislators still did not think of sex discrimination as particularly important.<sup>928</sup> Mondale aide Ellen Hoffman understood that opposed senators would have more difficulty undermining WEEA if she could raise the profile of the bill's hearings. Looking to attract a friendly audience, Hoffman suggested that Billie Jean King testify on the heels of her "Battle of the Sexes" match with Bobby Riggs. King received briefing materials from groups funded by Title IX, including Bernice Sandler's Project on the Status and Education of Women.<sup>929</sup> King's presence had the desired effect. That day, subcommittee attendance shot from one to five enthusiastic senators, coverage of the hearings appeared in mainstream news outlets, and interest from congressional members generally increased.<sup>930</sup>

Greater publicity had its downsides, however. In mid-May of 1974, just before the Elementary and Secondary Education Act amendments went to the Senate floor, Sen. John Tower (R-TX) began circulating an amendment to exempt intercollegiate sports from Title IX.<sup>931</sup> Tower and the National Collegiate Athletic Association (NCAA) argued that Congress had never

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<sup>927</sup> Fishel and Pottker, *National Politics and Sex Discrimination in Education*: 81-82.

<sup>928</sup> Fishel and Pottker made this point in their 1977 study. See Ibid: 74.

<sup>929</sup> Bernice Sandler to Billie Jean King (26 Oct 1973); Ellen Hoffman to Joanne Edgar (2 Nov 1973), "Women – Civil Rights (General), 1973-1974 (3)" Folder, Box 153.L.9.10F, Mondale Papers.

<sup>930</sup> Sens. Mondale, Javits, Schweiker, Stafford, and Cranston attended on the November 9<sup>th</sup> hearings. See U.S. Congress, Senate, Subcommittee on Education of the Committee on Education and Public Welfare, *Hearings on S. 2513*, 93<sup>rd</sup> Cong., 1<sup>st</sup> Sess. (Washington, D.C.: GPO, 1973): 75. For Billie Jean King's testimony, see U.S. Congress, Senate, Subcommittee on Education of the Committee on Education and Public Welfare, *Hearings on S. 2513*, 93<sup>rd</sup> Cong., 1<sup>st</sup> Sess. (Washington, D.C.: GPO, 1973). For news coverage, see "PE Classes Discriminate – Billie Jean," *Los Angeles Times* (14 Nov 1973): A4; "Billie Jean Speaks Out," *Chicago Tribune* (10 Nov 1973): C14 (both accessed 28 Jul 2013). The Billie Jean King appearance also pleased advocates for women's rights within executive agencies, who attended a private coffee with King. See Margaret Stevenson to Walter Mondale (16 Nov 1973), "Women – Civil Rights (General), 1973-1974 (3)" Folder, Box 153.L.9.10F, Walter Mondale Papers, Minnesota Historical Society.

<sup>931</sup> A summary and analysis of the Tower Amendment can be found in Folder 2, Box 184, Mink Papers.

intended to cover major athletics programs under Title IX.<sup>932</sup> In Tower's and the NCAA's eyes, applying Title IX to revenue-producing sports would impair the financial stability of all collegiate athletics.<sup>933</sup> Though Tower asserted that his amendment would "provide the resources for expanding women's activities in intercollegiate sports," it was clear to opponents that the measure would preserve gendered funding inequities.<sup>934</sup>

Already mobilized in support of Patsy Mink's educational equity act, local WEAL members defended Title IX. And given the group's place within government, WEAL was often perceived as a representative of women's rights organizations generally.<sup>935</sup> Immediately after the amendment's introduction, a wide range of feminist staffers and local lobbyists met to discuss coordinating opposition to Tower's ESEA rider.<sup>936</sup> When local representatives of women's

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<sup>932</sup> John Tower press release (20 May 1974), Folder 5, Carton 16, East Papers. Given Bernice Sandler's repeated assertion that she only considered "field day activities" when drawing up the legislation, Tower and his allies had a valid point regarding to congressional intent.

<sup>933</sup> This argument appears prominently in Tower's letters and floor speeches for the amendment. See John Tower to Catherine East (28 May 1974), Folder 5, Carton 16, East Papers. The argument is tenuous, since revenue-producing sports also tend to require the greatest resource investments. Since football and basketball are the example most frequently given by anti-Title IX campaigners, academics have focused on these two sports when analyzing the factual basis of Tower's claim. Scholars have found that few colleges and universities actually make substantial monies from their major sports. Financial problems encountered by many sports programs are due not to Title IX requirements, but to what one scholar calls "wide-spread, wasteful practices unrelated to women's varsity sports that over time consistently increased the costs of running intercollegiate athletics programs." See John R. Thelin, "Good Sports? Historical Perspective on the Political Economy of Intercollegiate Athletics in the Era of Title IX, 1972-1997," *The Journal of Higher Education* 71:4 (Jul-Aug 2000): 391-410, quotation on 393. Further, the NCAA and various university athletics heads tended to blame any financial problems on Title IX while failing to fully comply with the law. See Deborah J. Anderson, John J. Cheslock, and Ronald G. Ehrenberg, "Gender Equity in Intercollegiate Athletics: Determinants of Title IX Compliance," *The Journal of Higher Education* 77:2 (Mar-Apr 2006): 225-50.

<sup>934</sup> John Tower, *Congressional Record* (20 May 1974): S8489. The NCAA representatives apparently failed to adequately brief Tower and his staff. As WEAL noted with annoyance, "Sen. Tower was handed this amendment real fast – his staff thought it was an amendment to the ERA!!!" See note from Susan Kakesako (28 May 1974), Folder 2, Box 184, Mink Papers.

<sup>935</sup> Ibid: 97. See notes from the meeting in Folder 7, Box 10, Margaret Dunkle Papers, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA. Hereafter referred to as Dunkle Papers.

<sup>936</sup> The small group included Ellen Hoffman, Ellen Sudow, Susan Kakesako, Margot Polivy, Bernice Sandler, and Arvonne Fraser, all of whom had previously worked on WEEA in some capacity. See meeting attendance list (28 May 1974), Folder 2, Box 184, Mink Papers. Representing NWPC during 1974, former Green and Mink staffer Arlene Horowitz worked with Ellen Hoffman in the Mondale office. Mondale sent Horowitz a telegram just after the Senate approved regulations without the Tower Amendment, thanking NWPC for "active support." See telegram from Walter Mondale to Arlene Horowitz (n.d.), "Women – Civil Rights (ERA), 1974" Folder, Box 153.L9.10F, Mondale Papers.

groups arrived to lobby against Tower, they came equipped with WEAL and Women's Lobby materials.<sup>937</sup> With Bella Abzug, WEAL also submitted what one HEW analyst called "probably the most highly publicized comments" on Title IX regulations.<sup>938</sup> Inserted into the *Congressional Record* by Abzug, WEAL's recommendations connected Title IX to issues ranging from sex stereotyping in textbooks and the extension of temporary disability benefits to maternity leave.<sup>939</sup>

Feminist anger fit well with a broader set of criticisms voiced by liberal congresspersons. They had seen a number of progressive bills move through Congress, only to be gutted or vetoed by the executive branch. WEEA hearings gave Sen. Mondale a platform for this anger. Especially frustrated by the Nixon Administration's recent veto of child care legislation, Mondale accused the executive of intransigency. He cited the widespread discriminatory employment practices and patterns within both federal agencies as part of the reason for HEW's failure to issue official guidelines for Title IX, a full year after the law's enactment.<sup>940</sup> Mondale also accused the Assistant Secretary for Education Charles Saunders of refusing to actively participate in a dialog with Congress on progressive legislation.<sup>941</sup> In short, Mondale argued that

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<sup>937</sup> See Susan Kakesako note (10 Jun 1974), Folder 2, Box 184, Mink Papers.

<sup>938</sup> Andrew Fishel, "Organizational Positions on Title IX: Conflicting Perspectives on Sex Discrimination in Education," *The Journal of Higher Education* 47:1 (Jan-Feb 1976): 94.

<sup>939</sup> Bella Abzug, "'WEAL-Abzug Analysis of Title IX Sex Discrimination Regulations,'" 120:107 *Congressional Record* (18 Jul 1974): 24222-24228.

<sup>940</sup> Sen. Walter Mondale's prepared questions for HEW started with the pointed "Why have no final guidelines for Title IX been issued, a year after enactment?" His line of questioning proceeded naturally from this initial question; Mondale focused tightly on the educational bureaucracy's internal sex discrimination practices as well as systematic non-enforcement of Title VII and a failure to give Title IX shape. "Questions for HEW" (n.d.), "Questions for National Education Association" (n.d.), "Women - Civil Rights (General), 1973-1974 (3)" Folder, Box 153.L.9.10F, Mondale Papers. Mondale's general anger with the Nixon Administration was shared by liberal staff members in the House and Senate, who increasingly saw themselves as antidotes to the conservative executive branch. See Richard K. Scotch, *From Good Will to Civil Rights: Transforming Federal Disability Policy* (Philadelphia: Temple University Press, 1984): 48; John Skrentny, *The Minority Rights Revolution* (Cambridge, MA: The Belknap Press of Harvard University Press, 2002): 269.

<sup>941</sup> U.S. Congress, Senate, Subcommittee on Education of the Committee on Education and Public Welfare, *Hearings on S. 2513*, 93<sup>rd</sup> Cong., 1<sup>st</sup> Sess. (Washington, D.C.: GPO, 1973): 127-28.

the Office of Education's failure to implement pre-existing liberal legislation legitimated WEEA.<sup>942</sup>

Mondale's arguments were not shared by all liberals, however. Though WEEA failed to arouse significant opposition moving into election season, it also failed to attract many enthusiastic advocates.<sup>943</sup> The Senate approved the measure overwhelmingly; no senators wanted to be on record as against women's right to an equal education. But as joint conference proceedings began, Susan Kakesako worriedly told Patsy Mink that a number of senators who should have been supportive failed to defend the bill. Sen. Claiborne Pell (D-RI) attacked the bill as "frivolous," and a number of previously supportive liberals said nothing in response. As one Mink staffer observed, legislators were "pretty resistant" to legislation with "which says women right in the title."<sup>944</sup> Though Patsy Mink called in a number of favors to swing House votes towards her bill, Walter Mondale endured a particularly brutal set of attacks in the Labor and Public Welfare Committee.<sup>945</sup> One liberal Democrat asserted that the women who participated in the hearings "should talk about equal rights generally, not just the special interest of women."<sup>946</sup>

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<sup>942</sup> Mondale explicitly made this argument in a radio interview. Notes for the interview are in Ellen Hoffman to Walter Mondale (15 Nov 1973), "Women – Civil Rights (General), 1973-1974 (3)" Folder, Box 153.L.9.10F, Walter Mondale Papers, Minnesota Historical Library.

<sup>943</sup> Mondale was concerned that the President would not sign WEEA as an independent bill. See the prepared questions for NEA, "Women – Civil Rights (General), 1973-1974 (3)" Folder, Box 153.L.9.10F, Mondale Papers. Mondale also wanted the bill attached to some funding from the outset (it would first go into effect in 1976), and including the Women's Educational Equity Act as a section in ESEA achieved that objective. This approach is explained in a Ellen Hoffman to PTM (17 Dec 1973), Folder 3, Box 205, Mink Papers. The entire bill was funded with a "pot of money" that would be divided amongst the various programs, with new programs like WEEA receiving no less than ten percent of the pot. Additional funds could then be obtained via the Appropriations Committee.

<sup>944</sup> Interview with Anne Costain (6 Dec 1974), quoted in Costain, *Inviting Women's Rebellion*:91.

<sup>945</sup> As political scientist Anne Costain notes, "It was evident that Mink was calling in past favors in exchange for other Congress members' support of this piece of legislation." See *Ibid*.

<sup>946</sup> Interview with Anne Costain (10 Dec 1974), quoted in *Ibid*.

Sen. Walter Mondale wrote to Arvonne Fraser, calling for a lobbying effort because “some of my colleagues on the Committee need a little consciousness raising.”<sup>947</sup> Feminists mounted a targeted lobbying effort. Helpfully, members of the committee staff had regularly attended the hearings and were convinced of the bill’s quality.<sup>948</sup> Their support was integral to WEEA’s passage. Working with Women’s Lobby, feminist staffers coordinated lobbying during committee recesses.<sup>949</sup> They marshalled feminists in the home districts of Cranston, who was up for reelection, and Sen. Gaylord Nelson. Meanwhile, Mink and her staff assiduously collected co-sponsors on the House side, in order to enhance Mink’s claim that the bill had broad support.<sup>950</sup> Volunteer feminist lobbyists from the D.C. area stationed themselves outside the conference room, distributing letters to conference participants arguing that “your daughters and your sons will be helped by this bill.”<sup>951</sup>

Though many legislators were personally uninterested in or opposed to parts of the legislation, they had no interest in alienating half of the population. The lobbying worked, especially with election-conscious House members.<sup>952</sup> Members felt they needed to support at

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<sup>947</sup> Walter Mondale to Arvonne Fraser (20 Feb 1974), “Women – Civil Rights (General), 1973-1974 (2)” Folder, Box 153.L.9.10F, Mondale Papers. This need may have been more acute than even Mondale realized, since some legislators were apparently unsure of the differences between WEEA and the Tower Amendment. See the note from SK, Folder 8, Box 204, Mink Papers.

<sup>948</sup> Fishel and Pottker, *National Politics and Sex Discrimination in Education*: 77-78.

<sup>949</sup> See Susan Kakesako notes for Patsy Mink (n.d.), Folder 2, Box 205, Mink Papers.

<sup>950</sup> Notes from a “Women’s Groups Meeting w/ Staffs” meeting (18 Dec 1973), Folder 3, Box 205, Mink Papers. See also SK note (11 Jun 1974), Folder 8, Box 204, Mink Papers.

<sup>951</sup> The lobbyists belonged to local group Women’s Lobby. Compiled by Susan Kakesako, lobbying materials combined information about the bill with a multitude of letters from education and women’s rights organizations, expressing support for WEEA. Note from Susan Kakesako to Patsy Mink (18 Jun 1974), Folder 5, Box 203, Mink Papers. A copy of one of the letters from Carol Burris, dated 19 Jun 1974, can be found in the same folder. Lobbying materials can be found in Folder 5, Box 204, Mink Papers.

<sup>952</sup> Additionally, the Senate removed Rep. Bob Casey’s last minute amendment mandating single sex gym classes. Though the House had approved the Casey Amendment in a close vote of 212-211 right before sending the measure to the Senate side, it agreed to the Senate version in a second vote. This acceptance of the new bill was in large part due to the strength of connections built between Bernice Sandler, Margaret Dunkle, a number of Hill feminists, and a broad array of House members. Margaret Dunkle’s thank you letters can be found in Folder 11, Box 9, Dunkle Papers. For notes taken during Hill feminist meetings concerning Title IX regulations, see Folder 10, Box 10, Dunkle Papers.

least one feminist section of ESEA, in order to avoid alienating the women's movement.<sup>953</sup> The joint conference did not simply remove the Tower Amendment. Repudiating the thrust of Tower's proposal, the conference adopted the Javits Amendment, which demanded that HEW issue Title IX regulations that included access to sports.<sup>954</sup> And when the conference approved the Women's Educational Equity Act late in the evening on August 21, 1974, Sen. Walter Mondale immediately sent a telegram to Arlene Horowitz.<sup>955</sup> And the feminist lobby asserted that "hundreds" of feminist lobbyists were responsible for the victory, though they were exaggerating. As one lobbyist put it, "The hundreds were Bunny [Bernice Sandler] and Ellen McGovern's 30 or 40 [from WOW and WEAL]."<sup>956</sup>

Feminist staffers maintained sway with both the House and Senate education committees, protecting these foundational pieces of legislation from future attacks.<sup>957</sup> As the only federal education program to specifically target gender inequality, WEEA never received adequate funding. However, Congress did partially accede to feminist pressure, awarding the program just over six million in 1976 and raising subsequent allocation numbers until they reached a height of ten million in 1980.<sup>958</sup> Meanwhile, the emergence of Title IX specifics in

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<sup>953</sup> Fishel and Pottker, *National Politics and Sex Discrimination in Education*: 83.

<sup>954</sup> The Javits Amendment was a request that HEW focus on the cost differences between sports as a fundamental problem in financing collegiate athletics.

<sup>955</sup> Thanks went out to a small cadre of feminists involved in the writing and promotion of WEEA from the outset. Telegram copy from Walter Mondale to Arlene Horowitz (n.d.), "Women – Civil Rights (ERA), 1974" Folder, Box 153.L.9.10F, Mondale Papers. Mondale also requested that Arvonne Fraser "convey my thanks to everyone at WEAL for their support on the women's bill, the Tower amendment, and all the rest." Walter Mondale to Arvonne Fraser (11 Jun 1974), "Women – Civil Rights (General), 1973-1974 (4)" Folder, Box 153.L.9.10F, Mondale Papers. Likewise, Bernice Sandler and Margaret Dunkle thanked Mink staffer Susan Kakesako for "toppling the leaning Tower Amendment." Bernice Sandler and Margaret Dunkle to Susan Kakesako (13 Jun 1974), Folder 3, Box 184, Mink Papers. Carol Burris sent Rep. Patsy Mink a note declaring that "All women owe you a tremendous debt of gratitude." Carol Burris to Patsy Mink (3 Jul 1974), Folder 5, Box 203, Mink Papers.

<sup>956</sup> Quoted in Arlene Kaplan Daniels, "Careers in Feminism," *Gender and Society* 5:4 (Dec 1991): 598.

<sup>957</sup> See "Re: Title IX Hearings Strategy" (22 May 1975), Folder 3, Box 10, Dunkle Papers.

<sup>958</sup> Patsy Mink to "Friend" (31 Jul 1974), Folder 5, Box 205, Mink Papers. Information on WEEA funding can be found in Catalog of Federal Domestic Assistance report "Women's Educational Equity," Biennial Evaluation Report, CFDA No. 84.083 (Federal Year 1993-1994): <http://www2.ed.gov/pubs/Biennial/125.html> (accessed 28 Aug 2013). The George W. Bush Administration closed the WEEA Equity Resource Center in 2003.

June of 1975 provided grounds for opposition from men who supported equality in the abstract but found problems with many of the routes to achieving that equality.<sup>959</sup> During the 1975 Title IX hearings, Hill feminists threw a well-attended birthday party for the law and its major sponsors.<sup>960</sup> They testified during the hearings and spent time doing door-to-door lobbying. This small group of advocates made a huge impact. Though the *Washington Post* reported that “hundreds” of women mobilized to lobby for Title IX regulations, one lobbyist recalled that “There were only 27 of us, but we were a talky bunch.”<sup>961</sup> The regulations were approved without debilitating riders late in 1975.

One policy always led to the identification of multiple other areas of discrimination that required separate bills, and there was now a pre-existing network to support these proposals. The inclusion of sex equity amendments in the Vocational Education Act of 1976 grew out of hearings for WEEA, when Congress realized that Title IX would not open vocational schools to women.<sup>962</sup> After becoming a supporter of Title IX, Rep. John Buchanan, Jr. (R-AL) consulted with NOW’s Project on Equal Education Rights (PEER) deputy director Clelia Steele. The two of them then went to Meredith Larson, a minority staffer on the Education and Labor Committee, who drafted language for the amendments. Rep. Shirley Chisholm and Jack Jennings, a member of Rep. Carl Perkins’ (D-KY) staff contributed to the end product, and Buchanan offered their

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<sup>959</sup> Even without the Tower Amendment’s passage, HEW’s persistently slow drafting of specific regulations gave the NCAA until 1975 before the agency was subjected to congressional enforcement or scrutiny of any kind. When definitive guidelines were finally issued in 1975, the federal government delayed initial reviews of collegiate programs until 1978, thus providing a three year period of reprieve for colleges and universities. HEW did not require that the NCAA incorporate women’s sports into their constitution and governing processes until 1981. Even then, the 1984 Supreme Court case *Grove City College v. Bell* restricted Title IX application to sports programs that received direct federal funding. Only after the 1988 Civil Rights Restoration Act was this narrow Title IX application discarded. See Deborah J. Anderson, John J. Cheslock, and Ronald G. Ehrenberg, “Gender Equity in Intercollegiate Athletics: Determinants of Title IX Compliance,” *The Journal of Higher Education* 77:2 (Mar-Apr 2006): 227. Hill feminists also had reservations about the regulations, which they felt lacked specificity and allowed universities to continue discriminating against women.

<sup>960</sup> For guest lists and related letters and materials, see Folder 11, Box 9, Dunkle Papers.

<sup>961</sup> Quoted in Mary Ann Millsap, “Sex Equity in Education,” *Women in Washington*: 101.

<sup>962</sup> An overview of this history can be found in Donna M. Mertens, “Federal Policy for Sex Equity in Vocational Education,” *Educational Evaluation and Policy Analysis* 6:4 (Winter 1984): 402-03.



language in committee “en bloc.”<sup>963</sup> Sen. Walter Mondale once again offered key support in the Senate.<sup>964</sup> The amendments were what one feminist educational expert called a “strategy [to] ‘mainstream’ sex-equity concerns into all major Federal education programs.”<sup>965</sup>

By 1976, the House Education and Labor Committee members viewed these sex equity bills as noncontroversial. They had, after all, been passing similar legislation for years now. The committee report endorsing the Vocational Act noted that sections prohibiting sex discrimination and sex stereotyping were simply part of the implementation process for Title IX.<sup>966</sup> The bill encountered no resistance after committee chair Carl Perkins ensured that “All you propose to do it to ensure that there is no sex discrimination.”<sup>967</sup> Annoyed that legislators had taken so long to complete the measure, committee chair Augustus Hawkins’ pushed for rapid approval, giving the small opposition little time to organize.<sup>968</sup> The Vocational Education Act passed, providing the basis for another wave of legislation ensuring equal access to career training programs.<sup>969</sup>

This wave of victories in the early 1970s was achieved because of the dedication of a small group of legislators, support from office and committee staffers, and the fact that Hill feminists could wield the threat of a cohesive women’s voting constituency after the success of the ERA. Always emerging from the House Education and Labor Committee, measures to

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<sup>963</sup> U.S. Congress, House, Committee on Education and Labor, Stenographic Transcript of the Mark-up of H.R. 12835, Vocational Education Amendments of 1976 (Alderson Reporting Company, Inc., 3 Apr 1976): 76-77.

<sup>964</sup> Mary Ann Millsap, “Sex Equity in Education,” *Women in Washington*: 105-06.

<sup>965</sup> Leslie R. Wolfe, quoted in “An Interview on Title IX with Shirley Chisholm, Holly Knox, Leslie R. Wolfe, Cynthia G. Brown, and Mary Kaaren Jolly,” *Harvard Education Review* 49:4 (Nov 1979): 521. Wolfe’s argument is expanded in Nelly P. Stromquist, “Sex-Equity Legislation in Education: The State as Promoter of Women’s Rights,” *Review of Educational Research* 63:4 (Winter 1993): 379-407.

<sup>966</sup> U.S. Congress, Committee on Labor and Public Welfare, Report No. 94-882, “Education Amendments of 1976,” 94<sup>th</sup> Cong., 2<sup>nd</sup> Sess. (13 May 1976); M. L. Wolfe, CRS Report 78-166 EPW “The Vocational Education Act of 1963 as Amended: A Background Paper” (1 Aug 1978).

<sup>967</sup> U.S. Congress, House, Committee on Education and Labor, Stenographic Transcript of the Mark-up of H.R. 12835, Vocational Education Amendments of 1976 (Alderson Reporting Company, Inc., 3 Apr 1976): 77.

<sup>968</sup> Mary Ann Millsap, “Sex Equity in Education,” *Women in Washington*: 110.

<sup>969</sup> For a short analysis of the legislative and practical effects of the 1976 legislation, see Debra J. Robbin, “Gender Equity in Vocational Education,” *Equity Resource Center Digest* (Aug 1992): <http://www2.edc.org/WomensEquity/pubs/digests/digest-voced.html> (accessed 9 Apr 2014).

address sex discrimination in education proliferated through the 1980s, building on the foundation of 1970s policies. And a familiar argument arose again and again during debates about equal educational access. As Rep. Stewart McKinney (R-CT) complained during 1975 Title IX regulation hearings, “Is it fair that I, as a father, pay the same amount to educate one of my daughters and yet not have her receive the same facilities and chances and same opportunities?”<sup>970</sup> Personalizing feminist educational policy was simply a winning strategy within Congress.

#### “The Hard Facts of Discrimination”: The Drive for Economic Rights

In 1973, the first hearings on economic discrimination against women began, “an introduction to the hard facts of discrimination” for many women, as Rep. Donald Fraser avowed.<sup>971</sup> Hill feminists would spend the decade working to construct legislation that would eliminate biases in the tax code, Social Security, and government pensions. The path to legislative success would be rockier than that of educational bills moving through Congress at the same time. With fewer feminists on key economic policy committees, the women’s lobby needed work even harder to convince members of the need for legislation specifically dealing with sex discrimination. Narrow economic rights bills that established individual economic citizenship for women or equalized benefits between men and women were most successful.

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<sup>970</sup> Stewart McKinney, U.S. Congress, House, Subcommittee on Postsecondary Education of the House Committee on Education and Labor, *Sex Discrimination Regulations Hearings*, 94<sup>th</sup> Cong., 1<sup>st</sup> Sess. (Washington, D.C.: GPO, 1975): 199.

<sup>971</sup> Don Fraser to Martha Griffiths (5 Jul 1973), “JEC – Women’s Hearings, General” Folder, Box 45, Griffiths Papers. The full text of the hearings can be found at the Federal Reserve Archive website [fraser.stlouisfed.org](http://fraser.stlouisfed.org). In the early 1970s, feminists did achieve a number of smaller victories in a short period of time, even without the broad research basis that would support later feminist economic policy proposals. Encountering almost no opposition, Rep. Bella Abzug successfully pursued a bill mandating equal employment benefits, cost-of-living allowances abroad, and marital status regulations for men and women. The bill passed the House with a vote of 377-11 on 2 Aug 1971. WEAL members kept an eye on this legislation through NCC WEAL publications. See NCC WEAL, “Congressional and Court Action of Interest to Women” (13 Sep 1971), “NCC – Board Matters & Correspondence, 1970-1973 (1)” Folder, Box 19, A. Fraser Papers.

Meanwhile, feminists worked to amass research demonstrating why and how Congress needed to restructure pension and Social Security programming. Though Congress struggled to create laws that would encourage financially equitable relationships between men and women, even conservatives accepted the necessity of feminist economic policy by the end of the decade.

Aware that this legitimacy did not yet exist, Griffiths came out swinging in 1973.<sup>972</sup> She immediately went after her peers: “While much has been said about discrimination against women in the last few years. . . . [i]n many areas . . . Congress itself is at fault, for not giving priority to legislation which would correct abuses against women.”<sup>973</sup> The Griffiths hearings documented a number of serious inequities embedded in Social Security.<sup>974</sup> At the root of sex discrimination embedded into the Social Security code was, as Arvonne Fraser put it, “the perceived conflict between the working woman and the economically dependent housewife.”<sup>975</sup> Through the several days of hearings, Griffiths proceeded to vociferously challenge any hearings participant who attempted to deemphasize the extent and importance of sex discrimination in employment. She repeatedly took federal agency representatives to task for failing to hire more women or to more actively pursue sex discrimination complaints.<sup>976</sup>

Despite her rhetoric at the hearings, Martha Griffiths was not a radical. Indeed, Griffiths’ reputation as a moderate was integral to the maintenance of her influence as an economic policy

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<sup>972</sup> This argument is made by legal scholar Patricia Seith, “Congressional Power to Effect Sex Equality,” *Harvard Journal of Law and Gender* 14:23 (8 Feb 2013): 14. Available at <http://harvardjlg.com/wp-content/uploads/2013/02/Seith-Congressional-Power.pdf> (accessed 3 Jul 2013).

<sup>973</sup> Quoted in Ibid: 14.

<sup>974</sup> For good overviews of sex discrimination in early 1970s Social Security and pension programs, see Lenore Bixby, “Women and Social Security in the United States,” *Social Security Bulletin* 35:9 (Sep 1972): 3-11, available at <http://www.ssa.gov/policy/docs/ssb/v35n9/v35n9p3.pdf> (accessed 12 Aug 2013); Carolyn Bell Shaw, “Social Security, Myths and Inequities,” *The Washington Post* (2 Sep 1973).

<sup>975</sup> Arvonne Fraser, “Women and Social Security,” testimony before the Hearings on Problems Facing Women in Poverty, U.S. Civil Rights Commission (Chicago, IL: 19 Jun 1974): 7, “Social Security (1)” Folder, Box 13, Patricia Lindh and Jeanne Holm Files, Gerald R. Ford Presidential Museum, Ann Arbor, MI.

<sup>976</sup> Arvonne Fraser’s notes on these hearings can be found in “Economics – Social Security, Correspondence, 1973” Folder, Box 13, A. Fraser Papers.

expert and businesslike but genial member of Congress.<sup>977</sup> While many congressmen characterized Griffiths as “left of center,” Rep. Margaret Heckler maintained that Martha Griffiths had “enough conservative” in her to talk with small government advocates.<sup>978</sup> As Rep. Barbara Jordan (D-TX) would later note, Griffiths had “seniority and clout of personality,” giving her “a rather unique role here to play.” Martha Griffiths’ focus on ensuring that welfare programs incentivized work remained controversial with many civil right and women’s groups.<sup>979</sup> But her standing within the party had resulted in a position on Ways and Means, where she could pursue the elimination of sex discrimination in Social Security.

On what was arguably the most prestigious committee in the House, Griffiths had to work with members and staffers who were not particularly open to new understandings of women and their roles within the family. Rep. Wilbur Mills (D-AK) had controlled Ways and Means for years, and his carefully chosen staffers shared his assumption that a male breadwinner was the basis of any successful family. The committee’s chief Counsel John Martin, Jr. opposed the ERA.<sup>980</sup> Social Security legal counsel Lawrence Filson found many of Martha Griffiths’ proposals to be “unreal,” he was surprised when the Supreme Court upheld Griffiths’ “wild” reasoning that the government could not constitutionally require proof of dependency from one sex and not the other.<sup>981</sup> The bourbon-drinking culture of a committee that had never included a

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<sup>977</sup> As Joint Committee on Fiscal Policy Alair Townsend recalled of the committee’s study of, “She used to especially at the start remind me that this was really historic and very important that it be done well, because it was the first time that a woman member of Congress had gotten money herself to do this special study and here was a woman directing the staff, which was very new, very precedent-setting, and that we had to show them and do a good job.” See taped interview with Alair Townsend (24 Jan 1978), Box 59, Griffiths Papers.

<sup>978</sup> Taped interview with Margaret Heckler (Washington, D.C.: 24 Jan 1978), Box 59, Griffiths Papers. For examples of men who tended to view Griffiths as “left of center,” see taped interviews with Gerald Ford (Vail, CO: 19 Jul 1978), Harry Reuss (Washington, D.C.: 24 Jan 1978), Charles Diggs, Jr. (Washington, D.C.: 25 Jan 1978), John McCormack (Boston, MA: 5 Jan 1978), and Barber B Conable, Jr. (Washington, D.C.: 27 Jan 1978), Box 59, Griffiths Papers.

<sup>979</sup> Recording of Barbara Jordan on Homemaker’s Bill (Washington, D.C.: 24 Jan 1978), Box 59, Griffiths Papers.

<sup>980</sup> John M Martin, Jr. Chief Counsel on Ways & Means (24 Jan 1978, Washington, D.C.), Box 59, Griffiths Papers.

<sup>981</sup> Taped interview with Lawrence Filson (Washington, D.C.: 26 Jan 1978), Box 59, Griffiths Papers.

female member before did not help.<sup>982</sup> Fellow committee member Rep. Barber Conable (R-NY) both admired Griffiths and viewed her as a “disruption” to regular committee proceedings because she had “a completely different frame of reference.”<sup>983</sup>

Arvonne Fraser was not willing to wait for the turnover necessary to produce a more progressive set of proposals. In 1973, as the Griffiths hearings progressed, she formed a task force for Social Security research within her husband’s office.<sup>984</sup> This group of five was dominated by four women, three of whom were NCC WEAL members.<sup>985</sup> Initial proposals included the elimination of means testing and the treatment of all people as “supporters and beneficiaries of the system.” Characterizing marriage as “among other things, an economic contract,” the task force argued that housewives and mothers should be able to accumulate Social Security credits on the basis of domestic labor.<sup>986</sup> The Fraser office self-consciously positioned itself to “serve as a force on the left, looking at what is necessary and right, not what is currently considered likely to get through Ways and Means.”<sup>987</sup>

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<sup>982</sup> As Rep. Charles Diggs, Jr. has described, “Martha was the first female to go on that committee, so there was probably some chauvinistic resistance sometimes. . . . You know, that was a sort of a private preserve, that Ways and Means Committee. And, you know, the fellas were used to . . . sitting back up and, you know, they had their little hide-aways around here. And a lot of business was transacted that way, you know, with their feet up on the table with bourbon and branch water. . . .” See taped interview with Charles Diggs, Jr. (25 Jan 1978, Washington, D.C.), Box 59, Griffiths Papers.

<sup>983</sup> Barber B Conable, Jr. (27 Jan 1978, Washington, D.C.), Box 59, Griffiths Papers.

<sup>984</sup> In a direct repudiation of Griffiths’ understanding of Social Security, the task force’s initial proposal declared that “The idea behind this proposed reform is to quit thinking about the way the system operates and concentrate on the way it OUGHT TO operate. We are planning social policy, and we are caring for people because they exist, not because we tend to approve or disapprove of the kind of work they do or how they earn their income.” See “Proposal for Reform of Social Security System” (n.d.), “Economics – Social Security, Correspondence, 1973” Folder, Box 13, A. Fraser Papers. The group conducted “several meetings” by late 1973. Val to Don (7 Dec 1973), Box 149.C.14.9B, D. Fraser Papers.

<sup>985</sup> A list can be found in notes and memos from 1973 meetings in “Economics – Social Security, Correspondence, 1973” Folder, Box 13, A. Fraser Papers. The other two members were the Fraser office AA Iric Nathanson and a staffer named “Jessica.”

<sup>986</sup> The group also argued that Social Security should cover government workers, the unemployed, and students over eighteen years of age. See “Proposal for Reform of Social Security System” (n.d.), “Economics – Social Security, Correspondence, 1973” Folder; “Housewives and the Woman Question in Social Security” (n.d.), “Economics – Social Security, Correspondence, 1974” Folder, both in Box 13, A. Fraser Papers.

<sup>987</sup> Arvonne Fraser to Val, Jessica, Iric, and Susan (n.d.), “Economics – Social Security, Correspondence, 1973” Folder, Box 13, A. Fraser Papers.

While Social Security reform crept forward, the hearings gave Hill feminists a research basis to pursue smaller economic equity bills. Griffiths pushed several bills through Congress in the early 1970s, even as she remained focused on incentivizing married women's paid work.<sup>988</sup> Rep. Patsy Mink worked on a bill incorporating housewives into retirement programs for self-employed individuals.<sup>989</sup> In 1974, Rep. Bella Abzug proposed an amendment expanding the House provisions on pension plan eligibility for women and young people.<sup>990</sup> Rep. Elizabeth Holtzman pursued a bill to improve benefits for widows.<sup>991</sup> Feminists kept the pressure on Congress by educating staffers, training lobbyists, and coordinating activism.<sup>992</sup> Ellen Sudow coordinated WEAL, NWPC, and Women's Lobby activities for women's economic rights.<sup>993</sup> Carol Burris of Women's Lobby worked to influence congressional staffers via a Congressional Research Service Seminar on legislation affecting women.<sup>994</sup>

The Equal Credit Opportunity Act thus emerged at a time when the need for economic equity bills seemed self-evident. Sen. Bill Brock (R-TN) hired Emily Card as a research fellow in 1972, giving her wide berth to work on whatever legislation she felt might be beneficial. An

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<sup>988</sup> Martha Griffiths, taped recording of Associated Credit Bureau International Conference – Sex Discrimination in Credit Granting (May 1973, Washington D.C.), Box 59, Griffiths Papers. Griffiths' second big project was a study of welfare. As Fraser staffer Val Fleischacker noted in a 1973 memo to Don Fraser, "some of her [Griffiths'] recent statements on how public benefits 'tax' the poor are astonishing. She is not the most liberal on welfare!" See Val to DMF (5 Jan 1973), "SS Hearings – DC & Minneapolis" Folder, Box 147.G.11.4F, D. Fraser Papers.

<sup>989</sup> Patsy Mink to Elizabeth Nickerson (28 Jun 1973), Folder 7, Box 460, Mink Papers.

<sup>990</sup> Abzug introduced her bill immediately after the passage of the first act to regulate private pension plans. The Employee Retirement Income Security Act (ERISA) passed in 1974. This legislation provided no guaranteed coverage for wives, divorced spouses, or widows of men with company pension plans, nor did it account for the fact that women tended to enter, leave, and re-enter the workforce more often than men. See Gelb and Palley, *Women and Public Policies*: 188-89.

<sup>991</sup> Elizabeth Holtzman, "Metro Law Women's Caucus – final draft" (22 Nov 1975), "Metro Women's Law Caucus 11/22/75" Folder, Box 222, Elizabeth Holtzman Papers, Schlesinger Library, Radcliffe Institute, Harvard University.

<sup>992</sup> Ellen Sudow to WEAL "Sisters" (18 Jul 1973), Folder 23, Carton 46, WEAL Papers (MC 500).

<sup>993</sup> Her work culminated in a joint letters demanding that anti-sex discrimination provisions be added to the House and Senate bills on pension reform. Arvonne Fraser to all WEAL members (12 Apr 1973), "WEAL Board Matters and Membership Mailings, 1972-1973" Folder, Box 10, A. Fraser Papers; Arvonne Fraser, Doris Meissner, and Carol Burris to Sens. Harrison Williams and Jacob Javits (26 Feb 1973), Folder 23, Carton 46, WEAL Papers (MC 500).

<sup>994</sup> "Notes on Seminar on Legislation Affecting Women" (n.d.), Folder 4, Box 567, Mink Papers.

opportunity quickly presented itself. Card received a press release from the May 1972 hearings of the National Commission on Consumer Finance, detailing the lack of credit opportunities for women.<sup>995</sup> Card recalls that “at the same time, I went to the bank, and I noticed that there was a sign there about equal housing credit, and it didn’t include sex.” Card phoned DGS staffer and WEAL Legislative Committee head Ellen Sudow. Though Sudow was skeptical about the conservative Bill Brock’s willingness to support equal credit legislation, she directed Emily Card towards the small group of women already working on credit.<sup>996</sup>

District women had been researching credit access for some time. WEAL and NOW chapters were invaluable resources for the highly publicized National Commission on Consumer Finance hearings, chaired in May 1972 by Rep. Leonor Sullivan (D-MO).<sup>997</sup> Over the next year, D.C. NOW and NCC WEAL sent divorced and widowed volunteer members into credit-granting institutions to fill out credit applications, their work facilitated by NOW Task Force on Consumer Finance’s Sharyn Campbell.<sup>998</sup> These efforts expanded through the next year.<sup>999</sup> The Center for Women Policy Studies (CWPS) supplemented this work with research on credit discrimination, interacting regularly with local WEAL and NOW task forces.<sup>1000</sup> It was the

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<sup>995</sup> Numerous congresswomen were involved in the commission’s hearings, either as chairs or testifiers. See Bella Abzug, “Sex Discrimination in Bank Loans and Consumer Credit Transactions,” *Congressional Record* 118:83 (23 May 1972). A copy can be found in Folder 177, Carton 3, Women’s Equity Action League (WEAL) Papers (MC 311), Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA. Hereafter referred to as WEAL Papers (MC 311).

<sup>996</sup> Card contacted Sudow specifically because she had recently read an article on credit discrimination by her. Sudow thought that it would be hard to use the Brock office because Brock himself was viewed as pro-bank. His status as a Republican in a Democrat-controlled Senate was also viewed as a minus. Phone interview with Emily Card (13 Feb 2012).

<sup>997</sup> Costain, *Inviting Women’s Rebellion*: 128.

<sup>998</sup> “WEAL-NOW Member” letter (26 Apr 1972), “NCC – Board Matters & Correspondence, 1971-1973 (1)” Folder, Box 19, A. Fraser Papers. A copy of the survey and other credit investigation materials can be found in Folder 177, Carton 3, WEAL Papers (MC 311). NOW’s influence would wane as NOW’s legislative, press, and national offices descended into factional conflict. See Gelb Palley, *Women and Public Policies*: 68.

<sup>999</sup> In April of 1973, NOW and WEAL expanded their research to include a local study of black women’s access to credit, lending practices of area credit unions, and the employment practices of local banking institutions. “WEAL Newsletter” (Apr 1973), “NCC – Newsletter, 1971-1980” Folder, Box 19, A. Fraser Papers.

<sup>1000</sup> See WEAL newsletter (n.d.), “NCC – Board Matters & Correspondence, 1970-1973 (1)” Folder, Box 19, A. Fraser Papers.

CWPS to which Ellen Sudow initially referred Emily Card for background information on her credit bill.

Armed with this research, Emily Card mounted a campaign to sell the bill. Members responded, sensing an easy victory with significant political benefits.<sup>1001</sup> The Clearinghouse on Women's Issues held a briefing on credit in 1973 to coordinate lobbying for the bill.<sup>1002</sup> At the meeting, which included a mix of legislators, staffers, and lobbyists, Card presented materials on her office's bill.<sup>1003</sup> Later that year, Bella Abzug and Margaret Heckler introduced equal credit bills modeled on Card's original bill. The Abzug measure attracted over one hundred co-sponsors and "served as the initial thrust within Congress" for credit issues.<sup>1004</sup> ECOA activists were then able to counter a broader but less politically feasible bill authored by Rep. Leonor Sullivan, chair of the Subcommittee on Consumer Affairs.<sup>1005</sup> Congress overwhelmingly voted for the ECOA and it was signed into law in 1974, less than two years after Card formulated her initial proposal.

The network that had sustained the bill in Congress also ensured that regulations would not be lax.<sup>1006</sup> The Federal Reserve was initially open to incorporating feminist opinions. When

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<sup>1001</sup> Political scientists Joyce Gelb and Marian Lief Palley note that "the women's community was united on the ECOA; traditional women's groups were highly supportive of activist groups in their pressure for the enactment and writing of favorable regulations for the act." See Gelb and Palley, *Women and Public Policies*: 62.

<sup>1002</sup> Margaret Gates to Sen. Harrison Williams (26 Apr 1975), "Clearinghouse on Women's Issues, 1973-1976" Folder, Box 60, A. Fraser Papers.

<sup>1003</sup> Minutes of Clearinghouse on Women's Issues (22 May 1973): 2, "Clearinghouse on Women's Issues, 1973-1976" Folder, Box 60, A. Fraser Papers.

<sup>1004</sup> Clearinghouse on Women's Issues minutes (27 Mar 1973): 2, "Clearinghouse on Women's Issues, 1973-1976" Folder, Box 60, A. Fraser Papers.

<sup>1005</sup> The bill covered discrimination on the basis of sex, race, color, religion, national origin, age, or marital status and provided methods of financial recompense for victims of discrimination. Sullivan was concerned about drafting an anti-discrimination bill that only dealt with women, both because such a bill was often seen as superfluous in Congress and because she believed that a broad bill was simply more just. "Women and Credit – Or, How Much Is Your Husband Worth?" *Equal Times* (Jul 1974): 1-2, Folder 7, Box 56, Mink Papers. She managed to convince all but two of the fifteen committee members to endorse her measure. She also attracted attention from groups like the CHWPC.

<sup>1006</sup> Though Hill feminists attempted to mobilize women off the Hill in defense of stringent regulations, women in the Capitol would be far more important. See Shirley Downs and Carol Burris, "What [Else] the 94<sup>th</sup> Congress Might [Or Might Not] Do," *Ms.* (Mar 1975): 99-100.



confronted with the regulations that emerged from talks with CWPS, however, the Fed balked. After the Fed issued a second, less rigorous draft of credit regulations, local feminists coordinated a campaign to strengthen the regulations.<sup>1007</sup> Rep. Bella Abzug arranged to meet with Arthur Burns, then chairman of the Federal Reserve, in order to discuss women's access to credit. Burns arrived at Abzug's office expecting "some screamers from NOW" and instead discovered that Abzug had assembled almost every female legislator in her office. After a pointedly formal introduction to each congresswoman and a follow-up letter from the group, Burns agreed to change federal credit regulations and pressure banks to apply credit equally.<sup>1008</sup>

By the mid-1970s, congresswomen were coming to a consensus on economic equity legislation, even as turnover on the Hill changed the prospects for Social Security and pension reform. At the end 1974, Rep. Martha Griffiths left office. Though her departure deprived the women's movement of their most able and well-positioned economic policy legislator, her research guided newer legislators towards policies expanding benefits for homemakers. As Griffiths departed, she endorsed a broader reform of Social Security, telling the Clearinghouse on Women's Issues that new legislation would recognize the "economic value" of housework, while noting that such policy would "take a while to pass."<sup>1009</sup> With Rep. Barbara Jordan, Griffiths sponsored a measure to extend Social Security benefits to homemakers.<sup>1010</sup>

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<sup>1007</sup> For analyses from NOW and CPWS, see Folder 8, Box 56, Mink Papers.

<sup>1008</sup> Eileen Shanahan, quoted in *Bella Abzug*, ed. Levine and Thom: 151-152. Shanahan's account is confirmed by Gelb and Palley, who note that the meeting produced three key promises from Federal Reserve officials: (1) income from part-time employment would be considered credit-worthy; (2) a ban on creditors considering childbearing intentions was clarified; (3) business loans could no longer require a co-signer. See Gelb and Palley: 83. For the follow-up letter, see Bella Abzug, Shirley Chisholm, Patricia Schroeder, Helen Meyner, Patsy Mink, Yvonne Brathwaite Burk, Elizabeth Holtzman, Gladys Spellman, and Lindy Boggs to the Federal Reserve Board of Governors (25 Sep 1975), Folder 8, Box 56, Mink Papers.

<sup>1009</sup> Clearinghouse on Women's Issues minutes (30 Apr 1974), "Economics – Social Security, Correspondence, 1974-1975" Folder, Box 13, A. Fraser Papers.

<sup>1010</sup> Joint Statement of Reps. Barbara Jordan and James Burke (6 Feb 1975)

Consensus was possible because of the solid research basis that now supported this legislation. WEAL maintained an “Equal Rights in Social Security” project, producing background research materials distributed at a WEAL-sponsored conference for feminists, Social Security administration staffers, and congressional staffers.<sup>1011</sup> The Fraser office’s research was well-known; Robin Reed from the House Pension Task Force consulted with Susan Tenenbaum about potential changes to pension rules and “implications for housewives.”<sup>1012</sup> Work on the House side converged with the Senate’s Committee on Aging hearings on “Future Directions in Social Security.”<sup>1013</sup> The small number of feminists on the Hill now agreed with one another on the correct path towards Social Security reform.

Yet committees dealing with Social Security and pensions remained dominated by legislators less open to feminist analyses and demands. Feminists more fruitfully used their research on economic discrimination with bills moving through Congress’ education committees. Testimony for a measure extending job training programs to homemakers rehashed accepted wisdom: women, especially women with college degrees, were an underutilized labor resource. Congress needed to ensure that women who experienced divorce, widowhood, or old age had career options.<sup>1014</sup> Encountering little opposition, the bill successfully passed into law in 1978.<sup>1015</sup> Flexible and part-time hours legislation followed the same path. Rep. Bella Abzug,

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<sup>1011</sup> WEAL, “Proposal: Equal Rights in Social Security” (22 May 1974), “Economics – Social Security, Correspondence, 1974” Folder, Box 13, A. Fraser Papers.

<sup>1012</sup> Susan Tenenbaum to Arvonne Fraser (n.d.), “Economics – Social Security, Correspondence, 1974” Folder, Box 13, A. Fraser Papers.

<sup>1013</sup> Conducted around the country, the hearings started in 1973 and lasted for two years. In 1975, committee chair Sen. Frank Church (D-ID) asked Arvonne Fraser to testify. Joyce Gelb and Marian Lief Palley, *Women and Public Policies*: 83-85; “Federal Reserve Officials Tell Women They Will Revise Rules on Credit Bias,” *NY Times* (19 Sep 1975): 1 (accessed 4 Sep 2013).

<sup>1014</sup> U.S. Congress, House Subcommittee on Employment Opportunities of the House Committee on Education and Labor, *Hearings on the Displaced Homemakers Act*, 95<sup>th</sup> Cong., 1<sup>st</sup> Sess. (Washington, D.C.: GPO: 1977); U.S. Congress, Senate Subcommittee on Employment, Poverty, and Migratory Labor of the Senate Committee on Human Resources, *Hearings on the Displaced Homemakers Act*, 95<sup>th</sup> Cong., 1<sup>st</sup> Sess. (Washington, D.C.: GPO: 1977).

<sup>1015</sup> The men who chaired the House and Senate committees and subcommittees that reviewed the legislation were uniformly in favor of expanding women’s access to employment. Sen. Birch Bayh sponsored the legislation in the

Sen. Gaylord Nelson, and Sen. John Tunney (D-CA) pursued a number of bill iterations from 1973 onwards.

These members were supported by local staffer and their friends in the feminist lobby network, many of whom had personally experienced the problems of finding part-time labor or fulltime positions with a gap in their work history.<sup>1016</sup> By 1977, Rep. Patricia Schroeder (D-CO) had ascended to the chairmanship of the House subcommittee in charge of flextime legislation. Holtzman chaired the last set of hearings on the bill in 1977, assisted by feminist counsel Linda Ittner.<sup>1017</sup> Rep. Gladys Spellman (D-MD) offered testimony on her multiple campaigns to institute flex-time in various Maryland state departments.<sup>1018</sup> Staffer Leslie Gladstone offered WEAL analysis on behalf of WEAL, NOW, NWPC, and Women's Lobby.<sup>1019</sup> Nelson headed the bill's Senate campaign. Despite opposition from HEW and the Civil Service Commission, Congress enacted the legislation in October of 1978.

Meanwhile, Rep. Donald Fraser's office formulated a bill for broader economic reform. The Frasers wanted their "Equity in Social Security" measure to equalize Social Security

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Senate, where the measure moved through the Committee on Human Resources, chaired by Sen. Harrison Williams (D-NJ). Sen. Gaylord Nelson (D-WI) chaired the Senate Subcommittee on Employment, Poverty, and Migratory Labor hearings on the bill. The House version was sponsored by Rep. Yvonne Brathwaite Burke and moved through the ever-supportive House Education and Labor Committee. Subcommittee on Employment Opportunities hearings were chaired by Rep. Augustus Hawkins (D-CA). The measure was incorporated into a set of amendments to the Comprehensive Employment and Training Act of 1973.

<sup>1016</sup> Gladys Hendrikson continued to report to local WEAL members on the status of Sen. Gaylord Nelson's (D-WI) flexible hours bill, the Senate corollary to Rep. Bella Abzug's bill. NCC WEAL Executive Board Meeting (20 Nov 1975), "NCC – Correspondence, 1971-1973, 1975-1976" Folder, Box 19, Aronne Fraser Papers, Minnesota Historical Society, Saint Paul, MN. For information on the Abzug bill and competing bills considered by the House Subcommittee on Manpower and Civil Service, see Casey Hughes to the Subcommittee (7 Nov 1975), 70, Box 54, National Organization for Women (NOW) Papers, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA. Hereafter referred to as NOW Papers. Rep. John Tunney also developed his own flexible hours bill, consulting with Aronne Fraser and other local WEAL members. Handwritten note (n.d.), "Education – WEEA, 1973-1974" Folder, A. Fraser Papers.

<sup>1017</sup> Ittner kept in regular touch with Catherine East, sending materials that passed through Congress and were of mutual interest to both of them. See materials in Folder 4, Box 16; Folder 42, Box 18; Folder 6, Box 19, East Papers.

<sup>1018</sup> U.S. Congress, House Subcommittee on Employee Ethics and Utilization of the Committee on Post Office and Civil Service, *Hearings on Part-time Employment and Flexible Work Hours* 95<sup>th</sup> Cong., 1<sup>st</sup> Sess. (Washington, D.C.: GPO: 1977): 1-5.

<sup>1019</sup> Gladstone testified alongside Pat Leeper of NOW. See Ibid: 32-35.

benefits between men and women.<sup>1020</sup> In her floor speech for the bill, Keys noted that “the structure of the [Social Security] system was based upon a different time and a different era. It is based upon the idea that most workers are male and most workers support women and children. In today’s life that is no longer true. . . these needs should be recognized in a restructuring of our system.”<sup>1021</sup> Recent Supreme Court decisions extending old age and survivor benefits to husbands and widowers helped the Social Security bill, as Donald Fraser noted to fellow members.<sup>1022</sup> Social Security reform to eradicate sex discrimination seemed inevitable.

But feminists just did not have a supportive network, try as they might. Though the Social Security for Individuals and Families Act attracted Rep. Martha Keys (D-KS), who was on the House Ways and Means Committee, the bill had few other sponsors in important positions on the Hill.<sup>1023</sup> Targeting cautious members, feminist staffers hoped that their “seminar-brainstorming session for interested staff” might yield new recruits.<sup>1024</sup> Reps. Bella Abzug, Yvonne Brathwaite Burke (D-CA), Margaret Heckler, and Barbara Jordan all proposed bills similar to Fraser’s measure.<sup>1025</sup> But as the 1970s drew to a close, prospects for these bills dimmed.<sup>1026</sup> Feminists continued to work on bills that adjusted retirement programming to protect divorced

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<sup>1020</sup> The proposal required that Social Security earnings be determined by the individuals within a marriage, who could decide to file together or separately. If couples filed jointly, the bill stipulated that in determining Social Security credits, all earnings should be split equally between husband and wife and credited to separate old-age pension accounts. Special protections were guaranteed for divorced women. Spencer Rich, “Social Security Sex ‘Reform’ Seen Costly,” *Washington Post* (12 Mar 1978): A13; *Congressional Record*, House, 95th Cong., 2nd sess. (25 Jul 1978): 22622–22623. See also, Donald Fraser, “Equity in Social Security for Individuals and Family Act, H.R. 14119 Section-by-section Description” (Sep 1976), D. Fraser Papers.

<sup>1021</sup> *Congressional Record*, House, 95th Cong., 1st sess. (26 Oct 1977): 35261–35262.

<sup>1022</sup> *Weinberger v. Wisenfeld* 420 U.S. 636 (1975) extended “Mother’s Benefits” to husbands, upon the death of their spouses.

<sup>1023</sup> Fraser had previously supported Keys’ campaign for assignment to Ways and Means. See Martha Keys to Don (26 Nov 1974) and Donald Fraser to Martha (16 Dec 1974), Box 152.L.11.7B, D. Fraser Papers. The bill began with eighteen co-sponsors and twenty-two interested inquiries. For the initial list of co-sponsors and interested members, see Jane Sherburne to DMF (18 Jun 1976), Box 152.L.11.7B, D. Fraser Papers.

<sup>1024</sup> *Ibid.*

<sup>1025</sup> “Legislative Watch,” *Equal Times* (Spring 1976): 3 in “CHWPC” Folder, National Women’s Political Caucus (NWPC) Papers, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA.

<sup>1026</sup> In 1978, Fraser aide Jane Sherburne fretted to Fraser that, with Martha Keys’ reelection prospects “in doubt” and Fraser running for the Senate, there was “little chance this issue will remain alive” through the second session of the Ninety-fifth Congress. Jane Sherburne to DMF (26 Sep 1978), Box 152.L.11.7B, D. Fraser Papers.

wives and homemakers.<sup>1027</sup> Language explicitly referring to husbands and wives was replaced with gender-neutral references to spouses. Yet new reforms did little to alter an underlying Social Security structure that encouraged a gendered division of labor. In 1983, Arvonne Fraser accurately asserted that “[t]he issues of marriage as an economic contract and of wives’ contributions to family equity have yet to be adequately addressed, much less resolved.”<sup>1028</sup>

Feminists never achieved an overhaul of Social Security, but they did achieve congressional consciousness-raising concerning the sex discrimination built into American economic life. Having worked on these issues through the 1960s, when even those who assisted her work saw her ideas as “wild” and “unreal,” Rep. Martha Griffiths was a major reason for this legitimization.<sup>1029</sup> As Rep. Barber Conable (R-NY) asserted in 1978, “when this bunch of males would continue the [economic] discriminations . . . because they felt they couldn’t afford to do otherwise. . . . Martha would express her strong feelings about it.”<sup>1030</sup> By 1978, even the now anti-ERA Republican National Council was working with the NOW legislative office to develop bills to eliminate economic sex discrimination, with a particular focus on Social Security reform.<sup>1031</sup> From the late 1970s forwards, what Congress failed to agree upon was the best method of eliminating economic inequities. Everyone accepted that discrimination existed.

## Conclusion

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<sup>1027</sup> Two of the more important changes were the granting of tax credits for child care and the introduction of IRAs for homemakers. 90 *Stat.* 1480, 30 Sep 1976.

<sup>1028</sup> Arvonne Fraser, “Insiders and Outsiders: Women in the Political Arena,” *Women in Washington*: 29. The Congressional Research Service (CRS) concurred, noting that “Over the years changes have been made in the provisions of the law to take into account the increasing participation of women in the workforce and the increasing value of their contribution to the economic well being of their families. However, the basic structure of the law is still cast in terms of the man as the family breadwinner. . . .” See Frank Crowley, “Provisions of the Social Security Law which Vary According to Sex and Marital Status” (6 May 1974; updated 15 Apr 1975), Folder 1, Box 555, Mink Papers.

<sup>1029</sup> See taped interview with Lawrence Filson (Washington, D.C.: 26 Jan 1978), Box 59, Griffiths Papers.

<sup>1030</sup> Taped interview with Barber B Conable, Jr. (Washington, D.C.: 27 Jan 1978), Box 59, Griffiths Papers.

<sup>1031</sup> Nina to Arlie (2 Aug), Folder 6, Box 52, NOW Papers.

In 1976, after accepting a Rockefeller Service Award for widening women's educational opportunities, Bernice Sandler noted with pride that "This never could have happened five years ago. Women fighting for women's issues were regarded as kooks."<sup>1032</sup> Advocates for women's rights had to work hard to convince legislators of the need for these feminist bills. Even the measures that passed in the early 1970s were not thoroughly vetted by Congress. Initially, many legislators did not think that discrimination against women really existed, so they did not take anti-discrimination bills seriously. But by the mid-1970s, massive numbers of congressional hearings had consolidated national research on sex discrimination in education, employment, and a number of other arenas. While bills like Sandler's Title IX were often predicated on low profiles and cohesive feminist support on the Hill, later feminist bills could capitalize on higher levels of legitimacy.

Eliminating the kook label did not mean that many or even most legislators regarded women's rights policy as on a par with other legislative areas.<sup>1033</sup> In their 1977 study of sex equity in education legislation, political scientists Andrew Fishel and Janice Pottker noted that "The personal beliefs of members of Congress on appropriate sex-role behavior, rather than their general political stance or position on other civil rights issues, seems to be the most important

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<sup>1032</sup> Bernice Sandler, quoted in Maggie Locke, "An Active Campaigner in the Struggle for Women's Rights," *New York Times* (9 Dec 1976): DC2 (accessed 29 Jun 2013).

<sup>1033</sup> In many ways, politics simply mirrored a popular rejection of women's issues as important. Politicians were increasingly willing to consider women's issues as legitimate politics and were certainly concerned about offending a national women's voting constituency. But members still did not believe that bills dealing with sex discrimination were on a par with tax or foreign policy – areas controlled by more socially conservative committees. A 1983 study conducted by Catherine East and *Philadelphia Inquirer* editor Dorothy Jurney surveying news coverage of "women's issues" found that the media tended to ignore women's issues, excepting coverage of the ERA and abortion. Policy on education, working rights, or other related but less divisive policy areas garnered little attention inside or outside of Congress. Brief coverage of these findings in Cathy S. Zahn, "Catherine East: Gatekeeper of the Women's Movement" (18 May 1987): 10, Folder 11, Box 1, East Papers. This lack of coverage increased the reliance women's rights advocates had on feminists in Congress. California-based WEAL vice president Doris Seward noted in 1971 that the Status of Women Chairman for the California State Division of the AAUW had joined WEAL because she was so impressed by the legislative overview sheets produced by Arvonne Fraser. As Seward remarked to Fraser, "The newspapers in Los Angeles simply do not pick up information concerning women's legislation – either at the state or national level." Note from Doris Seward to Arvonne Fraser (3 Sep 1971), "WEAL - Board Matters & Membership Mailings, 1971-1972" Folder, A. Fraser Papers.

factor in determining the actions and positions taken on sex discrimination issues.”<sup>1034</sup> This was a personalized approach that could encourage receptivity or antipathy to women’s rights. In the 1970s, there was a broad community of women willing to advocate for their rights as individuals, wives, daughters, staffers, co-workers, and lobbyists. Their work provided a local face to a growing national movement. This community made it impossible for legislators to openly express prejudice against women.<sup>1035</sup>

Receptivity to feminism occurred piecemeal across the congressional landscape. Women quickly gained a foothold in areas already controlled by progressive legislators, but members on more culturally conservative committees were less receptive. In 1979, Senate Judiciary Committee staff director Mary Jolly asserted that “I think one thing that we can never forget is that this whole process is going to take the efforts of men as well as women.”<sup>1036</sup> In Jolly’s opinion, female staffers would continue to be largely responsible for convincing male legislators of the importance of feminist legislation. From 1970 onwards, Congress conducted weeks of congressional hearings on sex discrimination in education, taxation, the law, and employment. Much like other workplaces, Congress would adapt to feminism in gradually. But as Rep. Margaret Heckler’s aide Peter Sroka noted, women’s issues was the “sociopolitical agenda of the time.”<sup>1037</sup>

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<sup>1034</sup> Fishel and Pottker, *National Politics and Sex Discrimination in Education*: 138.

<sup>1035</sup> Anne Costain credits sociologist Myra Marx Ferree with a similar observation. Ferree noted that polls began showing more male openness to voting for a female president in the 1970s, but that this support stemmed more from an unwillingness to openly show prejudice than acceptance of feminism. See Costain, *Inviting Women’s Rebellion*: 76.

<sup>1036</sup> “An Interview on Title IX with Shirley Chisholm, Holly Knox, Leslie R. Wolfe, Cynthia G. Brown, and Mary Kaaren Jolly,” *Harvard Education Review* 49:4 (Nov 1979): 512.

<sup>1037</sup> This fact was used as an argument for the discussion and inclusion of anti-sex discrimination amendments as germane to a variety of bills – a tactic frequently used by Rep. Heckler. See *Ibid*: 91.

## Chapter 6

### **“Devious Paths”: Abortion and the Evolution of the Feminist Congressional Network**

“As advocates for equal rights for women pinpoint goals, they need to understand more fully the devious paths public policy sometimes takes, and to maximize their potentially powerful and plentiful resources for change.” – Bernice Sandler, 1973<sup>1038</sup>

Amidst contentious debates over 1977’s crop of anti-abortion amendments, pro-choice crusader Sen. Robert Packwood (R-OR) declared that abortion was “the most divisive basic issue I have run across.”<sup>1039</sup> For many legislators, the right-to-life movement had grown so rapidly and was so loud and insistent that Congress could not afford to ignore it. Congresspersons were not pleased. Generally averse to dealing with controversial issues, many legislators floundered, searching for a middle ground on abortion without alienating the women’s movement. That legislators tried so hard to appease the women’s movement was a marker of how far feminism had come since the 1960s, when Congress viewed the inclusion of women in civil rights policy as a joke. Feminists did not have the resources to counter a tide of anti-abortion riders. Instead, they turned legislators’ ambivalence about abortion legislation into a tool. By the mid-1970s, members of the feminist policy network could use many legislators’ support of anti-abortion riders and, occasionally, the backing of anti-abortionist activists to push Congress towards support for other policies that ensured women’s rights.

On the Hill in the 1970s, it was not the same to be a pro-choice advocate and a feminist. These groups heavily overlapped but were, in the end, different. Many scholars have highlighted the abortion issue as a source of discord within the women’s movement and an organizing tool

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<sup>1038</sup> Bernice Sandler in Forward to Irene L. Murphy, *Public Policy on the Status of Women: Agenda and Strategy for the 70s* (Lexington, MA: Lexington Books, 1973): ix.

<sup>1039</sup> Robert Packwood, *Congressional Record*, 95<sup>th</sup> Cong., 1<sup>st</sup> Sess. (29 Jun 1977): S11030; quoted in Gilbert Yale Steiner, *The Futility of Family Policy* (Washington, D.C.: The Brookings Institute, 1981): 60.



for the antifeminist movement of the late 1970s and 1980s.<sup>1040</sup> Meanwhile, policy analysts have followed the lead of politicians, who wanted to isolate abortion politics as a monkey wrench thrown into the congressional political machine, an issue disconnected from the 1970s policy agenda for women's rights.<sup>1041</sup><sup>1042</sup> Like other Hill politicians, when the abortion issue suddenly arrived in Congress after the Supreme Court's 1973 decision in *Roe v. Wade*, advocates for women's rights floundered. Many of them did not want to deal with the abortion issue either. This antipathy meant that the network of congressional feminists dealt with abortion politics in a very different manner than the grassroots.

The personal nature of congressional politics worked against as well as for feminists. Resisting the right-to-life movement in Congress proved difficult for advocates of women's rights because anti-abortion lobbyists quickly gained control over the overwhelmingly Catholic

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<sup>1040</sup> Analyses of abortion politics in the 1970s primarily focus on a narrative of conservative backlash. For historical and sociological analyses of abortion politics, see Patricia Steinhoff and Milton Diamond, *Abortion Politics: The Hawaii Experience* (Honolulu, HI: University of Hawaii Press, 1977); Kristin Luker, *Abortion and the Politics of Motherhood* (Berkeley, CA: University of California Press, 1984); Donald Critchlow, ed., *The Politics of Abortion and Birth Control in Historical Perspective* (College Town, PA: Pennsylvania State University Press, 1996); Faye Ginsburg, *Contested Lives: The Abortion Debate in an American Community*, updated ed. (Berkeley, CA: University of California Press, 1998); Rickie Solinger, ed., *Abortion Wars: A Half Century of Struggle, 1950-2000* (Berkeley, CA: University of California Press, 1998). Rickie Solinger has looked at the intertwined histories of welfare, adoption, and reproductive politics, including abortion. See Solinger, *Beggars and Choosers: How the Politics of Choice Shapes Adoption, Abortion, and Welfare in the United States* (New York: Hill & Wang, 2002).

<sup>1041</sup> Political scientists have largely characterized reproductive politics and, specifically, the abortion issue as areas that "have been marked by a set of practices that indicate an abdication of leadership." See Nellie Norton, "Women, It's Not Enough to be Elected: Committee Position Makes a Difference," *Gender, Power, Leadership, and Governance*, ed. Georgia Duerst-Lahti and Rita Mae Kelly (Ann Arbor, MI: University of Michigan Press, 1995): 129. For the abortion literature, see materials from footnote two, as well as Jeannie I. Rosoff, "Is Support of Abortion Political Suicide?" *Family Planning Perspectives* 7:1 (Jan-Feb 1975): 13-22; Susan J. Tolchin, "The Impact of the Hyde Amendment on Congress: Effects of Single Issue Politics on Legislative Dysfunction June 1977-June 1978," *Women & Politics* 5:1 (Spring 1985): 91-106; Noelle H. Norton, "Analyzing Roll-Call Voting Tools for Content," *Women & Politics* 17:4 (1997): 47-69. In order to understand the scope and meaning of abortion politics, political scientists have increasingly turned to comparative politics. For studies that place American abortion debates in an international perspective, see Marianne Githens and Dorothy McBride Stetson, ed., *Abortion Politics: Public Policy in Cross-Cultural Perspective* (New York: Routledge, 1996); Dorothy McBride Stetson, ed., *Abortion Politics, Women's Movements, and the Democratic State: A Comparative Study of State Feminism* (New York: Oxford University Press, 2002).

<sup>1042</sup> Gelb and Palley argue that policies that can be sold as establishing gender equity were more successful than bills that legislators believed would challenge and change gender roles. See Joyce Gelb and Marian Lief Palley, *Women and Public Policies: Reassessing Gender Politics*, new ed. (Charlottesville, VA: University of Virginia Press, 1996); Joyce Gelb and Marian Lief Palley, "Women and Interest Group Politics: A Comparative Analysis of Federal Decision-Making," *The Journal of Politics* 41:2 (May 1979): 362-92.

House HEW Appropriations Subcommittee – both legislators and staffers. The abortion issue came to dominate policymaking for family planning and reproduction, crowding out discussion of other bill options for reproductive rights. However, feminists continued to emphasize the importance of a broad women’s constituency, ensuring support for other, politically safer feminist measures. Anti-abortion politics quickly converged with anti-ERA politics at the grassroots. But on the Hill, legislators balanced their concerns about backlash from both of these constituencies by voting for abortion riders while loudly declaring the necessity of policies like the Pregnancy Disability Act and the Equal Rights Amendment.

#### “Blind Panic”: The Politics of Abortion on the Hill

In 1974, Sen. Birch Bayh (D-IN) began hearings on “a broad area in which there are more strong emotions and deep convictions on both sides of the issue than any issue I have seen before this committee.”<sup>1043</sup> Bayh was talking about abortion politics. Amidst vocal backlash against the Supreme Court’s January 1973 decision in *Roe v. Wade*, anti-choice legislators quickly proposed bills to curtail abortion services. Their ultimate goal – an amendment to the Constitution which established the full legal personhood of fetuses – would prove unattainable. While feminists retained control over the judicial committees in both the House and the Senate, anti-abortion lobbyists established a base on the House Appropriations Committee. After expending enormous resources resisting a constitutional amendment to establish the legal personhood of fetuses, legislators increasingly saw federal defunding of abortion services as the only compromise available to them.

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<sup>1043</sup> Birch Bayh, U.S. Congress, Senate, Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, *Abortion Part 1: S.J. Res 119 and S.J. Res 130*, 93<sup>rd</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1974): 1.

Before the *Roe* decision, few congresspersons were involved in abortion liberalization or repeal. Rep. Shirley Chisholm (D-NY) moved from a supporter of liberalization to a repeal advocate in 1969, assuming the honorary presidency of the newly-formed National Association for the Repeal of Abortion Laws (NARAL). That same year, she began formulating a bill to repeal laws restricting abortion across the country.<sup>1044</sup> Responding to national fears about a “population explosion,” Sen. Robert Packwood (R-OR) introduced a bill to liberalize abortion law in 1970, understanding that it would probably not gain traction.<sup>1045</sup> When Rep. Bella Abzug arrived in Congress in 1972, she became the primary sponsor for the Abortion Rights Act, a House corollary to Sen. Packwood’s proposal. No other legislators were interested.

District feminists were the most vocal voices talking about abortion on the Hill before *Roe*. After all, D.C. laws were determined by congressional committees. The radical group Washington Feminists recruited contacts on the Hill to lobby for abortion liberalization in the District in the late 1960s. Jan Lipkin, who would help to found the Capitol Hill Women’s Political Caucus (CHWPC), was part of the small group that set up meetings with Rep. Sparky Matsunaga’s (D-HI) LA Ed Howard, since Matsunaga’s office was spearheading the push for the local D.C. bill.<sup>1046</sup> The national abortion rights bills under consideration also served to mobilize feminist women within D.C.<sup>1047</sup> Bella Abzug’s bill was in honor of 1972’s national Abortion Action Week, and her introduction of the measure was timed to fit in with other local protests

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<sup>1044</sup> Shirley Chisholm to Patsy Mink (30 Oct 1969), Folder 2, Box 294, Patsy Mink Papers, Manuscript Division, Library of Congress, Washington, D.C. Hereafter referred to as Mink Papers.

<sup>1045</sup> Leslie Reagan, *When Abortion Was a Crime: Women, Medicine, and Law in the United States, 1867-1973* (Berkeley, CA: University of California Press, 1997): 231; Linda Greenhouse and Reva Siegel, ed., *Before Roe v. Wade: Voices That Shaped the Abortion Debate Before the Supreme Court’s Ruling* (New York: Creative Commons, 2012): 212.

<sup>1046</sup> The Washington Feminists to “Dear Sisters” (25 Aug 1971), Folder 10, Box 64, Bernice Resnick Sandler Papers, Schlesinger Library, Radcliffe Institute, Harvard College, Cambridge, MA.

<sup>1047</sup> For materials from D.C. Wonaac, the D.C. Women’s National Abortion Action Coalition, see Folder 7, Box 293, Mink Papers.

and celebrations.<sup>1048</sup> The conferences and small meetings on abortion reform in the District included women from Women's Lobby, CHWPC, and Abzug's office.<sup>1049</sup>

Most congresspersons attempted to avoid the issue of reproductive rights at all costs, even as grassroots activism escalated. Legislators viewed bills to liberalize abortion law at the federal level with a skepticism that sprang from a distrust of controversial issues. In 1970, Rep. Patsy Mink (D-HI) explained to one constituent that "Congress is not presently considering these issues" because abortion and reproduction politics "is currently being thrashed out in the individual states and in the courts."<sup>1050</sup> Most members used this approach.<sup>1051</sup> Legislators did not want to anger either of the ready-made, politically active constituencies that existed on both sides of the abortion debate.<sup>1052</sup> Amidst a national furor over abortion liberalization, Congress did not consider a single bill dealing with the issue, steadfastly avoiding discussions even during debates over family planning legislation.<sup>1053</sup>

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<sup>1048</sup> D.C. Wonaac note (Apr 1972), Folder 7, Box 293, Mink Papers.

<sup>1049</sup> For an example, see *D.C. Wonaac Newsletter* (Apr 1972): 1, Folder 7, Box 293, Mink Papers.

<sup>1050</sup> Patsy Mink to Mrs. W.G. Churchill (29 Jan 1970), Folder 6, Box 293, Mink Papers. This was an opinion shared by the Mondale office, which formulated a blanket response to constituent questions about abortion that ran thusly: "Abortion is an intensely private matter. And for that reason, I don't think it is appropriate for the Federal government to become involved." Gordon to Senator (11 Aug 1971), "Issues: Abortion, 1971" Folder, Box 921, George McGovern Papers, Seeley G. Mudd Library, Princeton University, Princeton, NJ. Hereafter referred to as McGovern Papers.

<sup>1051</sup> Greenhouse and Siegel, ed., *Before Roe v. Wade*: 212.

<sup>1052</sup> This point is made by Mary E. King in "Abortion: Report to the DHEW Secretary's Advisory Committee on the Rights and Responsibilities of Women, Health Subcommittee" (n.d.), "Abortion: Report to the DHEW Secretary's Advisory Committee. . ." Folder, Box 6, Patricia Lindh and Jeanne Holm Files, Gerald R. Ford Presidential Museum, Ann Arbor, MI. Hereafter referred to as Lindh and Holm Files.

<sup>1053</sup> This avoidance was intended in part to mask the fact that from 1967 onwards, Medicaid covered abortion in states with liberalized laws. The Social Security Amendments of 1967 included measures establishing federal funding for family planning services. In 1970, the Family Planning Services and Population Research Act established the Public Health Service Act's Title X, which increased funding for state-funded family planning programs. See *Ibid*: 48-53. As Sen. Ernest Gruening (D-AK) noted during the contentious 1974 debates over abortion, "When I was conducting hearings on birth control . . . I purposefully never brought up the subject of abortion because I realized that it was a highly emotional issue and that it would detract from the growing sympathy and support for what seemed to be an essential change in the public's attitude towards contraception." Ernest Gruening, U.S. Congress, Senate, Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, *Abortion Part 1: S.J. Res 119 and S.J. Res 130*, 93<sup>rd</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1974): 150.

The Supreme Court's 1973 decision in *Roe v. Wade* transformed the area of reproductive politics into a policy battleground by federalizing the issue. A number of conservative male legislators immediately attempted to capitalize on the massive anti-abortion mobilization that followed the Supreme Court decision. Though Rep. Henry Hyde (R-IL) remains most the most well known anti-abortion crusader within Congress, he had a number of contemporaries who were equally vociferous in their denunciations of abortion as a crime against the unborn. Meanwhile, numerous legislators advanced measures from the floor to either give federally-funded institutions the right to deny access to abortion or to prohibit federal funds from financing abortions. During 1973, seventy-two anti-abortion amendments were proposed by twenty-seven representatives and five senators.<sup>1054</sup> Abortion politics had arrived on the Hill.

This legislative flood was the product of emotion and political opportunism. Rep. Larry Hogan (R-MD) asserted that *Roe v. Wade* had "shocked the conscience of America."<sup>1055</sup> He was one of a bipartisan group of avidly anti-abortion legislators who pushed for abortion restrictions. Sen. Frank Church (D-ID) attached an amendment to the Public Health Service Extension Act that banned the government from withholding federal funds from hospitals that refused to perform abortions on "religious or moral grounds."<sup>1056</sup> Sen. Jesse Helms (R-NC) successfully proposed an amendment prohibiting abortions financed using monies appropriated under the Foreign Assistance Act. Conservative Party upstart James Buckley (I-NY) began what would become a lengthy anti-abortion campaign with an attempt to prevent Medicaid's coverage of

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<sup>1054</sup> The Hogan and Helms amendments were identical, while the Buckley amendment allowed for instances "when a medical certainty exists that continuation of pregnancy will cause the death of the mother." Rep. Hogan proposed twenty-seven of the amendments, Reps. Zwach and Zablocki proposed four each, Sens. Buckley and Helms proposed three each, Reps. Roncallo, Froehlich, O'Brien, Daniels, and Domenci, and twenty-one other authored a single amendment each. See "The Abortion Issue and the 1<sup>st</sup> Session of the 93<sup>rd</sup> Congress," Folder 1, Box 294, Mink Papers.

<sup>1055</sup> Dear Colleague letter from Larry Hogan (14 Mar 1974), Folder 2, Box 294, Mink Papers.

<sup>1056</sup> Barbara Dixon, "Major Legislation Enacted or Passed by Either House during the First Session of the 93<sup>rd</sup> Congress Affecting the Status of Women," (Congressional Research Service: Mar 1974), Folder 9, Box 293, Mink Papers.

abortion procedures via a rider attached to the Social Security Amendments of 1973.<sup>1057</sup> By the end of the 93<sup>rd</sup> Congress' first session, three of the eleven proposed riders were enacted into law.<sup>1058</sup>

These legislative efforts were not the end goal, however. Anti-abortion legislators immediately set their eyes on a constitutional amendment to establish legal personhood for fetuses. Two different kinds of proposed amendments moved to the fore. Rep. William Whitehurst (R-VA) pioneered a states' rights amendment approach, which guaranteed the right of individual states to enact restrictions on or ban abortion. The bill was immediately condemned by right-to-life groups as too liberal. Rep. Laurence Hogan and Sens. James Buckley and Jesse Helms pressed for measures that established individual rights at the moment of conception.<sup>1059</sup> These three men represented the vanguard of the anti-abortion movement in Congress. Hogan introduced the first of these amendments a mere three days after the *Roe* decision, and the right-to-life lobby's continual presence on the Hill meant that support for reintroduction was always visible and vocal.

These legislators were outliers. Most members were unsure about what position to take on abortion rights. Anti-choice activists often annoyed congresspersons and staffers, none of whom were used to what one *Roll Call* journalist called the "accusations, threats and forceful tactics" common to the movement.<sup>1060</sup> These groups flooded congressional offices with mail. Some offices received more letters on this issue than any other in recent years, excepting

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<sup>1057</sup> "Abortion and the Congress," *ADA Legislative Newsletter* 3:2 (1 Feb 1974): 2, Folder 9, Box 293, Mink Papers.

<sup>1058</sup> Jeannie Rosoff, "Is Support of Abortion Political Suicide?" *Family Planning Perspectives* 7:1 (Jan-Feb 1975): 14.

<sup>1059</sup> "Abortion and the Congress," *ADA Legislative Newsletter* 3:2 (1 Feb 1974), Folder 9, Box 293, Mink Papers.

<sup>1060</sup> Lois Romano, "Around the Hill with Lois Romano," *Roll Call* 21:27 (5 Feb 1976): 8. The forceful tactics of anti-abortion activists are also detailed in Mary E. King, "Abortion: Report to the DHEW Secretary's Advisory Committee on the Rights and Responsibilities of Women, Health Subcommittee" (n.d.): 34-35, "Abortion: Report to the DHEW Secretary's Advisory Committee. . ." Folder, Box 6, Lindh and Holm Files.

Watergate.<sup>1061</sup> The abortion frenzy reached a peak on the first anniversary of *Roe v. Wade*, when thousands of activists descended on Capitol Hill.<sup>1062</sup> Anti-abortion protestors sent red roses to the Hill; each office received at least a dozen, though some received hundreds.<sup>1063</sup> Meanwhile, legislators received almost no mail from pro-choice voices.<sup>1064</sup> Worriedly, the ADA observed in 1974 that more legislators were beginning to “buckle under the weight of their anti-abortion mail.”<sup>1065</sup> Abortion policy analyst Mary King referred to the reactions of many legislators as “blind panic.”<sup>1066</sup>

A lot of this panic stemmed from legislators’ lack of knowledge about the anti-abortion movement and the political goals of its members. The numerous questionnaires that dozens of legislators sent to their constituents failed to resolve confusion and general trepidation about potential voter backlash.<sup>1067</sup> By 1974, concerned about his shaky reelection campaign, Sen. George McGovern sent staffers to antiabortion meetings and other local gathering spots.<sup>1068</sup> Sen. Walter Mondale (D-MN) decided to vote for some anti-abortion riders until his staffers could develop working relationships with key local pro-life leaders who could provide a buffer “when the shit begins to fly.”<sup>1069</sup> Many legislators selectively voted for riders until they got through the election cycle or until they determined how electorally-minded these groups were. Others simply

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<sup>1061</sup> Jeannie I. Rosoff, “Is Support of Abortion Political Suicide?” *Family Planning Perspectives* 7:1 (Jan-Feb 1975): 13.

<sup>1062</sup> “Abortion and the Congress,” *ADA Legislative Newsletter* 3:2 (1 Feb 1974): 1, Folder 9, Box 293, Mink Papers.

<sup>1063</sup> *Ibid.*: 4.

<sup>1064</sup> *Ibid.*: 1.

<sup>1065</sup> *Ibid.*: 2.

<sup>1066</sup> Mary E. King in “Abortion: Report to the DHEW Secretary’s Advisory Committee on the Rights and Responsibilities of Women, Health Subcommittee” (n.d.): 35, “Abortion: Report to the DHEW Secretary’s Advisory Committee. . .” Folder, Box 6, Lindh and Holm Files.

<sup>1067</sup> NARAL compiled the results of these questionnaires into a packet. Questionnaires were distributed in ninety-three different congressional districts. Seventy-three of those revealed majority support for *Roe*, fifteen revealed a dead even heat between those in favor and those opposed, and a majority opposed *Roe* in five districts. See “Public Opinion on Abortion Congressional Polls 93<sup>rd</sup> Congress,” Folder 8, Box 293, Mink Papers.

<sup>1068</sup> See Judy H to GVC (26 Feb 1974), “Issues: Abortion, 1974” Folder, Box 928, McGovern Papers.

<sup>1069</sup> Steve to GVC (n.d.), “Issues: Abortion, 1974” Folder, Box 928, McGovern Papers.

reacted to the onslaught by caving to abortion protestors, especially in the House, where members faced election campaigns every two years.<sup>1070</sup>

Some legislators disliked the anti-abortion movement's tactics, but simply believed that abortion was wrong. Confusingly for feminist staffers and lobbyists, some of these legislators were stalwart feminist policy supporters. These allies voted for anti-abortion riders because they were driven by their personal moral compasses. Fraser staffer and NCC WEAL activist Susan Tenenbaum worriedly categorized men like Sen. Thomas Eagleton (D-OK) and Sen. Mark Hatfield (R-OR) – men who had consistently advocated and voted for feminist legislation – as “among the staunchest ‘right-to-lifers’ in the Senate.”<sup>1071</sup> Congresswomen themselves were divided over abortion politics along religious lines. The Catholic Rep. Margaret Heckler (R-MD) sponsored bills to establish “conscience clauses,” which allowed health care employees to opt out of abortion-related medical practices.<sup>1072</sup> Also a Catholic, Rep. Lindy Boggs (D-LA) consistently voted for anti-abortion riders. Though they supported other feminist political goals, by 1979 both women were featured in NARAL's “Anti-Abortion Congress” list.<sup>1073</sup>

The mid-1970s represent a period of congressional uncertainty about the political ramifications of anti-abortion rider votes. Most legislators preferred that these measures be defeated within committees, keeping them from the floor entirely.<sup>1074</sup> However, when anti-abortion measures made it to the floor in either chamber, a broad spectrum of firebrands and ambivalent legislators concerned about reelection voted for the riders. The Senate also

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<sup>1070</sup> Noelle H. Norton, “Analyzing Roll-Call Voting Tools for Content,” *Women & Politics* 17:4 (1997): 47-69.

<sup>1071</sup> Susan Tenenbaum, “Point of View” (1976), Folder 11, Box 1147, American Civil Liberties Union (ACLU) Records, Seeley G. Mudd Papers, Princeton University, Princeton, NJ. Hereafter referred to as ACLU Records.

<sup>1072</sup> Dear Colleague letter from Margaret Heckler (5 Mar 1973), Folder 2, Box 294, Mink Papers.

<sup>1073</sup> See materials in “Abortion – Politicians, Voting Records” Folder, Box 1, Ms. Magazine Papers, Smith College Archives, Smith College, Northampton, MA. Hereafter referred to as Ms. Magazine Papers.

<sup>1074</sup> This is exactly what happened with the anti-abortion amendments pending in front of Sen. Birch Bayh's Subcommittee on Constitutional Amendments. Ellen Leitzer, “What's Happening on the Hill” (n.d.), Folder 11, Box 1147, ACLU Records.



systematically avoided recorded votes, preferring to use voice votes to approve legislation restricting access to abortion.<sup>1075</sup> Sen. James Buckley took tactical advantage of these fears. Just minutes before the 1973 Social Security Act amendments package was sent to conference committee, Buckley moved to ban the use of federal funds for abortions via Medicaid, even if abortion were necessary to save the life of the mother. The amendment was approved by voice vote, without hearings or discussions on the floor.<sup>1076</sup>

Blind spots in the feminist staffing network made these legislative tactics even more successful. Most anti-abortion riders originated in typically anti-feminist offices and appeared with little warning in a wide variety of bills.<sup>1077</sup> Both feminist and population groups “discovered the Helms Amendment” in the 1973 Foreign Assistance bill shortly before the Senate was supposed to vote on it and began their lobbying effort too late.<sup>1078</sup> These “discoveries” persisted through 1974 and 1975. Lobbyists ended up relying heavily Rep. Bella Abzug’s staffer Marilyn Marcossan, who by virtue of her position on the Hill was in charge of sending out anti-abortion rider alerts to lobbyists for NWPC, NARAL, Planned Parenthood, and other pro-choice organizations. After receiving the alerts, lobbyists needed to quickly appear on the Hill and haggle with individual members as they walked onto the floor to vote.<sup>1079</sup> Meanwhile, because of the widespread fears generated by the national anti-choice groundswell, advocacy for anti-choice riders did not really require massive coordination.

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<sup>1075</sup> NCC WEAL angrily responded to this tactic, noting that “many Senators ducked responsibility by insisting on a voice rather than a recorded vote.” See “WEAL Newsletter” (Oct 1974), “NCC – Newsletter, 1971-1980” Folder, Box 19, Arvonne S. Fraser Papers, Minnesota Historical Society, Saint Paul, MN. Hereafter referred to as A. Fraser Papers. See also Ibid. This tactic enraged anti-choice activists, who voiced their displeasure with Rep. Don Edwards’ similar methods during Senate hearings on constitutional amendments to establish fetal personhood.

<sup>1076</sup> NOW Legislative Alert – Abortion (2 Jan 1974), “Abortion – Politicians’ voting” Folder, “General Materials” Box, Ms. Magazine Papers.

<sup>1077</sup> Ann Kolker, “Women Lobbyists,” *Women in Washington: Advocates for Public Policy*, ed. Irene Tinker (Beverly Hills, CA: Sage Publications, 1983): 216.

<sup>1078</sup> Judy Nies to Arvonne Fraser (15 Nov 1973), “Abortion and Helms Amendment, 1973-1974” Folder, Box 12, A. Fraser Papers.

<sup>1079</sup> Ann Kolker, “Women Lobbyists,” *Women in Washington*: 216.

Hill feminists were also slow to understand the anti-abortion tendencies of legislators. Normally, the local lobbyists in Women's Lobby were the feminists most well-informed about how individual offices felt about various policies. But their normally reliable woodwork feminist network did not help them assess the abortion issue. The Women's Lobby rushed around in 1974, desperately attempting to "get a sense of members on the abortion issue."<sup>1080</sup> NOW scrambled to keep their congressional abortion opinion data updated.<sup>1081</sup> WEAL only began to collect information in 1974, after the organization received a Rockefeller grant to study abortion rider voting patterns.<sup>1082</sup> After a period of inactivity following the *Roe v. Wade* victory, NARAL realized these gains would be short-lived unless a reliable lobby was established on the Hill.<sup>1083</sup>

Staffers in favor of reproductive rights also initially failed to develop a language passionate enough to counter the deeply held moral and religious beliefs of anti-abortion crusaders. Objective research was generally the very thing that won debates on the Hill. Advocates for women's rights were used to successfully marshalling facts and figures to support bills to combat sex discrimination in education and employment. They tried to do the same thing with abortion politics.<sup>1084</sup> Meanwhile, feminists leaned on opinion polls demonstrating that a

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<sup>1080</sup> Note from SK to PTM (1 May 1974), Folder 9, Box 293, Mink Papers.

<sup>1081</sup> Patsy Mink survey, Ann Scott to members of Congress (9 Jun 1973), Folder 6, Box 295, Mink Papers. For this data, see Folder 40, Carton 53, National Organization for Women (NOW) Papers, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA. Hereafter referred to as NOW Papers.

<sup>1082</sup> "WEAL Reports: The Record on Abortion" (Aug 1974), Folder 9, Box 293, Mink Papers.

<sup>1083</sup> Mary E. King in "Abortion: Report to the DHEW Secretary's Advisory Committee on the Rights and Responsibilities of Women, Health Subcommittee" (n.d.): 41, "Abortion: Report to the DHEW Secretary's Advisory Committee. . ." Folder, Box 6, Patricia Lindh and Holm Files.

<sup>1084</sup> The Congressional Research Service (CRS) produced measured analyses of the various abortion bills, and the Democratic Study Group (DSG) produced the same kinds of reports, with more explicit recommendations for compromises that pro-choice legislators could endorse. For CRS reports, see particularly, "The Abortion Controversy: Legislative and Judicial Actions Following the Supreme Court's Invalidation of Restrictions upon Access to Abortions, Analysis and Interpretation" (1 Apr 1974). Roger H. Davidson notes the DSG's tactics with these reports. See Davidson, "Procedures and Politics in Congress," *The Abortion Dispute and the American System*, ed. Gilbert Yale Steiner (Washington, D.C.: The Brookings Institute, 1983): 44.

majority of Americans supported abortion liberalization.<sup>1085</sup> Though feminists began to question their own measured and expertise-driven approach to the abortion debate by the mid-1970s, this approach was deeply entrenched.<sup>1086</sup> A more moderate approach emphasizing women's issues rather than feminists' causes was simply not capable of countering anti-abortion fervor.

Advocates for abortion rights slowly realized that individual complaints and appeals on the basis of friendships would not work. A core group of feminist policymakers remained highly supportive, but electoral considerations loomed large for others.<sup>1087</sup> Pro-choice supporters could not rely on angry letters like those of Arvonne Fraser, who wrote to both Sens. Walter Mondale and Hubert Humphrey to tell them "what I think and feel both as a politician and as a feminist – and as a friend" after they voted for the Church Amendment in 1973.<sup>1088</sup> Though there was obviously widespread willingness to vote for anti-abortion riders, it was still unclear to feminists whether these votes stemmed from political considerations that could be reevaluated or moral considerations that would be more challenging if not impossible to alter.<sup>1089</sup>

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<sup>1085</sup> Reliance on polling can be found in a variety of materials. Letters, pamphlets, congressional testimony, and sponsored talks on abortion all provided platforms for the deployment of this information. See NOW to Member of Congress (9 Jun 1973), Folder 6, Box 295, Mink Papers; Appendix to "Packwood, Rauh Discuss Abortion" Press Release, "Abortion – General (2)" Folder, Box 6, Lindh and Holm Files. NARAL, *Choice Newsletter* 11:5 (Jul 1979); NARAL, *Choice Newsletter* 11:6 (Aug 1979), "Abortion: Nat. NARAL Legislative Updates #20" Folder, Box 187, McGovern Papers. For earlier points that rely on national polling, see U.S. Congress, Senate, Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, *Abortion Part 1: S.J. Res 119 and S.J. Res 130*, 93<sup>rd</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1974): 142, 837.

<sup>1086</sup> Susan Tenenbaum, "Point of View" (1976), Folder 11, Box 1147, ACLU Records.

<sup>1087</sup> Bella Abzug, George Brown, Yvonne Brathwaite Burke, John Conyers, Ronald Dellums, Millicent Fenwick, Donald Fraser, Edward Koch, Paul McClosky, Parren Mitchell, and Richard Ottinger were consistently supportive of pro-choice positions. See their Dear Colleague letter (29 Jan 1976), Box 151.H.4.8F, Donald Mackay Fraser Papers, Minnesota Historical Society, Saint Paul, MN. Hereafter referred to as D. Fraser Papers.

<sup>1088</sup> Arvonne to Fritz (22 Apr 1973), "Women's Issues and Organizations, 1973" Folder, Box 2, A. Fraser Papers.

<sup>1089</sup> The correlations between religious affiliation and anti-abortion rider sponsorship were documented by Jeannie Rosoff, Vice President of the Guttmacher Institute and Director of the Washington Planned Parenthood office. A summary of her findings can be found in Mary E. King in "Abortion: Report to the DHEW Secretary's Advisory Committee on the Rights and Responsibilities of Women, Health Subcommittee" (n.d.): 35-38, "Abortion: Report to the DHEW Secretary's Advisory Committee. . ." Folder, Box 6, Lindh and Holm Files. Rosoff found that two-thirds of the riders were sponsored by Republicans, and three-quarters were sponsored by Catholics. As Rosoff argued, "'sponsorship of a right-to-life type of amendment appeared to be mainly determined by a conservative political philosophy, reinforced most frequently by Roman Catholic affiliation.'" See page 36 of the King text.

These voices remained barely audible above the deafening roar of anti-abortion activism. In early February of 1974, Sen. Birch Bayh “bowed to the abortion lobby,” as the ADA phrased it.<sup>1090</sup> What were initially two days of scheduled hearings on two proposed amendments to the Constitution would eventually span eight months and feature eighty-four witnesses.<sup>1091</sup> Though riders banning the use of federal funds for abortion piled up through the 1970s, the hearings focused almost exclusively on human life amendments, which sought to establish fetuses as persons with full constitutional rights. The committee needed to determine whether anyone really knew when human life began. As Bayh plowed through eight months of testimony, the deep, seemingly impassable divide between morally driven arguments against abortion rights and scientific, social welfare, and legal arguments for flexible and affordable access to all methods of family planning became painfully apparent.

Opponents of abortion coalesced around the argument that, as University of California – Berkeley law professor John Noonan put it, “the most precious liberty is the liberty to live.”<sup>1092</sup> This argument was inflexible. Proponents of the amendment generally believed that exceptions for rape, incest, and preservation of the mother’s life were “red herrings” that mainly served to derail morally correct arguments.<sup>1093</sup> This national group of activists focused on denouncing

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<sup>1090</sup> “Abortion and the Congress,” *ADA Legislative Newsletter* 3:2 (1 Feb 1974): 4, Folder 9, Box 293, Mink Papers

<sup>1091</sup> The hearings stretched from March sixth through the beginning of October eighth. See *Ibid*; U.S. Congress, Senate, Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, *Abortion Part 1: S.J. Res 119 and S.J. Res 130*, 93<sup>rd</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1974); U.S. Congress, Senate, Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, *Abortion Part 2: S.J. Res 119 and S.J. Res 130*, 93<sup>rd</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1976); U.S. Congress, Senate, Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, *Abortion Part 3: S.J. Res 119 and S.J. Res 130*, 93<sup>rd</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1975).

<sup>1092</sup> Also available in *Human Life Review* (Winter 1975): 41.

<sup>1093</sup> Indeed, several testifiers used what has become the lightning rod argument against exceptions. As Sen. James Buckley put it, the rate of conception after rape was “exceeding small to begin with” and “the small possibility of conception can be reduced even further by the application of immediate therapy.” See Buckley, U.S. Congress, Senate, Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, *Abortion Part 1: S.J. Res 119 and S.J. Res 130*, 93<sup>rd</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1974): 33. Kenneth VanDerhoef of the National Right to Life Committee took issue with introducing the word “exception,” arguing that he would not consider an abortion even if it was one of his own daughters who conceived after a rape. See U.S. Congress, Senate,

what they viewed as a relatively recent federal push for feminist and family planning policies that, as one amendment advocate put it, “had made abortion respectable.”<sup>1094</sup> Pro-life individuals pointed towards the Supreme Court decision as a logical endpoint to a general devaluation of human life. They connected abortion law liberalization with support for euthanasia, willingness to go to war, a general weakening of human relationships, and a specific reduction in the importance of sexual virtue. They drew connections between abortion, forced sterilization, and eugenics. To the most zealous of these activists, *Roe v. Wade* looked like a road that led to Nazism.<sup>1095</sup>

Pro-choice testifiers had no similarly emotionally-charged arguments. Off the bat, they conceded that they did not like abortion. But in their minds, the social, legal, and scientific evidence simply could not conclusively prove when life begins. Further, the social and legal costs of outlawing abortion were overwhelming. Scientists argued that life was a process rather than a singular point in time. Constitutional amendments that enshrined fetuses as persons under the law would, as Harvard Law Professor Philip Heymann argued, “would set aside hundreds of

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Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, *Abortion Part 3: S.J. Res 119 and S.J. Res 130*, 93<sup>rd</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1975): 18.

<sup>1094</sup> Ms. Randy Engel, U.S. Congress, Senate, Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, *Abortion Part 3: S.J. Res 119 and S.J. Res 130*, 93<sup>rd</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1975): 107.

<sup>1095</sup> This reference point was consistent for nearly all testifiers against abortion rights. See U.S. Congress, Senate, Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, *Abortion Part 1: S.J. Res 119 and S.J. Res 130*, 93<sup>rd</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1974): 198, 210, 516-43; U.S. Congress, Senate, Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, *Abortion Part 2: S.J. Res 119 and S.J. Res 130*, 93<sup>rd</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1976): 398, 461, 478, 591; U.S. Congress, Senate, Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, *Abortion Part 3: S.J. Res 119 and S.J. Res 130*, 93<sup>rd</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1975): 11, 97, 108, 114. Submitted for testimony was also an article by Leo Alexander, “Medical Science under Dictatorship,” *Child and Family* 10:1 (1971), reprinted in U.S. Congress, Senate, Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, *Abortion Part 3*: 134-51. The argument was prevalent enough for pro-choice proponents to distribute a basic answer to this accusation. See “The Right-to-Life People Have a Lot of Arguments – Here Are Our Answers” in U.S. Congress, Senate, Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, *Abortion Part 3*: 410.

years of accident law, assault law, property law, inheritance law, without a thought.”<sup>1096</sup> Further, abortion would go on regardless of its legal status, and overturning the Court decision would lead not to fewer abortions, but to a greater number of deaths from botched abortions and unexpected complications from abortions. In short, enacting a fetal personhood amendment would destroy rather than preserve life, and the poor would be the first to feel the effects of this policy shift.<sup>1097</sup>

Noticeably absent were the personal stories about wives, daughters, and friends that characterized other debates over feminist policy. Some women did come forward to talk about personal experiences. Doctors had told Rep. Pat Schroeder (D-CO) that she was not to have more children after her first pregnancy was complicated, and she recently noted that “I have been in the middle of that [abortion] debate my entire legislative career.”<sup>1098</sup> But few other women mentioned that they had experiences with abortion, and no men came forward to talk about women they knew who had previously considered or experienced abortion. These legislators wanted to demonstrate an objective approach to an emotional issue. Yet the consistently abstracted quality of pro-choice testimony also ensured that congresspersons maintained personal and political distance from the issue of abortion.

Much as anti-sex discrimination amendments found their way into a wide variety of bills, anti-abortion measures proliferated. The number of bills banning research on fetuses grew

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<sup>1096</sup> Philip Heymann, U.S. Congress, Senate, Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, *Abortion Part 3: S.J. Res 119 and S.J. Res 130*, 93<sup>rd</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1975): 375.

<sup>1097</sup> As Rep. Donald Fraser (D-MN) summarized, “I don’t myself either like abortion or favor it, but what I like even less is trying to write into the Constitution that is unusually rigid, it will not work, and which is going to visit enormous penalties on the poor.” U.S. Congress, Senate, Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, *Abortion Part 1: S.J. Res 119 and S.J. Res 130*, 93<sup>rd</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1974): 143.

<sup>1098</sup> Patricia Schroeder, *24 Years of House Work . . . And the Place Is Still a Mess: My Life in Politics* (Kansas City, KS: McMeel Publishing, 1998): 111.

exponentially in 1974, supported by a small bipartisan group.<sup>1099</sup> Sens. Ted Kennedy and James Buckley co-sponsored a measure to ban scientific research on any living fetuses and infants, establish a commission to examine this area of research, and demand the availability of a conscience clause that would allow researchers to exempt themselves from studies on moral grounds.<sup>1100</sup> These bills worked in tandem with what had quickly become known as the Hyde Amendment. The middle of 1974 brought the first of many battles over HEW appropriations bills. Both Rep. Angelo Roncallo (R-NY) and Sen. Dewey Bartlett (R-OK) proposed amendments to ban federal funds from going towards services that “directly or indirectly encourage the performance of abortions.”<sup>1101</sup> Initially nearly as divisive as constitutional amendments, these bills banning federal funding for abortions would eventually become Congress’ compromise on abortion.

Ultimately, Congress approached the abortion issue as an issue of poverty rather than an issue of women’s rights. And most legislators were not particularly sympathetic to poor single mothers. Opponents of anti-abortion riders most often argued that these bills unjustly targeted “equal protection of the law to poor women.”<sup>1102</sup> While a small number of feminists like Rep. Bella Abzug attempted to attach abortion rights to a broader feminist agenda, the majority of arguments focused on differences between women, and how abortion restrictions would affect

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<sup>1099</sup> Rep. Dominick Roncallo (R-NY) spent much of his first and only term pushing this legislation to the fore, aided by moderate legislators like Rep. Ella Grasso, who spoke in favor of Roncallo’s first few pieces of legislation to make live fetus research a federal crime. For the thank you letter, see Angelo Roncallo to Ella Grasso (7 Jun 1973), Folder 6, Box 69, Ella T. Grasso Papers, Archives and Special Collections, Mount Holyoke College, South Hadley, MA.

<sup>1100</sup> A good overview of all proposed abortion-related riders through 1974 is NARAL’s “Legislative Summary Sheet” (Oct 1974), Folder 9, Box 293, Mink Papers. See page 7 for legislation pertaining to scientific research.

<sup>1101</sup> Morton Rosenberg, “Constitutionality of Bartlett Amendment Banning Use of DHEW and DOL FY 1975 Funds for Abortion,” (CRS, 4 Oct 1974): 1, Folder 2, Box 294, Mink Papers.

<sup>1102</sup> Dear Colleague letter from Donald Fraser (6 Aug 1976), Folder 2, Box 294, Mink Papers.

poor women without affecting “those who can afford to pay.”<sup>1103</sup> Going further in a letter to fellow senators, Sen. Clifford Allen emphasized the plight of incest victims, mentally unwell women, and welfare recipients, linking these groups in an attempt to solicit support for a continuation of federal abortion funding.<sup>1104</sup> Meant to counter anti-abortion arguments, these appeals ultimately cast women who sought abortions as poor and deviant.

Yet most legislators desperately desired some kind of compromise, both for reelection reasons and because the structure and history of Congress encouraged legislators to seek middle ground. The Republican House and Senate leadership revealed a cornucopia of policy preferences. Both Rep. Robert Michel (R-IL) and Sen. Hugh Scott (R-PA) did not favor a constitutional amendment in 1976, but Michel opposed abortion except in the instances where pregnancy endangered the mother’s life or resulted from rape. As a result, Michel was “looking into” whether the Supreme Court might reconsider its decision in *Roe v. Wade*. Similarly, Rep. Barber Conable (R-NY) “has generally stated that he is not completely happy with the Supreme Court decision,” but failed to endorse a constitutional amendment and called for a new set of hearings in the House.<sup>1105</sup> Many considered devolving authority for abortion legislation to the states as a compromise. Other legislators attempted to define voting against anti-abortion riders as refusing to “take sides on the controversial question of abortion.”<sup>1106</sup>

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<sup>1103</sup> Dear Colleague letter from Bella Abzug, Richard Bolling, et al (10 Aug 1976), Folder 2, Box 294, Mink Papers. Abortion advocates also argued that abortion was a last resort for women systematically denied access to family planning services. As a Dear Colleague letter from pro-choice legislators asserted the belief that “the incidence of abortion in the U.S. represents a societal failure to adequately provide family planning services to all American women of childbearing age.” See Dear Colleague letter from Bella Abzug, George Brown, Yvonne Brathewaite Burke, John Conyers, Ronald Dellums, Millicent Fenwick, Donald Fraser, Edward Koch, Paul McClosky, Parren Mitchell, and Richard Ottinger (29 Jan 1976), Box 151.H.4.8F, D. Fraser Papers.

<sup>1104</sup> Clifford Allen to “Senator” (25 Jun 1976), Folder 2, Box 294, Mink Papers.

<sup>1105</sup> Bobbie Greene Kilberg through Phil Buchen to the President (6 Feb 1976), “Abortion” Folder, Box 10, Max Friedersdorf Files, Gerald R. Ford Presidential Museum, Ann Arbor, MI.

<sup>1106</sup> Sen. Clifford Allen (D-TN) consistently opposed riders banning funding of abortion and constitutional amendments to establish fetuses as persons with rights. Yet in a letter explaining his opposition to the 1976 Hyde Amendment attempt, he declined to “[take] sides.” See Clifford Allen to “Senator” (25 Jun 1976), Folder 2, Box 294, Mink Papers.



Attempting to avoid attacks from either side of the abortion rights issue, legislators shifted towards broader “compromise” amendments that curtailed abortion availability without banning it entirely. Local feminists shifted towards compromise tactics. They attempted to head off riders by appealing to their authors rather than organizing a full-scale lobbying effort. In 1976, Rep. Daniel Flood (D-PA) attempted to advance one of these amendments, which permitted Medicaid funds to go towards abortion services, but banned funding for clinics that “councils or encourages abortion.”<sup>1107</sup> Women’s Lobby called Patsy Mink’s office to ask her to call Flood and explain why his amendment was wrongheaded.<sup>1108</sup> Feminists sought riders with “the vaguest language possible,” while simultaneously arguing that the riders should be eradicated altogether.<sup>1109</sup> Such acquiescence signaled to legislators that feminist groups would tolerate compromise.

Toleration did not mean that local women were thrilled with the precipitous decline of support for abortion rights on the Hill. As Rep. Donald Fraser staffer and NCC WEAL activist Susan Tenenbaum lamented, “When Senators Muskie and McGovern don’t oppose a move barring HEW funds for abortion, good taste has not been effective.”<sup>1110</sup> Especially after the Catholic Church’s establishment of a Hill lobby devoted to supporting the anti-abortion riders, feminists argued that they needed to adopt the tactics of the abortion movement in order to neutralize it.<sup>1111</sup> Tenenbaum called for a shift towards “face-to-face” interactions “at rallies, at cocktail parties, at fund-raisers.” This was an approach designed to counter “the school children who crowd [legislators’] Washington office forcing enlarged, color pictures of fetuses into his

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<sup>1107</sup> Phone call JF to PTM (22 Jul 1976), Folder 4, Box 294, Mink Papers.

<sup>1108</sup> Ibid.

<sup>1109</sup> Gelb and Palley, *Women and Public Policies*: 135.

<sup>1110</sup> Susan Tenenbaum, “Point of View” (1976), Folder 11, Box 1147, ACLU Records.

<sup>1111</sup> *Newsweek* (5 Jun 1978): 39-40.

hands or the hands of his staff.”<sup>1112</sup> Yet given the limited resources and broad agenda of feminist activists on the Hill, these tactics were virtually impossible to execute.<sup>1113</sup>

The abortion issue kept the pro-choice coalition mobilized. This coalition grew over time, connecting legislators, staffers, and organizations. Staffers from the offices of Rep. Fraser, Rep. Yvonne Brathwaite Burke (D-CA), and Rep. Margaret Holtzman (D-NY) conducted meetings with Congressional Clearinghouse on Women’s Rights staffers and representatives of Americans for Democratic Action, NARAL, NOW, and numerous representatives of the NWPC.<sup>1114</sup> Sen. Bob Packwood (R-OR) was of major assistance for feminists seeking to keep the issue bipartisan while wooing Republicans in the Senate. Packwood could and did use personal information to appeal more effectively to fellow senators.<sup>1115</sup> Meanwhile, NOW worked to build support at the state level and NARAL attempted to learn from the success of the right-to-life movement. Recognizing the success of the movement’s scare tactics, NARAL’s president decided to encourage members to mail coat hangers to Rep. Dan Flood (D-PA).<sup>1116</sup>

Though pro-choice advocates did gain a few supporters, they were not located in the right positions to effectively counter the anti-abortion advocates. By the mid-1970s, right-to-life lobbyists had established an important base of support within the House’s HEW appropriations subcommittee. The subcommittee was obviously amenable; one of its staffers was responsible

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<sup>1112</sup> Susan Tenenbaum, “Point of View” (1976), Folder 11, Box 1147, ACLU Records.

<sup>1113</sup> Susan J. Tolchin, “The Impact of the Hyde Amendment on Congress: Effects of Single Issue Politics on Legislative Dysfunction June 977-June 1978,” *Women & Politics* 5:1 (Spring 1985): 94.

<sup>1114</sup> Nina to Arlie (n.d.), Folder 6, Carton 52, NOW Papers.

<sup>1115</sup> Packwood threw a July 1979 party for Gloria Steinem, informing her ahead of time that he had invited Sens. Dave Durenberger (R-MN) and Alan Simpson (R-WY) and their wives to the party. Packwood warned Steinem that both legislators “are critical to our fight on abortion.” He further noted that Simpson simply needed encouragement for his previous and future support for abortion rights, while Durenberger was undecided. As “THE leader of the Republicans in the freshman class,” it was important to pull these personal strings to push Durenberger away from support for abortion restrictions. Packwood and Steinem also focused on shoring up feminist support from the wives of these two legislators. See Bob Packwood to Gloria Steinem (3 Jul 1979), “Bob Packwood” Folder; Gloria Steinem to Georgie Packwood (19 Jul 1979), “Georgie Packwood” Folder, both in Correspondence Files, Ms. Magazine Papers.

<sup>1116</sup> See materials in Folder 6, Carton 52, NOW Papers.

for the original Hyde Amendment language.<sup>1117</sup> In 1975, the Catholic Church hierarchy committed substantial resources to the “passage of federal and state laws that will restrict abortion as much as possible,” lending support to right-to-life lobbies on the Hill.<sup>1118</sup> Fortuitously for right-to-life supporters, the HEW subcommittee was dominated by “Catholics responsive to the belief system of the right-to-life groups,” as political scientist Susan Tolchin notes.<sup>1119</sup> Subcommittee staff operated under the thumb of anti-abortion lobbyist Mark Gallagher, who “exercised what amounted to veto power over [Labor-HEW appropriations] negotiations.”<sup>1120</sup> The right-to-life lobby could hold the Labor-HEW bill hostage every year. And the women’s movement had very few options for networking in the area.

In 1976, the abortion amendment wave crested. Three versions of the Hyde Amendment, which banned federal funding for abortions, made their way into the Labor-HEW appropriations bill. Congressional decisions about government spending were held up by abortion, which was now “the moral issue before Congress.”<sup>1121</sup> As one staffer noted, “When you consider all the non-abortion factors involved here, it tells you something about how powerful the abortion issue has become, when it can hold this whole thing up like this.”<sup>1122</sup> Meanwhile, as various major national publications noted, abortion “seems certain to haunt the ’76 Presidential race,” despite

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<sup>1117</sup> Nellie Norton, “Women, It’s Not Enough to be Elected: Committee Position Makes a Difference,” *Gender, Power, Leadership, and Governance*, ed. Georgia Duerst-Lahti and Rita Mae Kelly (Ann Arbor, MI: University of Michigan Press, 1995): 122.

<sup>1118</sup> *Newsweek* (5 Jun 1978): 39-40.

<sup>1119</sup> Susan J. Tolchin, “The Impact of the Hyde Amendment on Congress: Effects of Single Issue Politics on Legislative Dysfunction June 1977-June 1978,” *Women & Politics* 5:1 (Spring 1985): 97. Tolchin also notes that Given their area of specialization, many of these members also represented the House in joint conference committees to resolve differences between House and Senate versions of the bills, guaranteeing that the anti-abortion viewpoint would appear at every stage of Labor-HEW appropriations bill consideration.

<sup>1120</sup> *Ibid*: 103.

<sup>1121</sup> The Ad Hoc Committee in Defense of Life, Inc. *LifeLetter* ’76 13 (8 Sep 1976): 1, Folder 1, Box 294, Mink Papers.

<sup>1122</sup> *Ibid*.

the fact that there was “not all that much a President can do” when it came to abortion politics.<sup>1123</sup> The Congress eventually settled on a compromise that satisfied no one.

The defeats of 1977 and 1978 compromise legislation spelled the end of federal funding for abortion. In 1977, the Hyde Amendment successfully held up the \$60.3 million Labor-HEW appropriations bill for nearly half the year, stifling legislative production in both chambers. Though the House and Senate had both passed anti-abortion riders, the joint committee struggled to approve exceptions to the ban on federal funding of abortions. Desperate to find a compromise that would quiet both sides, members discussed and debated a wide variety of medical procedures not designated as abortion, searching for a loophole. They did not find one. The successful compromise barred federal funds for abortions unless the mother’s life was in danger, while allowing “medical procedures” for rape or incest survivors. The 1978 version struck out the vague language covering rape and incest survivors. The exceptions to a total ban on abortion funding simply got narrower every year in the 1970s.<sup>1124</sup>

By 1979, even emotional appeals from staffers did not faze legislators; these amendments seemed like the only option. Karen Johnson, a staffer for Rep. George Miller (D-CA) and executive director of the Clearinghouse on Women’s Rights in the late 1970s, testified before the House Appropriations Subcommittee on Labor-HEW in favor of unrestricted Medicaid abortion funding. Johnson had decided to talk about her own rape after the previous year’s debate, during which she “nearly went through the roof” listening to one subcommittee member joke about rape.<sup>1125</sup> Johnson attempted to explain to legislators why and how “the American woman goes

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<sup>1123</sup> Quotations from, respectively, *Newsweek* (9 Feb 1976): 21; *Washington Post* (11 Feb 1976): A12.

<sup>1124</sup> This history is recounted in Susan J. Tolchin, “The Impact of the Hyde Amendment on Congress: Effects of Single Issue Politics on Legislative Dysfunction June 1977-June 1978,” *Women & Politics* 5:1 (Spring 1985): 94-96.

<sup>1125</sup> “Hill Aide Talks of Her Rape, Pushes for Abortion Funding,” *Roll Call* 24:38 (10 May 1979): 6. This representative was probably Rep. Edward Patten (D-NJ). See “Congress at Rest? Only at Work,” *NARAL Newsletter* 11:5 (Jul 1979): 11, Box 187, McGovern Papers. The NARAL article was reprinted, originally appearing in the

through a lot by virtue of being a woman.”<sup>1126</sup> Yet legislators on the subcommittee most responsible for anti-abortion riders looked bored, smoked cigars, and talked with aides rather than listen to one of their own staffers recount her experience with sexual assault. None of the four male representatives asked Johnson any questions.<sup>1127</sup> The subcommittee controlling Labor-HEW appropriations was simply not interested in debating the abortion issue in feminist terms. Congress’ aversion to the controversial abortion issue legitimated this antipathy.<sup>1128</sup>

Local feminists never had the institutional positioning or the resources to counter the anti-abortion movement on the Hill, which focused solely on anti-abortion riders. Having quickly decided on targeting appropriations, the right-to-life lobby established and maintained control over the legislative networks through which their policies moved. While a constitutional amendment was out of reach, appropriations would continue to provide an influential platform for the anti-abortion movement into the 1980s. The feminist congressional network had little chance at effectively challenging this stronghold, even though most legislators simply wanted to stop debating the abortion issue. In contrast with pro-choice legislators, who sought compromise, no amount of testimony was going to sway the anti-choice proponents from their positions.<sup>1129</sup> Ultimately, the fiercely held and defended personal beliefs of anti-abortion legislators contrasted with the wavering support of congresspersons who more than anything simply wanted the abortion issue to go away.

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*Cleveland Plain Dealer*. See Thomas J. Brazaitis, “Congress at Rest? Only at Work,” *Cleveland Plain Dealer* (30 Apr 1979).

<sup>1126</sup> “Hill Aide Talks of Her Rape, Pushes for Abortion Funding,” *Roll Call* 24:38 (10 May 1979): 6.

<sup>1127</sup> “Congress at Rest? Only at Work,” *NARAL Newsletter* 11:5 (Jul 1979): 11, Box 187, McGovern Papers.

<sup>1128</sup> Even generally pro-choice legislators like Rep. Augustus Hawkins attempted to stay away from the issue as a matter of principle. See handwritten note from Nina to Ellie (26 Oct 1977), Folder 6, Carton 52, NOW Papers.

<sup>1129</sup> On the last day of testimony, Philip Heymann related that one of his students had written her congressman on abortion, only to receive “a long and thoughtful letter stating both sides of the issue and then saying in the last sentence, ‘In the final analysis, I am Catholic and for that reason I am supporting the abortion amendments.’” U.S. Congress, Senate, Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, *Abortion Part 3: S.J. Res 119 and S.J. Res 130*, 93<sup>rd</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1975): 377.

## Abortion Politics and the Women's Rights Agenda

Though personal appeals could only do so much for pro-choice advocacy, feminists did manage to use legislators' waffling over the abortion issue to push them towards support for other feminist policies. The feminist congressional community maintained its role as the voice of women and their national movement. These advocates remained firmly embedded in the social and political fabric of the Hill, an advantage that anti-feminist crusaders lacked in areas outside the realm of abortion politics. Through the 1970s, pro-choice advocates attempted to use the widespread fear of a feminist women's constituency to promote other bills for women's rights.<sup>1130</sup> Issues like rape prevention and guaranteeing economic rights for pregnant women especially seemed like safe bets for congresspersons who wanted to demonstrate that they supported women's equality, even if they could not support abortion rights. In exchange, feminists had to accept that some of their bills would contain anti-abortion language.

An argument for feminist policymaking lay at the heart of some right-to-life arguments. Anti-abortion advocacy and the promotion of women's and family services could be intertwined. Sen. Mark Hatfield took this approach in his 1974 Senate testimony in favor of fetus personhood amendments. Hatfield argued that women resorted to abortions because they had "been dehumanized by relationships lacking either commitment or responsibility."<sup>1131</sup> And unfortunately, "our society is more willing to provide assistance for the poor to have abortions

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<sup>1130</sup> Though this use of the "gender gap" is widely discussed in secondary literature, no work has been done on how the threat of a women's constituency combined with the controversy over abortion to affect the trajectory of a broader women's agenda during the 1970s. The major work in the gender gap is Carol M. Mueller, ed., *The Politics of the Gender Gap: The Social Construction of Political Influence* (Beverly Hills, CA: Sage Publications, 1988), though many other studies cite the emergence of voting differences as a major influence on electoral and legislative politics.

<sup>1131</sup> Mark Hatfield, U.S. Congress, Senate, Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, *Abortion Part 1: S.J. Res 119 and S.J. Res 130*, 93<sup>rd</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1974): 5.

than for the poor to have children and to maintain them by an adequate standard of living.”<sup>1132</sup>

The group Feminists for Life went further, arguing that “The solution to the rape problem is not abortion, but the creation of a society in which rape is unknown.”<sup>1133</sup> These anti-choice advocates believed that humanistic policymaking and activism would eliminate the need for abortions.

Clear connections between the abortion issue, a broader women’s rights agenda, party affiliation, and ideological inclinations did not exist.<sup>1134</sup> Legislators like Hatfield pushed anti-choice policies forwards while simultaneously pursuing feminist policies. Hatfield was one of the most reliable supporters of the Economic Equity Act, which sought to eliminate gender biases in the tax and Social Security codes. Along with pro-choice leader Sen. Robert Packwood, he introduced sections of the act; both legislators attempted to ensure that their views on abortion did not inhibit coalition-building on other issues.<sup>1135</sup> Similarly, the steadfastly anti-choice Rep. Dan Flood had been an ally during the pursuit of other feminist policy initiatives, a fact that initially confused and dismayed pro-choice activists.<sup>1136</sup> Legislators who consistently supported abortion rights ranged from the liberal Democrat Sen. Birch Bayh to his conservative Republican counterpart Sen. Bill Brock.<sup>1137</sup>

Splits amongst congresswomen further obscured these connections. As political scientist Susan Tolchin has noted, while Reps. Elizabeth Holtzman and Barbara Mikulski (D-MD)

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<sup>1132</sup> Ibid: 7.

<sup>1133</sup> Ms. Pat Goltz, Ibid: 109.

<sup>1134</sup> Political scientist Noelle Norton observes that both abortion politics and women’s issues fail to fit into the “liberal-conservative continuum” that many political scientists and interest groups use to analyze legislators’ decision-making. See Norton, “Analyzing Roll-Call Voting Tools for Content,” *Women & Politics* 17:4 (1997): 47-69, specifically 65-66, n.15.

<sup>1135</sup> WEAL Economic Equity Act briefing (n.d.), “Equal Rights Amendment Campaign – WWPF? Documentary, U.S. Congress – Economic Equity Act” Folder, ERACAP Papers, Sophia Smith Archives, Smith College, Northampton, MA. Hereafter referred to as ERACAP Papers.

<sup>1136</sup> Betsy Stengel of the Religious Coalition for Abortion Rights and Carol Werner of NARAL to congressional staff (Jul 1976), Folder 4, Box 294, Mink Papers.

<sup>1137</sup> Joyce Gelb and Marian Lief Palley, “Women and Interest Group Politics: A Comparative Analysis of Federal Decision-Making,” *The Journal of Politics* 41:2 (May 1979): 390, n.40.

“exerted considerable leadership” for the pro-choice movement on the Hill, congresswomen as a group were divided. Of the eighteen women in the 95<sup>th</sup> Congress, six regularly supported the Hyde Amendment, while twelve were staunchly opposed.<sup>1138</sup> Party affiliation failed to explain these divides. Described by Burke staffer Frank Cowan as “a very conservative Republican,” Rep. Millicent Fenwick (R-NJ) called the attack on federal funding for abortion “a horror.”<sup>1139</sup> Other women were motivated by their Catholicism. Both Reps. Margaret Heckler (R-MD) and Lindy Boggs (D-LA) quietly opposed widespread abortion availability.<sup>1140</sup> By 1979, they were on NARAL’s “Anti-Abortion Congress” list.<sup>1141</sup> Yet these same women consistently helped one another push for feminist policy during the 1970s.<sup>1142</sup>

Additionally, the single-mindedness of anti-abortion activists meant that these powerful lobbyists never consistently or forcefully challenged feminists in other policy arenas. It took a lot of time, energy, and money to keep the abortion issue in front of a Congress that largely did not want to deal with controversial policies. And the right-to-life movement attracted a swath of individuals and groups from across religious, partisan, and regional divides. Though right-to-life groups all agreed that abortion was immoral, they failed to agree on much of anything else. Through the latter half of the 1970s, Phyllis Schlafly worked at the grassroots to overcome these

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<sup>1138</sup> Susan J. Tolchin, “The Impact of the Hyde Amendment on Congress: Effects of Single Issue Politics on Legislative Dysfunction June 1977-June 1978,” *Women & Politics* 5:1 (Spring 1985): 100.

<sup>1139</sup> Frank Bowen, notes from Interview with Frank Bowen and Millicent Fenwick, notes from Interview #2 (15 Aug 1977) respectively, both in Millicent Fenwick Interviews, Folder 1, Box 1, Peggy Lamson Papers, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA. Hereafter referred to as Lamson Papers.

<sup>1140</sup> “WEAL Reports: The Record on Abortion” (Aug 1974), Folder 9, Box 293, Mink Papers.

<sup>1141</sup> NARAL, *Choice Newsletter* 11:5 (Jul 1979): 2, “Abortion: Nat. NARAL Legislative Updates #20” Folder, Box 187, McGovern Papers

<sup>1142</sup> This cohesion helped to maintain the sense that there was a cohesive community of advocates for women’s issues on the Hill. A 1980 Center for the American Women and Politics at Rutgers University study revealed that “women of both parties – no matter where they placed themselves on the ideological spectrum – took more feminist positions” on legislation relating to women. The study concluded that 54% of women identifying as conservative supported the assessment that “the Federal Government should do more for women’s rights,” while 25% of conservative men supported this statement. Meanwhile, 83% of liberal women and 70% of liberal men declared their support for the statement. See Leslie Bennetts, “Women in Office: How Have They Affected Women’s Issues?” *New York Times* (4 Nov 1980): B8 (accessed 10 Nov 2013).



differences and link the movement to a broader “pro-family” agenda.<sup>1143</sup> In 1980, with the ascension of Ronald Reagan, Schlafly would successfully tie the national Republican Party to that agenda. But during the preceding decade, these connections failed to percolate up to the Hill.

The formation of a broad anti-feminist movement in Congress was prevented in part because feminist legislators, staffers, and lobbyists successfully persuaded members of Congress that there was a united national constituency of women who were demanding their rights. As political scientist Anne Costain has repeatedly noted, feminist organizations consistently pointed the existence of a voting women’s constituency from the late 1960s onwards, which pushed legislators towards support for feminist policies.<sup>1144</sup> While nationally, organizations like NOW threw their weight behind the Democratic Party, feminists on the Hill often worked for Republicans, reinforcing the importance of the women’s vote on both sides of the aisle. Republican and Democratic advocates for women’s rights were armed with an ever-growing array of statistics and poll data that pointed to widespread support for policies establishing women’s equal rights.<sup>1145</sup> The public seemed capable of voting legislators out of office for anti-feminism as well as a pro-choice stance. Congresspersons – especially those with anti-abortion voting records – took notice.

The 1973 Foreign Assistance Act demonstrated that feminists were willing to live with anti-abortion amendments, so long as bills also contained measures guaranteeing gender equity.

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<sup>1143</sup> Karen O’Connor, *No Neutral Ground? Abortion Politics in an Age of Absolutes* (Boulder, CO: Westview Press, 1996): 60-62.

<sup>1144</sup> Anne Costain and Steven Majstorovic, “Congress, Social Movements and Public Opinion: Multiple Origins of Women’s Rights Legislation,” *Political Research Quarterly* 47 (1994): 130. The gender gap argument also suffuses Anne N. Costain, *Inviting Women’s Rebellion: A Political Process Interpretation of the Women’s Movement* (Baltimore: The John Hopkins University Press, 1992). This fear of a women’s bloc surfaced on the Hill before the emergence of and subsequent academic and media analysis of a “gender gap” in national elections. For information on the gender gap, see Carol M. Mueller, ed., *The Politics of the Gender Gap: The Social Construction of Political Influence* (Beverly Hills, CA: Sage Publications, 1988).

<sup>1145</sup> Anne N. Costain and W. Douglas Costain, “Strategy and Tactics of the Women’s Movement in the United States: The Role of Political Parties,” *The Women’s Movements of the United States and Western Europe: Consciousness, Political Opportunity, and Public Policy*, ed. Mary Fainsod Katzenstein and Carol McClurg Mueller (Philadelphia: Temple University Press, 1987): 205-07.

The measure allocated monies to the Agency for International Development, with directives for specific areas on which the agency should focus. Initially, the bill said nothing about women. As foreign aid expert Irene Tinker has asserted, the measure initially reproduced the widespread assumption that a male breadwinner was the basis of an economically healthy family unit.<sup>1146</sup> But by 1972, Tinker and other women in foreign aid networks had built a research base for challenging these assumptions. One of these women was Mildred Marcy, the newly appointed head of women's programs at the U.S. Information Agency. Marcy also happened to be married to the chief of staff of the Senate Foreign Relations Committee.<sup>1147</sup>

This connection was integral. Stuck in her husband's office one evening, Marcy read the foreign aid bill and sat down to type up an amendment that would "give particular attention those programs . . . which tend to integrate women into the national economies of foreign countries, thus improving their status and assisting the total development effort."<sup>1148</sup> Looking to dodge resistance from the Republican president, amendment advocates gravitated towards a Republican for sponsorship. The network of women in foreign aid passed the amendment to Charles Percy's (R-IL) aide Scott Cohen, who thought that sponsorship would please the women's movement. Percy introduced the amendment on the bill's last day for consideration in committee, and the section passed in a voice vote, after little discussion. The Senate approved the broad bill later that day.<sup>1149</sup> Since the House had already approved the measure with an anti-abortion rider attached, the bill then went to joint committee for consideration.

Given two issues upon which to focus, feminist staffers and the foreign aid network chose to champion the Percy Amendment. The measure needed all the help it could get. Though

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<sup>1146</sup> Irene Tinker, "Women in Development," *Women in Washington*: 228.

<sup>1147</sup> Ibid: 230.

<sup>1148</sup> Ibid; Arvonne Fraser to Hubert Humphrey (15 Oct 1973), "Abortion and Helms Amendment, 1973-1974" Folder, Box 12, A. Fraser Papers.

<sup>1149</sup> Irene Tinker, "Women in Development," *Women in Washington*: 230-31.

Rep. Donald Fraser attempted to raise the amendment's profile through a day of hearings before his House Subcommittee on International Organizations and Movements, many joint conferees did not take the feminist rider seriously.<sup>1150</sup> When one of the secretaries told the local women's lobby that legislators had joked about the Percy amendment before deleting it, feminists mounted a letter-writing campaign, calling legislators to task for making the bill as anti-feminist as possible. Influenced by the voluminous mail and swift mobilization of feminists in the foreign aid bureaucracy, the committee quickly re-inserted the Percy Amendment.<sup>1151</sup> There is some evidence that NOW mounted a small campaign against the anti-abortion rider.<sup>1152</sup> However, many feminists waited until after the Foreign Assistance Act's passage before chiding legislators about their support for the amendment.<sup>1153</sup>

Feminists could also use guilt or fear over anti-abortion votes as a tool with which they could expand the feminist agenda. Local circumstances and a preexisting network of feminists resulted in tight feminist control over legislation designed to support rape survivors. In early 1973, the confessed rapist of two George Washington students was acquitted, based on the jury's belief that the victims had not adequately resisted. This event gave Hill feminists a local connection to a growing national conversation about rape and sexual assault prevention. By the mid-1970s, the feminist movement had begun to push against a set of cultural and legal standards that defined rape and sexual assault narrowly and placed the burden of proof upon individuals

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<sup>1150</sup> Ibid: 231.

<sup>1151</sup> Arlene Kaplan Daniels, "Careers in Feminism," *Gender and Society* 5:4 (Dec 1991): 594; Judy Nies to Arvonne Fraser (15 Nov 1973), "Abortion and Helms Amendment, 1973-1974" Folder, Box 12, A. Fraser Papers.

<sup>1152</sup> Ann Scott to Member of Congress (23 Nov 1973), Folder 43, Carton 53, NOW Papers.

<sup>1153</sup> Sen. Hubert Humphrey was at the receiving end of Arvonne Fraser's anger; after all, he had voted for the 1973 Helms Amendment attached to the bill. But after she personally confronted him over the Helms measure, Fraser sent him a note "congratulating" him on support for the Percy amendment, a gesture meant to incentivize further support for these kinds of women's rights issues. Arvonne Fraser to Hubert Humphrey (15 Oct 1973), "Abortion and Helms Amendment, 1973-1974" Folder, Box 12, A. Fraser Papers.

who had endured assault.<sup>1154</sup> Legislators had an already mobilized constituency, loads of data collected by local groups across the nation, and little to no opposition. Who would be against a bill to combat rape?

Reacting to this story and press coverage of rape centers popping up around the nation, a number of legislators identified rape as a particularly ripe area for policy innovation before women's rights organizations did so themselves. Sen. Charles Mathias initially reached out to NOW Vice President of Legislation Ann Scott about co-authoring legislation. Mathias directed his staffer Colby King to sit down with Scott and NOW Task Force Coordinator on Rape Mary Ann Lagen and write a bill.<sup>1155</sup> As Elizabeth Cox noted in 1974, Mathias' pro-active approach to a rape bill allowed NOW to bypass their traditionally bureaucratized, bottom-up approach to issue identification and policy endorsement.<sup>1156</sup> The local NOW task force quickly became a conduit through which the Mathias office communicated with other feminist groups. While Mathias' bill routed some funding towards research on the motivations of and methods for rehabilitating offenders, local activists ensured that most of the bill was specifically aimed at services for rape survivors.<sup>1157</sup>

The move was widely lauded by local and national women's organizations, increasing Congress' sense that an anti-rape bill would please a national women's constituency.<sup>1158</sup> Mary Ann Lagen observed "overwhelming" support for the bill amongst congresspersons, including a

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<sup>1154</sup> For an overview of this history, see Estelle B. Freedman, "Feminism's Amazing Achievement: Changing the Conversation – and Laws – about Rape," *Salon* (25 Aug 2013), [http://www.salon.com/2013/08/25/how\\_feminism\\_redefined\\_rape/](http://www.salon.com/2013/08/25/how_feminism_redefined_rape/) (accessed 14 Apr 2014).

<sup>1155</sup> Elizabeth Cox, "An Interview with Ms. Elizabeth Cox of the National Organization for Women" (31 Oct 1974), Folder 7, Carton 52, NOW Records, Schlesinger Library, Radcliffe Institute, Harvard College, Cambridge, MA.

<sup>1156</sup> *Ibid.*

<sup>1157</sup> After a quick and decisively position set of hearings, Sen. Mathias included the measure in the broader Health Services Act of 1974. The full name of the bill was the "Health Revenue Sharing and Health Services Act of 1974." The Rape Prevention Act was included in Title VIII of the act.

<sup>1158</sup> "WEAL Newsletter" (Oct 1973), "NCC – Newsletter, 1971-1980" Folder, Box 19, A. Fraser Papers.

large number of legislators who consistently supported anti-abortion riders.<sup>1159</sup> This wide base of support was enough to approve the bill and then override President Gerald Ford's subsequent veto. In late July of 1975, Congress established a national center for the study and prevention of rape within the National Institute of Mental Health.<sup>1160</sup> By that time, Rep. Elizabeth Holtzman had begun working on supplementary legislation. Her rape shield law protected the privacy of rape survivors while making a rape survivor's sexual history inadmissible evidence. This measure would achieve widespread support; a modified version of the bill was part of the Privacy Protections for Rape Victims Act passed in 1978.<sup>1161</sup>

Feminists involved in passage of the first rape law believed that their overwhelming success on the Hill was partially due to members trying to balance out their anti-abortion votes with support for a definitively feminist piece of legislation. In 1974, NOW legislative coordinator Elizabeth Cox claimed that "I think a lot of congressmen went with N.O.W. on the rape bill so they could avoid going with us on abortion."<sup>1162</sup> In Cox's opinion, many legislators felt that they could offset their lack of support for abortion rights with support for other bills advancing women's rights. Congresspersons seemed especially eager to support other reproductive rights bills that could reestablish their credibility as advocates for women in Congress.

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<sup>1159</sup> Mary Ann Lagen to Subcommittee on Public Health and Environment, Committee on Interstate and Foreign Commerce, both of the House of Representatives (n.d.), "Rape" Folder, Box 12, Lindh and Holm Files. The list of sponsors, co-sponsors, and supporters can be found in Folder 15, Carton 55, NOW Papers.

<sup>1160</sup> PL 94-63, the Nurse Training and Health Services Act, was approved over Ford's veto on 29 Jul 1975.

<sup>1161</sup> A lawyer, Holtzman had long been concerned with the widespread assumption that "rape is a charge made by hysterical women." Elizabeth Holtzman, "National Council Jewish Women Lakeville Section" Speech (24 Nov 75), "National Council of Jewish Women, Westbury, L.I., 11/24/75" Folder, Box 222, Elizabeth Holtzman Papers, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA. Hereafter referred to as Holtzman Papers. The NOW Task Force list of co-sponsors and members' positions on rape legislation is far more comprehensive than their information for any other piece of legislation besides anti-abortion riders. See Folder 15, Carton 55, NOW Records, Schlesinger Library, Radcliffe Institute, Harvard University. See also Estelle Freedman, *Redefining Rape: Sexual Violence in the Era of Suffrage and Segregation* (Boston: Harvard University Press, 2013); Leigh Ann Wheeler, *How Sex Became a Civil Liberty* (New York: Oxford University Press, 2012): 181-93.

<sup>1162</sup> Elizabeth Cox, "An Interview with Ms. Elizabeth Cox of the National Organization for Women" (31 Oct 1974), Folder 7, Carton 52, NOW Records, Schlesinger Library, Radcliffe Institute, Harvard College, Cambridge, MA.

With some other issues, feminists could marshal support from the anti-abortion movement itself. In December of 1976, the Supreme Court decided *General Electric v. Gilbert*. Overruling pregnancy guidelines issued by the EEOC and multiple decisions in the lower courts, the Supreme Court ruled that General Electric's refusal to cover the medical costs of pregnancy while covering procedures like plastic surgery and vasectomies was not sex discrimination under Title VII of the Civil Rights Act.<sup>1163</sup> The ruling quickly garnered public backlash, including an article by ACLU lawyers Susan Deller Ross and Ruth Bader Ginsburg. Ross and Ginsburg decried the "long history" of the Supreme Court's refusal to include sex discrimination under the Fourteenth Amendment's equal protection clause, calling on Congress to rectify the decision through new legislation, as "an early measure of the nation's current commitment to achievement of genuinely equal opportunity for women."<sup>1164</sup> This was a compelling argument for an institution that had recently approved the ERA exactly because of this judicial blind spot.

A bill to counteract the Court's decision immediately surfaced on the Hill. About four months after the decision, Sen. Harrison Williams (D-NJ) introduced his proposal to add a clause explicitly outlawing pregnancy discrimination to Title VII, accusing the court of relying on "the outdated notion that women are only supplemental or temporary workers – earning 'pin money' or waiting to return home to raise children full-time." Citing 1963's Equal Pay Act and the 1972 inclusion of sex in Title VII of the Civil Rights Act, Williams claimed that his bill would simply

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<sup>1163</sup> A good summary of the case and its relationship to the resulting Pregnancy Disability Act is Harrison Williams' foreword to the Legislative History of the Pregnancy Discrimination Act of 1978, Public Law 95-555, prepared for the Committee on Labor and Human Resources, U.S. Senate, 96<sup>th</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, Jun 1980): xxx. See also "Legislation to Correct: Pregnancy Discrimination," *CCWR Newsletter* 3:32 (3 Oct 1977): 9-10, Periodicals Collection, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA. Hereafter referred to as Schlesinger Periodicals Collection.

<sup>1164</sup> Susan Deller Ross and Ruth Bader Ginsburg, "Pregnancy and Discrimination," *New York Times* (25 Jan 1977), in *Congressional Record*, 95<sup>th</sup> Cong., 1<sup>st</sup> Sess. (15 Mar 1977): 4142-43.

further a pre-existing dedication to women's employment rights.<sup>1165</sup> Composed of a number of feminist, labor, anti-abortion, and civil rights groups, the Campaign to End Discrimination against Pregnant Workers threw its support behind the Harrison bill.<sup>1166</sup> The Pregnancy Disability Act was, as one journalist noted, "supported by both sides of the abortion conflict."<sup>1167</sup>

Feminist legislators, staffers, and lobbyists consistently brought up the specter of abortion politics, successfully pushing reticent congresspersons towards support for the bill. Both Sens. Harrison Williams and Edward Brooke (R-MA) noted that failing to outlaw pregnancy discrimination in the workplace would increase the incentives for abortions, especially amongst low-income women.<sup>1168</sup> Their assertions validated an amendment allowing individual employers to determine whether to cover abortion costs. Though the rider was opposed by a variety of labor, civil rights, and feminist organizations, it managed to squeak through the committee on a close vote, after fierce lobbying on both sides.<sup>1169</sup> Supportive of the local congressmen with whom they had worked for several months, NOW marshalled votes for the bill, carefully monitoring office support via contact with staffers.<sup>1170</sup> Support from newly-elected President

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<sup>1165</sup> For the entire statement, see Harrison Williams, "Pregnancy Discrimination Is Sex Discrimination," *Congressional Record*, 95<sup>th</sup> Cong., 1<sup>st</sup> Sess. (15 Mar 1977): 4137-45.

<sup>1166</sup> For a list of supportive organizations, see *CCWR Newsletter* 4:5 (24 Apr 1977): 13, Schlesinger Periodicals Collection. See also Gelb and Palley, *Women and Public Policies*: 167.

<sup>1167</sup> "Lobbyists on Women's Rights Pressure Congress for Action," *New York Times* (13 Aug 1977): 28 (accessed 10 Nov 2013). Political scientists Gelb and Palley, *Women and Public Policies*: 162-63.

<sup>1168</sup> For their statements, see the Legislative History of the Pregnancy Discrimination Act of 1978, Public Law 95-555, prepared for the Committee on Labor and Human Resources, U.S. Senate, 96<sup>th</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, Jun 1980): xxx, 3, 7.

<sup>1169</sup> For pro and anti-abortion arguments and their attendant organizations, see "Special Report: Civil Rights for Pregnant Workers," *CCWR Newsletter* 4:5 (10 Apr 1977): 1-10, Schlesinger Periodicals Collection.

<sup>1170</sup> Memo "HR6075: Pregnancy Discrimination" (31 Jan 1978), Folder 6, Carton 52, NOW Records, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA.

Jimmy Carter followed.<sup>1171</sup> After a rapid-fire set of hearings, the Senate and then the House quickly approved the bill, and Carter signed it into law in early 1978.<sup>1172</sup>

Though multiple legislators claimed that the bill merely codified a preexisting set of Title VII regulations, the bill actually broke new ground. At the beginning of the decade, it was difficult for feminists to even analyze the patchwork of rules, regulations, and programs covering pregnancy. It was not until October of 1970 that the Citizen's Advisory Council on the Status of Women recommended that pregnancy be considered a temporary disability under insurance and sick leave plans. The EEOC did not adopt this recommendation until 1972, and even then, the agency did little to prevent pregnancy discrimination.<sup>1173</sup> The Pregnancy Discrimination Act of 1978 not only explicitly outlawed discrimination against pregnant women in the workplace, but also ensured that insurance plans provided by employers cover the costs of pregnancy in much the same way that they might if an employee had work-related injuries.

Ultimately, the attachment of the Hyde Amendment to a multiplicity of other women's and civil rights bills pushed some feminist organizations to invest greater resources in lobbying. The NOW legislative office noted in 1977 that abortion would continue to "command the most attention" from its staffers in the future.<sup>1174</sup> The abortion issue also drew the CHWPC towards political organizing after the NWPC received a 1977 grant to fund a grassroots lobbying campaign against the Hyde Amendment.<sup>1175</sup> Anti-Hyde Amendment lobbying united women's

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<sup>1171</sup> "Special Report: Civil Rights for Pregnant Workers," *CCWR Newsletter* 4:5 (10 Apr 1977): 1-10, Schlesinger Periodicals Collection.

<sup>1172</sup> The Senate approved the bill 75-11 in September of 1977. See Gelb and Palley, *Women and Public Policies*: 169.

<sup>1173</sup> Catherine East, "The Government Advisory Bodies on Women and the Women's Movement" (18 Sep 1983): 20-22, Folder 69, Box 7, Catherine East Papers, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA.

<sup>1174</sup> Nina Heagstedt to Eleanor Smeal & Arlie Scott (28 Nov 1977), Folder 6, Carton 52, NOW Papers.

<sup>1175</sup> Marci Greenstein and Karen Stuck, "Hyde Amendment Alert," *Equal Times* (Jun 1977): 1 in "CHWPC Folder," National Women's Political Caucus (NWPC) Papers, Schlesinger Library, Radcliffe Institute, Harvard College, Cambridge, MA. Hereafter referred to as NWPC Papers.



groups on the Hill. On September 13<sup>th</sup> of 1976, a coalition of fifty groups came together to oppose adoption of the amendment's place in the Labor-HEW Appropriations bill. The CHWPC, Women's Lobby, DC ACLU, and a number of other groups participated in the effort, receiving support from vocal legislators.<sup>1176</sup> The group was led by single issue organizations and eventually reached thirty groups.<sup>1177</sup>

Unlikely coalitions substantiated widespread support for feminist policies among women while reaffirming local feminist control over the policy agenda for women's rights. The fight to fund the 1976 International Women's Year (IWY) Conference demonstrates how abortion politics strengthened the feminist lobby. The bill to establish the conference was authored jointly by Reps. Bella Abzug and Patsy Mink. These two women worked to ensure that all congresswomen signed on to the bill as co-sponsors.<sup>1178</sup> Abzug's aides Lee Novick and June Zeitlen coordinated lobbying for the bill. Congresswomen were assigned a set of legislators to survey, in order to identify congressmen who remained on the fence and maintain the accurate vote counts integral to any successful policy campaign.<sup>1179</sup>

It was almost impossible for those who opposed conference funding to attach the bill to the abortion issue. During the hearings on the bill, conducted in late September, abortion was never mentioned. The House Subcommittee on Government Information and Individual Rights began its proceedings with a slate of supportive legislative testifiers including Rep. Margaret Heckler and Sen. Charles Percy, followed by a set of representatives from organizations devoted

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<sup>1176</sup> "Caucus Lobbies Against Hyde Amendment," *Equal Times* (Fall 1976): 5 in "CHWPC Folder," NWPC Papers.

<sup>1177</sup> Ann Kolker, "Women Lobbyists," *Women in Washington*: 219. This coalition stuck together, even as some of the more well-established women's and civil rights lobbying groups avoided the abortion issue. Gelb and Palley, *Women and Public Policies*: 150-51.

<sup>1178</sup> Jan Pitt-Liebman and Elizabeth Cox to State Legislative Coordinators (16 Oct 1976), Folder 5, Box 55, NOW Papers.

<sup>1179</sup> Millicent Fenwick's list can be found in "HR 9924 – National Women's Conference / passed 12/10" Folder, Box 236, Millicent Fenwick Papers, Rutgers Special Collections and Archives, Rutgers The State University of New Jersey, New Brunswick, NJ. Hereafter referred to as Fenwick Papers.

to advancing women's rights.<sup>1180</sup> After the hearings concluded, Congresswomen attempted to head off opposition by sending a "Dear Colleague" letter arguing that "The national conference is not a stage for ERA, abortion reform, busing or whatever. We are certain that there will be as many for or against these matters in attendance."<sup>1181</sup> Reps. Bella Abzug and Millicent Fenwick discussed options after the floor debate, focused on making the language vague and nonmilitant enough – for instance, replacing "rights" with "interests" – that a male cadre of legislators could support the bill.<sup>1182</sup> Such language was also designed to help groups like the National Council of Catholic Women (NCCW) overcome their reluctance to support the conference.<sup>1183</sup> The congresswomen sponsors wanted to go into the floor debate with as many allies as possible.

Legislators who opposed the bill understood that anti-ERA arguments and complaints about government spending run rampant were their two greatest weapons against the bill. During the bill's floor consideration, congressmen fretted about whether the conference would consist entirely of women who supported the ERA and, as Rep. Delbert Latta (R-OH) put it, "abortion for all."<sup>1184</sup> But the right-to-life lobby was unwilling to work against the bill, leaving opponents to primarily attack the conference as a "front" for Equal Rights Amendment organizing. Members and lobbyists who opposed the conference attacked feminist organizations' ability to speak for a national constituency of women, citing the declining fortunes of the

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<sup>1180</sup> U.S. Congress, House, Subcommittee of the Committee on Government Operations, *Hearing on H.R. 8903*, 94<sup>th</sup> Cong., 1<sup>st</sup> Sess. (Washington, D.C.: GPO, 1975).

<sup>1181</sup> Dear Colleague letter from congresswomen (9 Dec 1975), "HR 9924 – National Women's Conference / passed 12/10" Folder, Box 236, Fenwick Papers.

<sup>1182</sup> Millicent Fenwick to Bella Abzug (n.d.), "HR 9924 – National Women's Conference / passed 12/10" Folder, Box 236, Fenwick Papers.

<sup>1183</sup> Rep. Bella Abzug received a letter of discontent from the organization expressing distress at the prospect of the conference becoming a "platform" for the ERA or abortion rights. Mrs. G. Sam Zilly to Bella Abzug (1 Dec 1975), "HR 9924 – National Women's Conference / passed 12/10" Folder, Box 236, Fenwick Papers. Congresswomen carefully considered how to allay these concerns. See handwritten note on the list of organizations supporting H.R. 9924 (n.d.), "HR 9924 – National Women's Conference / passed 12/10" Folder, Box 236, Fenwick Papers.

<sup>1184</sup> Delbert Latta, *Congressional Record* (10 Dec 1975): 39715.

ERA.<sup>1185</sup> This approach failed. Most legislators had voted for the ERA in 1972. When pro-conference legislators proposed an amendment to ban “lobbying activities” during the conference, claims that the conference would be hijacked by pro-ERA militants no longer seemed to hold water.<sup>1186</sup>

Ultimately, unattached from the abortion issue and a financial drop in the federal budget bucket, the bill was, as Bella Abzug claimed, “non-controversial.”<sup>1187</sup> Congress and the executive were already on record as supporting the aims of the bill.<sup>1188</sup> Though the measure initially attracted a certain amount of opposition and some legislators did not care to fork over monies for a gathering for “women . . . to discuss their problems,” the basic thrust of the conference – to advance women’s rights – was not one many legislators felt comfortable opposing.<sup>1189</sup> Even those who opposed the bill on narrow grounds attempted to make it clear that they were for gender equality. Rep. Mario Biaggi (D-NY) carefully qualified his potential opposition to the bill, asserting that his position “should not be interpreted as a demonstration of my opposition to women’s rights.”<sup>1190</sup> Congresswomen uniformly supported the bill, undermining claims that holding a conference would cater to a small segment of the female population. Numerous male supporters pledged their support.<sup>1191</sup> Congressmen in positions of power within Congress publically endorsed the measure as “the only right thing to do.”<sup>1192</sup> In the

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<sup>1185</sup> Feminists thus responded to this “ERA front” accusation while also ignoring abortion. See “H.R. 9924 Women’s Conference Bill” notes (n.d.), Folder 5, Box 55, NOW Papers.

<sup>1186</sup> Elliott H. Levitas (9 Dec 1975), “HR 9924 – National Women’s Conference / passed 12/10” Folder, Box 236, Fenwick Papers.

<sup>1186</sup> Mrs. G. Sam Zilly to Bella Abzug (1 Dec 1975), “HR 9924 – National Women’s Conference / passed 12/10” Folder, Box 236, Fenwick Papers.

<sup>1187</sup> Bella Abzug to “Dear Sisters” (21 Oct 1975), Folder 5, Box 55, NOW Papers.

<sup>1188</sup> Bella Abzug made this point crystal clear in her introduction to the bill. See Abzug, *Congressional Record* (10 Dec 1975): 39713.

<sup>1189</sup> Bella Abzug to “Dear Sisters” (21 Oct 1975), Folder 5, Box 55, NOW Papers.

<sup>1190</sup> Mario Biaggi, *Congressional Record* (10 Dec 1975): 39721.

<sup>1191</sup> Congresswomen were the most vocal and forceful advocates for the bill in floor debate. Ibid: 39712-39730.

<sup>1192</sup> Carl Albert in Ibid: 39720.

shadow of the 1976 election cycle, Congress overwhelmingly approved conference funding in December of 1975.<sup>1193</sup>

During the 1970s, it was difficult to link anti-feminist causes in Congress because feminists embedded in the Hill controlled the debates over women's rights. The abortion issue naturally affected the contours of numerous other ongoing policy debates, especially over bills dealing with family and pregnancy rights. Anti-abortion activists were very effective within their very specific policy area. Conceding that for electoral reasons, anti-abortion activists were going to achieve some successes, advocates for women's rights focused on fighting for bills in those committees where they had the upper hand. Feminist legislators and staffers accepted anti-abortion language if they thought that rejecting such language outright would jeopardize broader bills. This approach allowed them to soften what they viewed as unavoidable concessions to the anti-abortion movement, while maintaining control over supportive committees.

### ERA Ratification Extension

On the ninth of July, 1978, feminists once again marched down the Mall to the Capitol in support of the Equal Rights Amendment. Chanting "ERA won't go away," marchers braved ninety degree heat to join the more than three hundred groups represented in the parade.<sup>1194</sup> They carefully linked the amendment with the suffrage campaign by dressing in the white gowns and tri-colored purple, white, and gold sashes of the turn-of-the-century suffrage movement and by carrying the suffrage banners.<sup>1195</sup> The march was a symbolic starting point. Echoing the initial

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<sup>1193</sup> The House voted 252-162 for the bill, while the Senate approved the bill in a voice vote on 23 Dec 1975. See "Action Taken on Women's Issues 11/23/76-Present" (n.d.), "Metro Women's Law Caucus 11/22/75" Folder, Box 222, Holtzman Papers; *Congressional Record* (10 Dec 1975): 39730.

<sup>1194</sup> Marguerite Rawalt, "The Equal Rights Amendment," *Women in Washington*: 69.

<sup>1195</sup> NOW National ERA March press release (13 Jun 1978), "ERA Extension March, 1978" Folder, Women's Equity Action League (WEAL) Papers (MC 311), Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge MA. Hereafter referred to as WEAL Papers (MC 311).

ERA campaign in the early 1970s, feminist legislators, staffers, and lobbyists conducted a highly coordinated campaign for the bill. In control of the issue, advocates for women's rights carefully maintained a separation between the ongoing abortion debate and the debate over ERA extension on the Hill. In the end, the coalition for ERA extension was far more organized, well-connected within Congress, and cognizant of congressional norms and processes than the opposition.

While Congress had spent the decade passing feminist legislation, opposition to the women's movement had grown at the grassroots. The Equal Rights Amendment, despite its 1972 congressional passage and rapid approval by 35 states, was at the center of this debate.<sup>1196</sup> Radical conservative campaigner Phyllis Schlafly had finally found a cause that would empower her to change the direction of American politics. Her STOP-ERA organization successfully coordinated opposition to the amendment, mobilizing women who dissented from the "radical feminist aims" of the ERA.<sup>1197</sup> Just a few weeks before the pro-ERA march, both New York and New Jersey rejected the amendment, causing media figures to question why the Equal Rights Amendment was "in trouble" and whether its difficult road was the product of broad antipathy to women's rights.<sup>1198</sup> As the *New York Times* asserted, "Nothing has done more to re-fuel the resurgence of right-wing activism than the equal rights movement."<sup>1199</sup> Much had changed since 1972, when passage of the ERA at the state level seemed inevitable.

That backlash was not as visible on the Hill, however. Activities for International Women's Year had included a number of rallies and women's agenda conferences, all of which reinforced feminist networking. New organizations and coalitions continued to emerge through

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<sup>1196</sup> Marguerite Rawalt, "The Equal Rights Amendment," *Women in Washington*: 65.

<sup>1197</sup> For an analysis of Schlafly's anti-ERA campaign, see Donald Critchlow, *Phyllis Schlafly and Grassroots Conservatism: A Woman's Crusade* (Princeton, NJ: Princeton University Press, 2005): 212-42.

<sup>1198</sup> "BBC Television: Not for Women Only #804 'E.R.A.: Is Equality too Much?'" transcript (n.d.), "ERA Extension March, 1978" Folder, WEAL Papers (MC 311).

<sup>1199</sup> John Herbers, "Equal Rights Amendment Is Mired in Confused and Emotional Debate," *New York Times* (28 Mar 1978): 1.

the decade, facilitated by opposition to anti-abortion activism. Meanwhile, support for the amendment bound congresswomen together. As a group, they regularly sent out letters requesting that women's organizations formally endorse the ERA.<sup>1200</sup> In 1977, they formed the Congresswomen's Caucus. The push for ERA extension was a principle reason for the Caucus' formation, and members threw themselves into the campaign immediately.<sup>1201</sup> Newer representatives like Millicent Fenwick had fought for the amendment at the state level and continued to campaign for ratification in their state after arriving on the Hill.<sup>1202</sup> An influx of liberals in the mid-1970s boosted the number of legislators willing to endorse women's rights. And a broad array of feminist legislators and staffers still controlled the judiciary committees responsible for the hearings and initial reports on the amendment.

ERA advocates had to win a number of battles in order to maintain their reputations as representatives of a national women's constituency united in favor of equal rights. The extension battle was not simply about the merits of the Equal Rights Amendment. Testimony needed to convince legislators that Congress could and should establish new rules for constitutional amendment ratification. Congresspersons were unsure about whether and how they could extend the ERA's initial seven year deadline. It was also unclear whether states could rescind their initial votes to ratify the amendment.<sup>1203</sup> Feminists needed to demonstrate that they were winning

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<sup>1200</sup> For an example, see Martha Keys, Margaret Heckler, Gladys Spellman, Millicent Fenwick, Barbara Jordan, Elizabeth Holtzman, Yvonne Burke, Bella Abzug, Patricia Schroeder, Shirley Chisholm, Patsy Mink, Helen Meyner, and Cardiss Collins to Gladys Smith, President of the National Association of Insurance Women (17 Jun 1975), Folder 1, Box 553, Mink Papers.

<sup>1201</sup> Irwin Gertzog, *Congressional Women: Their Recruitment, Behavior, and Integration* (Westport, CT: Praeger, 1995): 186. For a detailed analysis of the Women's Caucus through the 1990s, see Gertzog, *Women and Power on Capitol Hill: Reconstructing the Congressional Women's Caucus* (Boulder, CO: Rienner Publishers, 2004).

<sup>1202</sup> "Fenwick Backs State Equal Rights Amendment" press release (17 Oct 1975), "News Release – Fenwick Backs State Equal Rts Amendment – Oct 17, 1975" Folder, Box 208, Fenwick Papers.

<sup>1203</sup> Four states – Nebraska, Tennessee, Idaho, and Kentucky – had already moved to rescind their former approval of the ERA.

at both the state and the national level. A congressional endorsement would help state activists; without that endorsement, state legislators would perceive the ERA as dead in the water.<sup>1204</sup>

Helpfully, the two members chairing the House and Senate hearings were longstanding supporters of feminist policy. Rep. Don Edwards began House hearings on the ratification extension with the avowal that “this Subcommittee on Civil and Constitutional Rights is among the ERA’s oldest and best of friends here in Congress.”<sup>1205</sup> Sen. Birch Bayh echoed these sentiments, asserting that “We must place no time limit on the pursuit of equality and justice in America today.”<sup>1206</sup> While the constitutional questions would be difficult, feminists could not have had a better set of legislators reviewing their case. The House hearings established a general legal consensus that the ERA was necessary to establish women’s equality. The House’s report on the hearings and subsequent committee deliberations demonstrated that a majority of Judiciary Committee members believed that ratification extension was constitutional.<sup>1207</sup>

Feminist legislators and staffers were essential to the ERA extension bill’s success in the House. The presence of congresswomen and female staffers helped to balance out the all-male subcommittee.<sup>1208</sup> The bill’s sponsor, Rep. Elizabeth Holtzman, arrived regularly to defend her measure.<sup>1209</sup> Rep. Don Edwards, who had provided key support during the first ERA campaign,

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<sup>1204</sup> This argument came up repeatedly during testimony in the House and Senate.

<sup>1205</sup> Don Edwards, U.S. Congress, House, Subcommittee on Civil and Constitutional Rights of the House Committee on the Judiciary, *Hearings on Equal Rights Amendment Extension*, 95<sup>th</sup> Cong., 1<sup>st</sup> & 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1978): 1.

<sup>1206</sup> Birch Bayh, U.S. Congress, Senate, Subcommittee on the Constitution of the Senate Committee on the Judiciary, *Hearings on Equal Rights Amendment Extension*, 95<sup>th</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1979): 2.

<sup>1207</sup> House of Representatives, *Report on the Proposed Equal Rights Amendment Extension*, Report No. 95-1405, 95<sup>th</sup> Cong., 2<sup>nd</sup> Sess. (1 Aug 1978). The committee voted nineteen to fifteen to approve the bill unencumbered by riders legitimizing rescission or requiring a presidential signature.

<sup>1208</sup> Reps. Elizabeth Holtzman and Margaret Heckler regularly attended hearings, although Holtzman was more likely to question testifiers. Rep. Barbara Jordan appeared to testify for the bill. Three of the four committee staffers who attended the hearings were overwhelmingly female./ U.S. Congress, House, Subcommittee on Civil and Constitutional Rights of the House Committee on the Judiciary, *Hearings on Equal Rights Amendment Extension*, 95<sup>th</sup> Cong., 1<sup>st</sup> & 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1978).

<sup>1209</sup> Ibid.

leaned heavily on his feminist committee staffers Catherine LeRoy and Janice Cooper.<sup>1210</sup> As NWPC lobbyist Ann Kolker noted, “To them, the measure was not just another bill on the committee’s calendar.”<sup>1211</sup> LeRoy carefully questioned witnesses during the House hearings. She also provided committee materials to Arvonne Fraser, who could then inform other representatives of women’s organizations.<sup>1212</sup> Meanwhile, Holtzman’s aide Leah Wortham worked to maintain a network of ERA supporters in the congressional leadership.<sup>1213</sup> After the hearings concluded and the committee voted to send the bill to the floor unencumbered, the committee drew up a report designed to convince the Senate that extension was both necessary and constitutionally permissible.<sup>1214</sup>

This insider work supplemented the unprecedented mobilization of women outside the halls of Congress. The march to support extending the ERA’s ratification period was the largest feminist parade in history. Organizers had, in the words of NOW president Eleanor Smeal, planned “a spectacular event that will stir the emotions of all who value human dignity and equal justice under the law,” and this was exactly what they got.<sup>1215</sup> Thousands of protestors arrived on the Hill, numerous feminist legislators amongst them.<sup>1216</sup> The WEAL delegation included former and current congressional staffers.<sup>1217</sup> Nearly all of Congress’ female legislators appeared on the Capitol’s steps to speak in favor of the amendment.<sup>1218</sup> The march was covered favorably

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<sup>1210</sup> Both women worked on the House Judiciary Subcommittee on Constitutional Amendments

<sup>1211</sup> Ann Kolker, “Women Lobbyists,” *Women in Washington*: 216

<sup>1212</sup> Note from Jessie to Cris (6 Jul 1978), “ERA Extension March, 1978” Folder, Carton 3, WEAL Papers (MC 311).

<sup>1213</sup> Ann Kolker, “Women Lobbyists,” *Women in Washington*: 216.

<sup>1214</sup> House of Representatives, *Report on the Proposed Equal Rights Amendment Extension*, Report No. 95-1405, 95<sup>th</sup> Cong., 2<sup>nd</sup> Sess. (1 Aug 1978).

<sup>1215</sup> Eleanor Smeal to ERA Supporter (23 Mar 1978), “ERA Extension March, 1978” Folder, WEAL Papers (MC 311).

<sup>1216</sup> See materials in “ERA Campaign – NOW and the ERA – Marches, rallies, other events: Washington, D.C.” Folder, Box ERACAP Papers.

<sup>1217</sup> Note from Jessie to Cris (6 Jul 1978), “ERA Extension March, 1978” Folder, WEAL Papers (MC 311).

<sup>1218</sup> Marguerite Rawalt, “The Equal Rights Amendment,” *Women in Washington*: 69.



in a number of major newspapers.<sup>1219</sup> A number of these stories noted that there was no planned counter demonstration planned; Phyllis Schlafly called instead for a day of prayer<sup>1220</sup>

Feminists easily extended this mobilization into the halls of Congress, as they followed up the Mall march with a day of lobbying. The mission was clear. As one instruction sheet noted, “Congresspeople must see us crowding their halls and offices.”<sup>1221</sup> Kris Blackwood worked for the extension as a staffer for Sen. Barbara Mikulski and as a Women’s Lobby lobbyist.<sup>1222</sup> Reusing tactics that had worked in 1972, extension advocates were briefed in the morning and then released, lobbying kits in hand.<sup>1223</sup> They carried stacks of pro-ERA letters collected in their home districts.<sup>1224</sup> Still capable of generating enormous amounts of mail, feminist lobbyists funneled mail in favor of extension – one day totaling 90,000 telegrams – to uncertain legislators or congressmen in positions of power.<sup>1225</sup> Anti-ERA activists simply could not produce the same volume of mail.

The hearings and subsequent mobilization of thousands of women reestablished Congress’ belief that feminism was a mainstream movement. Numerous legislators decried what Rep. Robert Drinan (D-MA) called the “national campaign of distortion” used by Phyllis

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<sup>1219</sup> Karen De Witt, “100,000 Join March for Extension of Rights Amendment Deadline,” *New York Times Special Supplement* (10 Jul 1978): 11.

<sup>1220</sup> Leslie Bennetts, “Supporters of the Equal Rights Amendment Gathering for March in Washington,” *New York Times* (7 Jul 1978): A10 (accessed 18 Mar 2014).

<sup>1221</sup> Liz Neeley to NOW Chapter Presidents (26 Jun 1978), “ERA Campaign – NOW and the ERA – Marches, rallies, other events: Washington, D.C.” Folder, Box ERACAP Papers.

<sup>1222</sup> Carol Burris and Maureen Whalen to Bella S. Abzug (2 Mar 1979), “Organizations: Women USA” Folder, Gloria Steinem Papers, Sophia Smith Archives, Smith College, Northampton, MA.

<sup>1223</sup> Eleanor Smeal to ERA Supporter (23 Mar 1978), “ERA Extension March, 1978” Folder, WEAL Papers (MC 311).

<sup>1224</sup> Eleanor Smeal and Jane Wells-Schooley to NOW Activist (7 Jun 1978), “ERA Campaign – NOW and the ERA – Marches, rallies, other events: Washington, D.C.” Folder, Box ERACAP Papers.

<sup>1225</sup> The NWPC office coordinated much of this activism via Women’s Action Alliance. The Alliance was an organization that networked between various women’s groups across the nation. For ERA extension materials, see “Administration Staff: Washington, D.C. staff position – Lobbying log, 1978” Folder, Series II, Women’s Action Alliance Records, Sophia Smith Archives, Smith College, Northampton, MA.

Schlaflly's STOP-ERA group and other anti-feminist campaigners.<sup>1226</sup> These tactics contrasted with the feminist movement's more traditional lobbying approach. The most controversial tactic was a pro-ERA economic boycott. Movement leaders had decided not to hold any feminist conventions in states that had not yet ratified the amendment. Politicians from Illinois were particularly incensed that the boycott was depriving their state of revenue. Yet most congresspersons considered this maneuver to be well within the bounds of good politicking, even if some of them thought that the boycott was backfiring.<sup>1227</sup> Support for the amendment remained bipartisan and spanned a wide number of religious organizations.<sup>1228</sup> Many legislators who opposed the measure did so because they thought that the extension would hurt the ERA's chances at the state level.<sup>1229</sup>

Personal relationships helped ERA advocates extend their activism into the Senate. Staffers from a number of congresswomen's offices coordinated staffer support for the bill. Mikulski aide Janet Howes, and Sen. Birch Bayh's staffer Barbara Dixon organized meetings for "committed and concerned staffers." These meetings produced insider information on which legislators were on the fence, and this information could then be shared with other advocates and

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<sup>1226</sup> Congresspersons generally had disdain for anti-ERA arguments, which they viewed as dishonest, and anti-ERA activism, which they distrusted as baseless. Legislators also distrusted the movement's reach, especially since Phyllis Schlafly could not tell the committee how many members belonged to her STOP ERA campaign. For the quotation, see Drinan, U.S. Congress, House, Subcommittee on Civil and Constitutional Rights of the House Committee on the Judiciary, *Hearings on Equal Rights Amendment Extension*, 95<sup>th</sup> Cong., 1<sup>st</sup> & 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1978): 255.

<sup>1227</sup> Ibid: 223-25; 327-28.

<sup>1228</sup> Religious organizations submitting letters and testimony in favor of the ERA included the Adrian Dominican Sisters, American Baptist Churches, the American Jewish Congress, the Lutheran Church in America, Mission Helpers of the Sacred Heart, Mormons for the ERA, the Presbyterian Church in the United States, Unitarian-Universalist Women, the Thomas Merton Center, the United Church of Christ, and Womanspace, an organization run by nuns. Groups submitting anti-extension materials included the Pro Family Forum and the National Council of Catholic Women. See U.S. Congress, Senate, Subcommittee on the Constitution of the Senate Committee on the Judiciary, *Hearings on Equal Rights Amendment Extension*, 95<sup>th</sup> Cong., 2<sup>nd</sup> Sess. (Washington, D.C.: GPO, 1979).

<sup>1229</sup> Of the supplementary views submitted by committee members, Reps. Volkmer, McClory, and Railsback supported the amendment. Reps. Wiggins, Butler, Hyde, Ashbrook, Evans, and Kindness were fundamentally opposed to the ERA. See House of Representatives, *Report on the Proposed Equal Rights Amendment Extension*, Report No. 95-1405, 95<sup>th</sup> Cong., 2<sup>nd</sup> Sess. (1 Aug 1978). These views were widespread. Many other legislators opposed the extension because they thought that an extension legitimized rescissions. See NOW News (n.d.), Folder 6, Carton 52, NOW Papers.

lobbyists for women's rights on the Hill.<sup>1230</sup> Meanwhile, Sharon Percy Rockefeller, the daughter of Sen. Charles Percy (R-IL) and the wife of the governor of West Virginia, was an outspoken member of the NWPC board. A West Virginia resident, Rockefeller spoke with Senate Majority Leader Robert Byrd every time he visited the constituency, in order to impress upon him the need to hold hearings.<sup>1231</sup> Byrd's support eventually ensured that the extension bill moved to the Senate under rules limiting debate, a decision that prevented filibustering by ERA opponents.

Arguments for the extension bill demonstrated the new legitimacy of policies to advance women's equality. In the aftermath of the Senate hearings, Sen. Edward Brooke demanded that the Congress consider the bill immediately and remain in session until ERA extension was approved. Brooke successfully argued that ERA extension "transcended" other issues facing Congress, including traditionally high-priority policies like energy and taxation.<sup>1232</sup> These arguments carried the bill smoothly through floor debate in both the House and the Senate. Comments like Rep. Gillis Long's (D-LA) repeatedly surfaced: "All I need to do is think of my mother – of my wife – of my daughter, and ask myself whether I want the same legal rights and responsibilities for them that I want for my son and for myself. The answer is 'yes.'"<sup>1233</sup> Again and again, the ERA was described as one necessary step along the America's path to greater gender equality.

Senators and representatives interpreted this internal pressure as representative of nationwide support for the Equal Rights Amendment. Looking into the galleries, they saw Phyllis Schlafly heavily outnumbered by the dozens of pro-ERA women dressed in white.<sup>1234</sup> As

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<sup>1230</sup> Ann Kolker, "Women Lobbyists," *Women in Washington*: 216.

<sup>1231</sup> Byrd apparently would only meet with West Virginia constituents, making lobbying more difficult. Ann Kolker, "Women Lobbyists," *Women in Washington*: 211.

<sup>1232</sup> Steve Gerstel, "Brooke Sees Bill on ERA as Top Issue," *City News* (27 Sep 1978): 14, "ERA Extension" Folder, Ms. Magazine Papers.

<sup>1233</sup> Gillis Long, *Congressional Record* (15 Aug 1978): 26196.

<sup>1234</sup> John H. Averill, "'ERA Extension Wins Final OK in Congress,'" *Los Angeles Times* (7 Oct 1978): A1.

Rep. Elizabeth Holtzman summarized, “Try as they might, Schlafly’s forces couldn’t succeed in Congress. We were inside the chambers, catching members as soon as the right wing talked to them, making sure that they were still on our side.”<sup>1235</sup> Legislators uniformly supported the amendment through the decade. Arguments against abortion barely surfaced during debate over the amendment. Having defined the boundaries of debates over women’s issues in Congress for years, feminist legislators and staffers remained in control of the ERA extension debate.

## Conclusion

In the aftermath of congressional approval, NWPC lobbyist Ann Kolker declared that “Coalition building reached its zenith with the ERA extension effort in 1978.”<sup>1236</sup> The Hill conversation over ERA ratification extension illustrates the differences between the seemingly sudden turn against the ERA at the state level and the strengthening support for the amendment at the congressional level. While anti-ERA campaigners had made substantial inroads across the nation, they had a long way to go within the national legislature, where feminists had spent nearly a decade building relationships, accumulating IOUs, and shaping legislators’ perceptions of and opinions on the women’s movement and its policy goals. Capitol Hill feminists understood that they would need to dig in their heels just to maintain the advances achieved during the 1970s.<sup>1237</sup> Leaning on the emergence of a voting gender gap, Hill women maintained the legitimacy and importance of women’s issues in Congress.<sup>1238</sup>

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<sup>1235</sup> Elizabeth Holtzman, *Who Said It Would Be Easy?: One Woman’s Life in the Political Arena* (New York: Arcade Publishing, 1996): 206.

<sup>1236</sup> Ann Kolker, “Women Lobbyists,” *Women in Washington*: 219.

<sup>1237</sup> Talking about the women’s movement and feminist policymaking, Rep. Millicent Fenwick reflected that “I don’t think we understood enough that change is terrifying.” Millicent Fenwick, notes from Interview #2 (15 Aug 1977), Millicent Fenwick Interviews, Folder 1, Box 1, Lamson Papers.

<sup>1238</sup> For information on the increased reliance on the voting gender gap in the 1980s, see Costain, *Inviting Women’s Rebellion*: 98-104.

The 1980s would bring enormous tests for the feminist coalition within Congress. Even in 1978, Martha Griffiths' friend and former BPW president Virginia Allan was actively worrying that without "the powerful network here in Washington, we're in deep trouble."<sup>1239</sup> Two years later, a number of key supporters left the Hill. The Democratic Party lost control of the Senate. Importantly, both Sens. Birch Bayh and Edward Brooke lost their 1980 re-election bids. Brooke had been the most outspoken pro-choice senator other than Robert Packwood, and Bayh's departure left the Senate Judiciary Committee's Subcommittee on the Constitution to the deeply conservative Sen. Orrin Hatch (R-UT). The full committee chairmanship went to staunch anti-feminist Sen. Strom Thurmond (R-SC). The anti-abortion lobby also proved that it could unseat its opponents with astonishing speed. And then there was Ronald Reagan, the first president to campaign on a platform that included a constitutional amendment to ban abortion.<sup>1240</sup>

However, advocates for women's rights had amassed sizable resources by the beginning of the 1980s. By 1978, the women's network had consolidated into the Washington Women's Network (WWN), a large, informal, self-described "old girl network." In part, this was an effort to maintain connections as the Carter Presidency moved a number of Hill feminists into the executive.<sup>1241</sup> The group attempted to build on the networking principles that had facilitated feminist policy through the decade, organizing and hosting policy seminars, co-hosting wine and cheese receptions, conducting staffer-led Hill briefings, and organizing lunches where speakers

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<sup>1239</sup> Taped interview with Virginia Allan (Washington, D.C.: 31 Jan 1978), Box 59, Martha Griffiths Papers, Bentley Historical Library, University of Michigan, Ann Arbor, MI. During this period, Allan was in charge of the Graduate School Women's Studies Program at George Washington University.

<sup>1240</sup> Karen Mulhauser to "Dear Friend" (n.d.), "WWPF Documentary – Congress, Abortion" Folder, Box 5, Equal Rights Amendment Campaign Archives Project (ERACAP) Records, Sophia Smith Archives, Smith College.

<sup>1241</sup> The network was the brainchild of Arvonne Fraser and Irene Tinker, proposed in a memo sent to "women appointees inside government and some members/officers/representatives of women's groups and some Hill women and others..." See Fraser and Tinker, memo on women's network in Washington (networks?) (20 Dec 1977), "WWN – 1977-1978" Folder, Box 63, A. Fraser Papers. The group was called the "old girl network" in most documents.

like Rep. Barbara Mikulski or CBO head Alice Rivlin could share information.<sup>1242</sup> When she took over as legislative director of the NWPC in 1983, Catherine East cited the importance of people like WEAL lobbyist Pat Ruess, who “helped us get plugged in to the different coalitions and information networks from the very beginning.” Noting the breadth of the women’s network, East marveled that “There is expertise all over town.”<sup>1243</sup>

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<sup>1242</sup> On proposed WWN seminars, see “WWN Policy Seminars” (n.d.), “WWN – 1979” Folder, Box 63, Arvonne Fraser Papers, Minnesota Historical Society. For information on other activities, see Washington Women’s Network Steering Committee Meeting at Donna Shalala’s Summary (28 Dec 1978), “WWN – 1979” Folder, Box 63, A. Fraser Papers. By the late 1970s, feminist coalition-building meant the involvement of hundreds rather than dozens of women. WWN grew rapidly – by 1979 it contained nearly 700 dues-paying members – and ranged across so many federal arenas that it sometimes struggled to mobilize on behalf of women’s equity legislation, instead crystalizing into a network used for individual and work purposes. See Washington Women’s Network Steering Committee Meeting at Donna Shalala’s Summary (28 Dec 1978), “WWN – 1979” Folder, Box 63, A. Fraser Papers.

<sup>1243</sup> Quoted in Anne N. Costain and W. Douglas Costain, “Strategy and Tactics of the Women’s Movement in the United States: The Role of Political Parties,” *The Women’s Movements of the United States and Western Europe: Consciousness, Political Opportunity, and Public Policy*, ed. Mary Fainsod Katzenstein and Carol McClurg Mueller (Philadelphia: Temple University Press, 1987): 204-05.

## Epilogue

The Washington I came to in 1961 was known as a ‘man’s town,’ and that’s exactly what it was. Now, a generation later, thanks to epochal political and social upheavals, I believe it could be called a recovering man’s town, but still a man’s town. – Meg Greenfield, 2001<sup>1244</sup>

To get Bob Dole to do the right thing, we have to step over the body of Sheila Burke. . . . [She is] a feminist who has mastered the art of manipulating the Senate majority leader. Men of his generation don’t know how to handle aggressive women of a younger generation. – Paul Weyrich, 1995<sup>1245</sup>

In November of 1995, the *New York Times Magazine* ran a story on “the campaign to demonize” Senate Majority Leader Bob Dole’s (R-KS) chief of staff Sheila Burke.

Conservatives had begun attacks on Burke earlier that year, labelling her a “militant feminist” who was running roughshod over her employer. Defending herself against charges that she was, as Phyllis Schlafly put it, “Hillary Lite,” Burke asserted that “I’m strong-willed and I’m independent, and I see women as fully capable as men of doing anything they choose. I’m not in the least apologetic about any of that.” In reality, Burke was a pro-choice fiscal conservative, someone more moderate than but fiercely loyal to Dole, whom she saw as “a legislator in the finest sense of the word.”<sup>1246</sup> Neither she nor Bob Dole was confused about who made the decisions in a congressional office. But Burke was outspoken, and Sen. Dole clearly took her opinions seriously. This fact disturbed far-right conservatives; they understood that on Capitol Hill, staffers wielded considerable policymaking power.

But the far right had caught on too late. Burke was a symptom of broader, historically-grounded set of processes that had remade the Hill from the ground up. From the Legislative Reorganization Act of 1970 forwards, female wives, staffers, and legislators had challenged and

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<sup>1244</sup> Meg Greenfield, *Washington* (Public Affairs, 2001): 114.

<sup>1245</sup> Jason DeParle, “Sheila Burke Is the Militant Feminist Commie Peacenik Who’s Telling Bob Dole What to Think,” *New York Times Magazine* (12 Nov 1995): SM32 (accessed 27 Apr 2014).

<sup>1246</sup> Burke started out as a Democrat on the left side of the party, but moved rightwards over time. See Ibid; Elizabeth Kolbert and Adam Nagourney, “Staff Turmoil Seems a Staple of Dole’s Management Style: A Political Life,” *New York Times* (15 Sep 1996): 1.

changed a wide variety of congressional practices that prevented them from doing their jobs to the fullest. Women had demanded small changes to their own offices. Staffers had worked collectively for civil rights, equal pay, and freedom from sexual harassment. And others had worked to research, write, and lobby for legislation. When combined, these efforts had pushed Congress to recognize and address sex discrimination as a real problem. This recognition led legislators and staffers to slowly change how they dealt with female staffers, especially those who voiced support for women's equality.

Conversations about gender equity in congressional employment persisted through the 1980s and 1990s. In discussing the need for congressional child care facilities in 1983, congresspersons explicitly recognized their role as employers of staff. As Sen. Charles Mathias (R-MD) noted "it is important to recognize that we [the Senate] have a dual role. The Senate of the United States is a legislature and we are an employer. . . . We are providing for our employees an employee benefit which is comparable to that given in private industry."<sup>1247</sup> Both the House and Senate established child care facilities by the mid-1980s.<sup>1248</sup> By the 1990s, Congress had an official policy on sexual harassment, authored by the Capitol Hill Women's Political Caucus (CHWPC).<sup>1249</sup> In the 2000s, Congress established lactation rooms, which new mothers deemed the most bipartisan spaces on Capitol Hill.<sup>1250</sup>

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<sup>1247</sup> Charles Mathias, *Congressional Record – Senate* (14 Nov 1983): S 16081.

<sup>1248</sup> The House established their center in 1980, and the Senate followed in 1984. For materials on the history of congressional child care facilities, see materials in "Child Care Facility" Folder, Office of the Architect of the Capitol, Washington, D.C. These facilities are still available and very affordable, but the wait line is long. See Rebecca Gale, "Adventures in Babysitting: Getting in the House Day Care," *Roll Call* (7 May 2014), <http://blogs.rollcall.com/hill-navigator/congressional-daycare-house-daycare-adventures-in-babysitting/?dcz=> (accessed 13 May 2014).

<sup>1249</sup> Though the legislature continued to avoid passing enforcement mechanisms, the policy's existence was significant. Providing a clear, thorough definition of harassment as anything from unwanted verbal attention to rape, the policy explained that harassment was a method of exerting power over others, noting that while most harassers were heterosexual men who "have attained a level of public respectability," "men or women of any sexual orientation may be harassers." The policy also turned concern about Congress' reputation on its head, arguing that harassment "undermines the credibility, reputation and performance of the United States Congress as an institution." See "Sexual Harassment Policy, 103<sup>rd</sup> Congress," "CHWPC Press Releases" Folder, NWPC Papers, Schlesinger



And in 1995, House Speaker Newt Gingrich's (R-GA) "Contract with America" would bring congressional offices under the umbrella of civil rights legislation. The Congressional Accountability Act was the first item from new Speaker Newt Gingrich's Contract with America successfully passed by Congress. The new law implemented ten major civil rights and workplace safety laws in the congressional workplace. For the first time, employees obtained legal recourse under Title VII of the 1964 Civil Rights Act, could organize to form unions and bargaining units under the Civil Service Reform Act of 1978, and could charge their employers with age and disability discrimination. Women specifically benefitted from the inclusion of 1993's Medical and Family Leave Act, which provided unpaid leave for illness, pregnancy, and care of newborn children.<sup>1251</sup> While the Congressional Accountability Act was still a self-policing measure, these were steps in the right direction.<sup>1252</sup>

Meanwhile, female staff continued to perform their role as local advocates for a national constituency of women. As political scientists Cindy Simon Rosenthal and Lauren Cohen Bell

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Library, Radcliffe Institute. Numerous sexual harassment scandals emerged in the 1990s, as talking about harassment became less stigmatized. The most prominent target of accusations was Sen. Robert Packwood, who had championed the CHWPC sexual harassment guidelines in 1991. See Florence Graves, "Packwood Accused of Sexual Advances," *The Washington Post* (22 Nov 1992): A1.

<sup>1250</sup> Then Speaker of the House Nancy Pelosi (D-CA) spearheaded the push to establish these lactation rooms. See Ashley Parker, "For Capitol's Nursing Mothers, an Escape from Politics," *New York Times* (1 Jan 2011): [http://www.nytimes.com/2011/01/02/us/02lactation.html?\\_r=2&scp=1&sq=nursing%20mothers&st=cse&](http://www.nytimes.com/2011/01/02/us/02lactation.html?_r=2&scp=1&sq=nursing%20mothers&st=cse&) (accessed 13 May 2014). These rooms remain highly popular today. Rebecca Gale, "The Other Backroom: Breast-Feeding on the Hill," *Roll Call* (2 Feb 2014): [http://www.rollcall.com/news/the\\_other\\_backroom\\_breast\\_feeding\\_on\\_the\\_hill-230598-1.html](http://www.rollcall.com/news/the_other_backroom_breast_feeding_on_the_hill-230598-1.html) (accessed 13 May 2014).

<sup>1251</sup> A good overview of this bill can be found in "Changes on the Hill: Republicans Seek Compliance," *Washington Post* (5 Jan 1995): A27.

<sup>1252</sup> If employees did not have the time or money to go through the courts, they still had to pursue discrimination claims through an internal compliance office rather than an outside agency like the EEOC. Robert F. Turner, "Skirting the Law on Capitol Hill," *Washington Post* (5 Feb 1995): C3. It is also unclear the extent to which congressional employees could obtain overtime pay. See Adam Clymer, "Capitol Staffs Find Overtime Is Hard to Get," *New York Times* (4 Mar 1996): A11. The institution of Congress (and thus the taxpayers, rather than legislators) footed the bill for any damages awarded to wronged employees. This fact was supposed to bolster the argument that elections would provide a voter check on bad employer practices. See also Jack Anderson and Michael Binstein, "No-Fault Accountability for Congress," *Washington Post* (30 Jan 1995): C17. None of these problems were lost on congressional employees. For congressional employee mistrust, see Karen De Witt, "Capitol Workers Skeptical of Labor Bill," *New York Times* (23 Jan 1995): A12. These holes demonstrated that Gingrich's intent may have been less about protection of congressional employees and more a political ploy designed to undermine voters' confidence in congressional offices while creating extra barriers for civil rights bills.

have demonstrated, female aides worked to diversify new hiring for personal and committee offices and bring more women into Congress in policymaking positions. Simultaneously, numerous female staffers reminded male legislators that they needed to consider women when researching and drafting policy.<sup>1253</sup> Congress continued to produce feminist legislation, building on research and policy bases established in the 1970s. Most notably, the Violence against Women Act (VAWA) emerged from a policymaking community dominated by women. Female staffers and lobbyists for the bill demonstrated antipathy towards male participants in policy meetings, ensuring that most women would retain control over the measure. By cutting more powerful men out of the process, this approach lowered the prestige of working on the bill. But women's almost total control over the bill's content had positive ramifications. As one female staffer noted, "I feel personally interested in this issue. My boss has a very good record on women's issues – almost perfect. But I know . . . that he's not very engaged in it."<sup>1254</sup>

These comments reveal both how far women had come since the 1960s and how little had changed on the Hill, despite years struggling to make women full players in congressional politics. Female legislators still comprise less than nineteen percent of the U.S. Congress.<sup>1255</sup> And female policymakers are still treated as anomalies. Confronted with a comment about how women's presence "spiffs up the place," Rep. Leslie Byrne (D-VA) drily replied "Yup, chicks in Congress."<sup>1256</sup> Meanwhile, women have made gains on congressional staffs, but still occupy around thirty percent of key policymaking positions and, on average, make several thousand

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<sup>1253</sup> Cindy Simon Rosenthal and Lauren Cohen Bell, "From Passive to Active Representation: The Case of Women Congressional Staff," *Journal of Public Administration Research and Theory* 13:1 (2003): 65-82. Reprinted in

<sup>1254</sup> Quoted in *Ibid*: 75.

<sup>1255</sup> In the 113<sup>th</sup> U.S. Congress, women hold 99 seats, comprising 18.5% of the 535 seats in the legislature. Women hold 20 seats in the Senate (20% of the 100 available seats) and 79 seats in the House (18.2% of the available 435 seats). See Center for American Women and Politics, "Women in the U.S. Congress 2014" Fact Sheet, available at [http://www.cawp.rutgers.edu/fast\\_facts/levels\\_of\\_office/documents/cong.pdf](http://www.cawp.rutgers.edu/fast_facts/levels_of_office/documents/cong.pdf) (accessed 13 May 2014).

<sup>1256</sup> Leslie Byrne, quoted in Rich Heidorn, "Capitol Offense: No Longer Darlings, Congress' Women Look Ahead," *Chicago Tribune* (16 Oct 1994): Women's News, 5.

dollars less than their male counterparts.<sup>1257</sup> Male and female staffers remain concerned about reporting sexual harassment.<sup>1258</sup> In the 1990s, one staffer observed the “persistent problem of discrimination against women on Capitol Hill.”<sup>1259</sup> That problem endures.

Yet the past and current struggles of women offered a model for all minority groups, who mobilized on their own behalf from the 1980s forwards. The political was personal for every Hill staffer. The Senate’s gay, lesbian, bisexual, and transgender caucus came together in 2004 during debates over the unsuccessful Federal Marriage Amendment, which would have constitutionally restricted marriage to unions between one man and one woman. This coalescence was also partially defensive; as with feminists, the Far Right went after staffers, harassing them with personal and office phone calls and publicly outing them to their bosses and the public.<sup>1260</sup> Creating a caucus was also the best defense for the Muslim community, which created its own staffers association in the aftermath of September eleventh and then had to endure a public campaign<sup>1261</sup> Hispanics, the deaf, members of the Asian Pacific community, and blacks all have

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<sup>1257</sup> Reporter Jolynn Shoemaker argues that pay disparities are largely due to the fact that men more frequently assume the positions with power and higher salaries. See Shoemaker, “An Up(Hill) Climb for Women on Congressional Staffs,” *Roll Call* (4 Apr 2014): <http://www.rollcall.com/news/an-uphill-climb-for-women-on-congressional-staffs-commentary-231945-1.html> (accessed 13 May 2014).

<sup>1258</sup> For the low reporting numbers, see the Office of Compliance, “State of the Congressional Workplace: A Report on Workplace Rights, Safety, Health, and Accessibility under the Congressional Accountability Act” Annual Report FY 2012, available at <http://www.compliance.gov/wp-content/uploads/2013/09/Office-of-Compliance-FY-2012-Annual-Report.pdf> (accessed 13 May 2014). Legislators suspect that the numbers are much higher than the two percent of employees who report sexual harassment. See Hannah Hess, “House Approves Funding for Sexual Harassment Training to End ‘Mad Men-Style Antics,’” *Roll Call* (1 May 2014): <http://blogs.rollcall.com/hill-blotter/house-approves-mandatory-sexual-harassment-training-to-end-mad-men-style-antics/?dcz=> (accessed 13 May 2014).

<sup>1259</sup> Quotation from Karen Foerstel and Herbert N. Foerstel, *Climbing the Hill: Gender Conflict in Congress* (Westport, CT: Praeger Publishers, 1996): 159.

<sup>1260</sup> The Caucus is called the Gay, Lesbian and Allies Senate Staff Caucus. See Rebecca Gale, “For Gay Staffers, a Changing Capitol Hill,” *Roll Call* (10 Jun 2014): [http://blogs.rollcall.com/hill-navigator/glass-caucus-founders-look-back-and-forward/?dcz=&utm\\_source=outbrain&utm\\_medium=widget&utm\\_campaign=obclick&obref=obin site](http://blogs.rollcall.com/hill-navigator/glass-caucus-founders-look-back-and-forward/?dcz=&utm_source=outbrain&utm_medium=widget&utm_campaign=obclick&obref=obin site) (accessed 14 Jul 2014).

<sup>1261</sup> Bridget Bowman, “Muslims on Capitol Hill: Staffers Look to Rebuild,” *Roll Call* (21 Jul 2014): <http://blogs.rollcall.com/hill-blotter/congressional-muslim-staff-association/?dcz=> (accessed 28 Jul 2014). Muslims on congressional staffs were named in P. David Gaubatz and Paul Sperry, *Muslim Mafia: Inside the Secret Underworld That’s Conspiring to Islamize America* (Los Angeles, CA: WND Books, 2009). Though much of

caucuses. Together, they are still working to push Congress towards a local diversity that could more accurately represent the diversity of the United States.<sup>1262</sup>

Conservatives would not succeed in forcing Sheila Burke out of her position on the Hill. The slow-moving culture of Congress was not exactly supportive of feminism. But regardless of sex, Congress protects its own. Noting that he had previously worked for two very conservative legislators, former staffer A.J. Montgomery wrote in to the *New York Times* to defend Sheila Burke, declaring “A pox on the Paul Weyrichs and their motley network of conservative idiots.”<sup>1263</sup> Indeed, Burke was a bit of an institution on the Hill. She had begun her congressional career as a legislative staffer on the Senate Finance Committee in 1978 and married Sen. Dole’s first chief of staff during that period.<sup>1264</sup> After working her way up the ladder to Deputy Chief of Staff of the committee, she moved to a position as Majority Leader Dole’s chief of staff in 1985. After Sen. Robert Dole’s decision to resign his seat and run for the presidency, Sheila Burke was elected to the prestigious position of Secretary of the Senate, where she oversaw the daily operations of the U.S. Senate.<sup>1265</sup>

By 1995, Sheila Burke’s opinions about the equal strength of women were not unusual in the U.S. Congress. This new environment was the product of years of work on the part of female staffers who were equally dedicated to women’s rights and the institution of Congress. The same year that she was under conservative attack, Burke helped to organize a CHWPC forum on the work of female chiefs of staff. There, audience questions gravitated towards queries about the

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Congress mobilized in defense of its staffer population, the introduction to *Muslim Mafia* was written by Rep. Sue Myrick (R-NC).

<sup>1262</sup> Emily Yehle, “Hill Offices Seek Progress in Diversity,” *Roll Call* (1 Mar 2010): [http://www.rollcall.com/issues/55\\_95/-43641-1.html](http://www.rollcall.com/issues/55_95/-43641-1.html) (accessed 28 Jul 2014).

<sup>1263</sup> A.J. Montgomery to the Editor, *New York Times* (3 Dec 1995): SM20.

<sup>1264</sup> Bob Woodward, *The Choice: How Bill Clinton Won* (Simon & Schuster, 2007): 172.

<sup>1265</sup> Elizabeth Kolbert and Adam Nagourney, “Staff Turmoil Seems a Staple of Dole’s Management Style: A Political Life,” *New York Times* (15 Sep 1996): 1. See biographical data on Sheila Burke at <http://bipartisanpolicy.org/about/staff/sheila-burke-0> (accessed 14 May 2014).

extent of sexual and racial discrimination on the Hill.<sup>1266</sup> Donna Brazile, chief of staff for Delegate Eleanor Holmes Norton (D-DC), exhorted audience members to call out racism and sexism when they saw it. And she related a story about making the male legislative director in her office “one of the girls.” By 1995, this man was working late to educate himself on women’s issues, which he “would probably not have touched five years ago.”<sup>1267</sup> Female staffers are still working hard to change the culture of Congress. In 2008, a bipartisan group of four female staffers formed the Women’s Congressional Staff Association to provide female mentorship for women new to the Hill.<sup>1268</sup> After all, as they and Meg Greenfield know, Congress is currently “a recovering man’s town, but still a man’s town.”<sup>1269</sup>

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<sup>1266</sup> Echoing staffers’ sentiments twenty years earlier, Rep. Jim Kolbe’s (R-AZ) AA Laura Fenton asserted that she had not personally experienced discrimination, but many of her female friends and acquaintances had. Fenton attributed her freedom from sex discrimination to the way in which she “carried and conducted” herself. She noted that she “could be very much a lady, but I don’t take any prisoners either.” See 22:00-23:29 of “Capitol Hill Women Chiefs of Staff” C-SPAN2 TV Program (12 Jul 1995), available at <http://www.c-span.org/video/?66109-1/capitol-hill-women-chiefs-staff> (accessed 14 May 2014). Donna Brazile noted that she had not been subjected to sex discrimination in her office either, but noted that both blacks and women were underrepresented on the Hill. She told the audience that she had recently been in a meeting with “several hundred men, I felt like,” in which she was one of two blacks and one of two women. These two exceptions were Brazile and her boss, Eleanor Holmes Norton. See 23:30-25:07.

<sup>1267</sup> Ibid: 42:45-45:18. Brazile was pushing against Laura Fenton’s response to a question about discriminatory gender norms. Fenton was uncomfortable with older members who called women “honey” or “babe,” but could not “fault them” because “it may not be malicious, it may not be discriminatory in its direction.” Fenton believed that younger members would “change an institution that’s slow to change.” See minutes 41:05-42:44.

<sup>1268</sup> The history of the Women’s Congressional Staff Association is briefly described at <http://www.womenscsa.com/history> (accessed 13 May 2014). The organization was preceded by the establishment of the Women’s Information Network in 1989, but this previous group is limited to pro-choice Democratic women. See “The WIN Story” at <http://www.winonline.org/section.php?id=15> (accessed 15 May 2014).

<sup>1269</sup> Meg Greenfield, *Washington*: 114.