



November 2020 CWI Newsletter <https://womensclearinghouse.org>

Invitation to CWI Zoom Meeting, Tuesday, November 17, 2020 (12:00-1:30 PM)

Feminist Priorities in the Biden/Harris Administration

Tuesday, November 17, 2020

12:00-1:30 pm via Zoom

Registration Link:

<https://us02web.zoom.us/meeting/register/tZEvdOivpiliE9LImRm0GXDs0VuPbbIJAzt8>

The election is over and the country is holding its breath as we move into a new era in the government. What the change of administration (and the election of the first woman Vice President) mean for feminist goals and aims? The CWI will explore the areas of health, economics and education as well as the process the transition team will utilize to nominate new leaders in these policy areas to accomplish the vision developed in the Biden Agenda for Women (<https://joebiden.com/womens-agenda/#>)

Meeting speakers:

Ben Strand, from Senator Mazie Hirono's office (D-HI), will discuss the Patsy T. Mink and Louise M. Slaughter Gender Equity Education Act, (GEEA), which Senator Hirono reintroduced during the 116th Congress (2019-2020) with Representative Doris Matsui (D-CA). GEEA would provide additional resources, training, and technical assistance to support the full implementation of Title IX. Ben Strand is a Legislative Assistant for Senator Hirono, and in his current policy role, covers education, arts and humanities, science and technology, workforce development, and related issues. He graduated from Villanova University with a B.A. in Political Science and American History, and a M.A. in Political Science.

Donna Lent, President of the National Women's Political Caucus, has agreed to share her political savvy and wisdom as to how the nominations process for the new Administration's feminist leadership team will unfold under the Coalition for Women's Appointments which she is re-establishing. Donna Lent, a member of NWPC for twenty-seven years, was elected to an unprecedented third term as President at the NWPC Biennial Convention in 2019. As president, Donna has successfully reduced overhead for the National office while maintaining and expanding programs. Prior to this position, Donna served as First Vice President of the National Board and Vice President of Political Planning. She also served as President of the New York State NWPC. Donna is currently the elected Town Clerk of Brookhaven, NY, a role she assumed in 2013 and was elected to a second four-year term in 2017.

The Institute for Women's Policy Research has just released a new report entitled "Build(ing) the Future: Bold Policies for a Gender-Equitable Recovery" (<https://iwpr.org/wp-content/uploads/2020/11/Policies-for-a-Gender-Equitable-Recovery-Finalsm2.pdf>) which thoroughly covers stressors and solutions facing working women in the wake of the economic downturn caused by the Covid-19 pandemic. We hope to have a speaker from that organization. We will discuss the findings in the new report.

Dr. Diana Zuckerman, PhD, President of the National Center for Health Research received her PhD in psychology from Ohio State University and was a post-doctoral fellow in epidemiology and public health at Yale Medical School. After various academic positions she worked for a decade as a Congressional and the Department of Health and Human Services (HHS) staffer and Clinton Administration adviser on health

programs and policies. She will address a wide range of priorities, such as improving testing, treatments, and vaccines for Covid-19; improving access to reproductive health; improving the ACA; how lack of diversity in clinical trials harms women of color; the lowering of safety standards for medical products (speed and greed vs. safety and effectiveness); and the need for rebuilding and strengthening the clout and independence of the Offices focused on women's health in the various federal health agencies.

Megan Corrado, Esq., CWI's Vice President for Global Affairs, will address some key priorities to achieve a feminist foreign policy to ensure women's meaningful participation in all facets of decision-making and improve the lives of women and families around the world, including recent recommendations on the Women, Peace, and Security Agenda and efforts to address reproductive health and gender-based violence on a global scale. Megan, an international human rights attorney, currently serves as the Co-Chair of the U.S. Civil Society Working Group on Women, Peace, and Security, and previously worked as the Director of Advocacy with Women for Afghan Women and Program Director and Counsel with the Public International Law and Policy Group, in addition to roles in the U.S. Department of Defense, U.S. Congress, and British Parliament.

These and other issues are also covered in Women Demand More: A Letter to Federal Elected Officials and Candidates From the Women's Community (<https://nwlc.org/wp-content/uploads/2020/09/Womens-Community-Transition-Letter-Draft-10.15.2020.pdf>) which was created and endorsed by a number of women's groups.

Note from Co-Presidents Sue Klein and Connie Cordovilla

We join feminists in congratulating the Biden/Harris team in winning the November 2020 election. We urge everyone to consider supporting the **National Popular Vote Compact** so that in the next presidential election everyone's vote will be counted equally no matter what state you are from. We also wish the candidates for the Senate seats in Georgia who are most supportive of feminist issues our best. Again many thanks to all our meeting presenters and attendees and our hardworking volunteer CWI Board.

Here is a recent list of Biden/Harris transition team members. <https://buildbackbetter.com/the-transition/agency-review-teams/>

CWI Zoom Meeting Summary, Tuesday October 27, 2020 - 12:00-1:30 PM EST "The Electoral College: Perils and Possibilities for the 2020 Presidential Election"

Introduction

Meeting organizer and moderator: **Jeanette Lim Esbrook**, CWI's VP for Legal Affairs introduced the topic and presenters.

Jeanette started the meeting by sharing what to expect. On December 14th, Electoral College Electors in their respective states meet to actually cast their votes. The votes are counted in a joint session of Congress on January 6. The sitting vice president—who is also president of the Senate—will count up the Electoral College Votes. When it comes to the amount of Electoral College Electors – D.C. has 3, MD has 10, and VA has 13. Each state gets 2 electors (for the number of senators) and an additional number according to their number of congressional representatives.



Professor Gerardo Vildostegui, a lawyer specializing in voting rights from the Brennan Center explained the legal and historical underpinnings of the Electoral College and how States determine their Electoral College votes.

He noted that “the topic has many dimensions—historical, legal, philosophical—but that his discussion would be shaped by the times/context, as we are currently in an election. The Electoral College has practical effects:”

- The Electoral College can produce outcomes that are different from those in a nationwide, direct popular election This has happened 5 times (1824, 1876, 1888, 2000, and 2016) in our history of 58 Presidential Elections. The first three “wayward results”

occurred in the 1800s.

- The 2000 and 2016 elections revealed an era where the Electoral College can produce these wayward outcomes. A margin of 3% means that the chances the Electoral College will produce a winner other than the popular vote is 1 in 3. The possibility for the Electoral College to produce a wayward result has increased (FiveThirtyEight ex. states that Trump has a likelihood of winning the popular vote at 3% but winning the Electoral College at 12%; shows how the Electoral college inflates changes.)
- Campaigning predominantly happens in 6-12 swing/battleground states where the winner is not yet clear. This impacts campaigning, public policy, etc. For example, California was initially ignored by the President Trump in regard to federal aid for its wildfires because as we know California is not a swing/battleground state.

The phrase Electoral College does not appear in the Constitution. The College part has been added by commentators. Its mandate is in [Article 2, Section 1 of the Constitution](#) as well as the 23rd Amendment for DC. “Each state shall appoint, in such manner as the Legislature thereof may direct, a number of electors.” The winner-take-all system is present in all states, except for Maine and Nebraska. This flexibility gives space for state legislatures to agree to participate in a National Popular Vote Compact.

See also: <https://www.brennancenter.org/issues/advance-constitutional-change/electoral-college-reform> .

Pam Wilmot, Vice President of State Operations and Massachusetts Common Cause Executive Director. She is also the head of the National Popular Vote Initiative (www.nationalpopularvote.com). She provided information on how The National Popular Vote Compact would make the country's popular vote determine the Presidential election outcome and other solutions including proposals to end the Electoral College.

She said we came close to getting rid of the Electoral College in the Nixon Years. Polling has been done for ~50 years by the Gallup organization, which gave us insight into how support for removing the Electoral College was across party lines. But, after the Donald Trump election, the support by Republicans has decreased to the 30s and for Democrats, has increased to the 80s. Like other topics, this has become very polarized over time. The Electoral College doesn't help small states that much. But it truly helps the six swing or battle-ground states.



She discussed Common Cause Slides which show how the current system works. (See Common Cause National Popular Vote flyer link at end of this summary.) The Constitution gives each state electors equal to its number of Congressional Representatives and Senators combined. Most states give ALL of their electors to the winner in their state regardless of whether the candidate wins by one or by millions of votes. These 'winner-takes-all' state laws are not in the Constitution and have changed over time. Maine and Nebraska use the different Congressional District System.

There are inherent problems with the current system:

- National candidates have no reason to poll, advertise, organize, or visit states that they cannot possibly win or lose. And because of winner-take-all laws, very few states are competitive. We all know the swing states: Ohio, Florida, Pennsylvania, and 6 or so smaller states. Voters in these states, not the American public as a whole, pick the president. The rest of us are spectators.
- The current system also means that the candidate who placed second in the national popular vote was elected in 2016, 2000, 1888, 1876, and 1824. This leaves most voters out. Nearly 65% of the voters live in states where candidates rarely, if ever, visit during the campaign.

Under the National Popular Vote Compact bill all of electoral votes from states passing the legislation are given to the candidate who receives the most popular votes nationwide. But the law only takes effect when enacted, in identical form, by states constituting a majority in the Electoral College (270 of the 538 electoral votes).

- To determine the winner of a presidential election, state election officials would simply combine the certified results from each state and select electors accordingly.
The National Popular Vote plan is in an interstate compact – a type of state law authorized by the U.S. Constitution that enables states to enter into a legally enforceable contractual obligation. The effect of the National Popular Vote Compact is the same as a constitutional amendment to abolish the electoral college but has benefit of retaining the power to control presidential elections in states' hands. This feature is critical to the passionate bipartisan support the compact receives. She noted that any changes in our Constitution that relate to voting rights (for women, direct election of Senators, etc.) started with state action.

In summary, here are the benefits of National Popular Vote:

- It would ensure the candidate with the most popular votes is elected
Every vote in every state would be equal.
- It would increase civic participation by giving voters in all states an incentive to vote in elections.
- It would eliminate misleading 'red' and 'blue' election maps (most states are purple/varied).
- It would ensure candidates run in all 50 states and pay attention to the concerns of all voters, regardless of which state they live in. There would be less opportunity for a close outcome or recount—and less incentive for fraud. The popular vote total has never been within the margin of error (0.1%). Current States that have passed NPVC are listed on the [Common Cause Website](https://www.commoncause.org/our-work/voting-and-elections/national-popular-vote/). It shows 196 of the needed 270! Only 74 more votes to go.

It is too late for the National Popular Vote Compact to be used for this upcoming Nov. 3, 2020 election as it would have had to be approved by July 1. See more from Common Cause:

<https://www.commoncause.org/our-work/voting-and-elections/national-popular-vote/> and <https://www.commoncause.org/massachusetts/our-work/expand-voting-rights-election-integrity/national-popular-vote/> .

Ronnie Pawelko, Senior Counsel for the Bolder Advocacy Program of The Alliance for Justice discussed other concerns relating to the Electoral College system and provided a reminder of the rules for 501(c)(3) and 501(c)(4) organizations advocacy during and after elections. She also provided examples of activities that may and may not be engaged in. See Bolder Advocacy blog: <https://bolderadvocacy.org/2020/10/22/what-nonprofits-can-do-in-a-contested-election/>



A lot of litigation will and has already taken place, especially about what voting procedures are allowed and what votes will count. Before election results are certified a lot of issues may arise, especially with absentee ballots (signatures match, arrival timing, etc.) Litigation may address whether a delayed result occurs is an indication of fraud (particularly important in this upcoming election with the increase in absentee ballots). She noted that more Democrats seem to be voting by absentee in this election (in comparison to Republicans, who have been more likely to vote in person by comparison).

She briefed us on the roles of tax exempt 501(c)(3) and 501(c)(4) organizations related to electoral college and general candidate support issues.

A 501(c)(4) in federal elections, can support a candidate, make independent expenditures and post-election, they are able to target activities in a partisan way.

501(c)(3)'s can get involved in similar work to 501(c)(4)'s, but must remain non-partisan:

- Administrative advocacy—limited in the amount of lobbying they can do (Secretary of State and ballot counting, for example)
- They are able to encourage people to ballot chase in a nonpartisan way
- Could encourage people to cure their ballot in a nonpartisan way
- Can get involved in litigation: make sure all valid ballots are counted and that constitutional laws are followed (may not be able to do this on their own)
- Can do direct advocacy and lobbying (ex. of emergency session of Congress; but it was noted that this is unlikely)
- Protests encouraging people to ensure all votes are counted—can encourage voters to join protests, sponsor protests, and stand in front of the Board of Elections

Q&A (with additional research/links)

- 1887 Electoral Count Act - <https://www.theatlantic.com/politics/archive/2020/09/trump-biden-electoral-count-act-1887/615994/> provides information on a failed election
- Safe Harbor Deadline - <https://crsreports.congress.gov/product/pdf/IF/IF11641>
 - On December 14th, electors meet in their states to cast a vote
 - On January 6th, the VP (who also acts as the President of the Senate) will preside over a joint session of the new House and Senate to count the Electoral Votes (federal law)

Links to additional articles/resources on the Electoral College

- <https://womensclearinghouse.org/wp-content/uploads/2020/10/The-Electoral-College-Is-Hated-by-Many.pdf>

- <https://womensclearinghouse.org/wp-content/uploads/2020/10/WHY-THE-ELECTORAL-COLLEGE-EXISTS-National-Geographic.pdf>
- <https://womensclearinghouse.org/wp-content/uploads/2020/10/The-Electoral-College-Explained-NYT-10-12-20.pdf>
- In depth look at the electoral college and a range of potential issues: <https://www.thefirstamendment.org/media/The-Storm-That-Might-Blow-Away-Democracy.pdf>
- Common Cause National Popular Vote Flyer <https://womensclearinghouse.org/wp-content/uploads/2020/10/NATIONAL-POPULAR-VOTE-National-Flyer.pdf>

DC Area and National Feminist Events and Resources

Please send your upcoming feminist events to post in CWI newsletters to president@womensclearinghouse.org . LIKE and FOLLOW us on CWI's Facebook www.facebook.com/womensclearinghouse and Twitter www.twitter.com/CWINews pages! Also SUBSCRIBE and LIKE our video sponsor & provider.

<https://www.youtube.com/user/Hanburycross>. Times are Eastern. Paid-up CWI members will receive additional forwarded email messages on additional feminist meetings and activities.

To join the National Women's Political Caucus VA chapter, contact katihornung@gmail.com or jane.newell@comcast.net , or visit NWPC.org/membership.

Maryland Women's History Podcast Releases Second Season
Ballot & Beyond is produced by Preservation Maryland.

Ballot & Beyond is a multi-media public history exhibit and podcast highlighting the work of remarkable Maryland women with a focus on the state's suffragists and activists. More than 55 episodes are available now for streaming and reading on: ballotandbeyond.org.

Tune in to episodes of Ms. magazine podcasts, On the issues with Michele Goodwin on [Apple Podcasts](#) + [Spotify](#).

CWI's newsletter is endowed in loving memory of our previous longtime editor, Roslyn Kaiser

Meeting summary by NOW Intern, Mackenzie Flynn and the meeting presenters.

Newsletter edited by Sue Klein

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Clearinghouse on Women’s Issues Membership Form

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The CWI membership year is: **July 1-June 30**. Multi-year and Gift memberships are encouraged and discounted! Please fill in beginning and end years (e.g. 2020-2023 for a 3-yr membership). Members will receive CWI newsletters and meeting announcements as well as other feminist news and event notifications. Membership dues and contributions are tax-deductible to the extent provided by Section 501(c)(3) of the Internal Revenue Code.

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One-year	\$25	\$40	\$15/yr.	\$20/yr.
Two-year	\$45	\$70	Gift Membership (insert information in individual or organization membership)	
Three-year	\$65	\$100		

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- Mail form & check to Connie Cordovilla, Membership Chair, CWI, 7439 Patterson Rd., Falls Church, VA 22043-1332; or
- Pay through PayPal, by selecting the desired membership option on our website’s membership page <https://womensclearinghouse.org/membership/> & please send this form by mail to the above address or email it to MembershipChair@womensclearinghouse.org; or
- Bring a check, payable to CWI, and this completed form to a CWI meeting. (Form Revised: 10/13/20)