

August 23, 2024

From: League of Women Voters

Re: A nationwide call for equality

This year marks 101 years since the Equal Rights Amendment (ERA) was first introduced in the US Congress. The ERA would constitutionally protect the equality of rights under the law regardless of sex; it is essential for the health of our democracy. The League of Women Voters of the United States, with the explicit backing of all 50 state Leagues and the League of the District of Columbia, urges you to take every action within your authority to ensure the immediate publication of the ERA in the US Constitution.

The League of Women Voters is a 104-year-old nonpartisan, nonprofit organization committed to ensuring that everyone is represented in our democracy. We are a grassroots group comprised of over 1 million members and supporters across more than 700 local and state Leagues nationwide. The League uses advocacy, education, litigation, and organizing to achieve our mission to empower voters and defend democracy. To this end, we have worked for ratification of the Equal Rights Amendment for more than 50 years.

Despite the significant legal and legislative advances made in recent decades, many Americans continue to face discrimination on the basis of sex. Under the Fourteenth Amendment's Equal Protection Clause, sex discrimination claims are not subject to the same strict scrutiny standard as other protected classifications, such as race. The ramifications of this are clear in the ongoing fights against systemic sex discrimination including unequal pay, workplace harassment, pregnancy discrimination, domestic violence, and more.

The ERA has satisfied all ratification requirements outlined in Article V of the Constitution. In 1972, the ERA was passed by Congress with well over the necessary two-thirds vote and was sent to the states. In 2020, Virginia became the 38th and final state needed to meet the three-fourths state ratification requirement. As Article V outlines, an amendment is a valid part of the Constitution when it is ratified by three-fourths of the states.

It is past time that the will and ratification rights of the states are respected. As such, the League calls on:

- I. US Congress to pass S.J. Res. 4/H.J. Res. 25, a bipartisan resolution affirming the validity of the Equal Rights Amendment as part of the Constitution and addressing the question of a time limit; or
- II. US Congress to pass S.J. Res. 39/H.J. Res. 82, a resolution affirming the validity of the Equal Rights Amendment as part of the Constitution and that the US Archivist must certify and publish the ERA; and, in either event,
- III. US President Biden to instruct the US Archivist to fulfill their statutory duty and certify and publish the Equal Rights Amendment in the US Constitution.



The protection of equal rights is not a polarizing issue among the American people. Today, 78% of Americans favor adding the Equal Rights Amendment to the Constitution according to a survey from Pew Research Center. If you believe in equality for all, the League calls on you to critically affirm the enshrinement of sex equality into the Constitution. The strength and future of our democracy depend on it.

Sincerely,

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