



Hello!

On behalf of the National Women's Political Caucus, thank you for your willingness to participate in the movement for passage of the Equal Rights Amendment. As we enter the 113<sup>th</sup> Congress and re-introduce the Equal Rights Amendment bills we need many sponsors to show the commitment of our Senators and Representatives. We also need to inform the state legislatures of the remaining unratified 15 states. That is where you come in!

Before beginning on your activism, please review the exact language of the ERA (enclosed) as well as helpful tips for contacting a Congressperson (enclosed). Further information about the ERA's history and effect is available at [www.equalrightsamendment.org](http://www.equalrightsamendment.org), especially on the "FAQ" page.

Then check the website's "In Congress" page to determine whether or not your Senators and Representative are already co-sponsors of the ERA. If so, please call or write to their office, thank them for their support, and ask that they help advance the ERA in this session of Congress.

If your Senators or Representative are not yet co-sponsors, you will find in this packet the information you need to reach out to them and ask for their support. Please be aware of the position-specific language included in the telephone scripts, letter scripts, and fact sheets. These minor differences in presentation may just make the difference to your Congressperson.

Finally, included are press releases specific to a few important dates/events regarding women's rights. Please make note of these releases and distribute them in any and all effective ways.

Please let us know if you have any questions, or if we can be of any further assistance to you.

We are excited to be a part of this movement with you! Thank you again for your support!

## THE EQUAL RIGHTS AMENDMENT

- ❖ Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.
- ❖ Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.
- ❖ Section 3. This amendment shall take effect two years after the date of ratification.

### Bill Numbers

**S.J. Res.\*\***, lead sponsor Senator Robert Menendez (D-NJ)

**S.J. Res. \*\***, *“3 State Strategy”* Rep. Ben Cardin (D-MD)

**H.J. Res \*\***, lead sponsor Representative Carolyn Maloney (D-NY)

**H.J. Res. \*\***, *“3 State Strategy”* lead sponsor Representative Andrews (D-NJ)

\*For more information on ratification strategies, turn to pages 2 & 3

\*\* Information not yet known for the 113<sup>th</sup> Congress

## Two Strategies for ERA Ratification

- **The traditional ratification process (per Article V of the Constitution):**
  - Passage in the U.S. Senate and House of Representatives by a two-thirds majority vote
  - Ratification by legislatures in three-fourths (38) of the states
- **The “three-state strategy” (based on legal questions about the constitutionality of time limits and other Congressional restrictions on the ratification process)**
  - This strategy proposes that the ERA will become part of the Constitution when ratified by three more states. It was developed following the 1992 ratification of the 27<sup>th</sup> Amendment more than 203 years after its 1789 passage by Congress.
  - Since 1995 ERA ratification bills have been introduced in eight (Arizona, Arkansas, Florida, Illinois, Mississippi, Missouri, Oklahoma, Virginia) of the 15 unratified states.
  - In 2003 the Illinois House (but not the Senate) ratified the ERA.
  - In 2011 and 2012, the Virginia Senate (but not the Assembly) ratified the ERA.
  - The strategy is explained in “The Equal Rights Amendment: Why the ERA Remains Legally Viable and Properly Before the States,” Allison Held *et al.*, *William & Mary Journal of Women and the Law*, Spring 1997.
- **ERA supporters generally believe that both strategies should be pursued in the effort to put the ERA into the Constitution.**

(10) [www.equalrightsamendment.org](http://www.equalrightsamendment.org)

## **Different Approaches for Different Bills**

### **Traditional Strategy in Congress and State Ratifications**

The arguments for the passage of the traditional strategy of the Equal Rights Amendment by Congress and ratification by the states conform to the arguments of Article V of the Constitution for Amendments. The following scripts and fact sheets present the arguments as to why the Equal Rights Amendment is necessary and can be used without changes.

### **Three State Strategy**

The proposed Three-State Strategy bill does not include the language of the original Equal Rights Amendment. The argument behind this legislation is that if three more states ratify the Equal Rights Amendment, Congress can do all actions necessary to see the Equal Rights Amendment of 1972 is properly ratified. When lobbying your Congressperson, it is important to explain that you feel the resolution is needed in order to allow the ratification process of the past to be currently relevant. You can then point to the following reasons that ERA advocates maintain that the ERA of 1972 is still valid despite the passage of the time limits of 1979 and 1982.

- The ratification process of the Equal Rights Amendment remains open because the time limit is in the proposing clause rather than in the text of the amendment.
- Ratification of the Equal Rights Amendment can be sufficiently contemporaneous following the precedence of the ratification of the 27<sup>th</sup> Amendment, the Madison Amendment, in 1992 over a 203-year time period
- The existing 35 state ratifications remain legally valid if three more states ratify the ERA
- Congress has authority to declare the ERA ratification process valid after the 38<sup>th</sup> state ratifies.

Once you have explained the necessity of the passage of the resolution to remove the time limit, you may then want to use the following scripts to express why it is so necessary to have the Equal Rights Amendment as part of the U.S. Constitution.

## Helpful Tips for Calling your Congressperson

- ❖ Make sure that you say your name clearly and emphasize that you are a constituent of \_\_\_\_\_ (the Congressperson's district).
- ❖ Chances are, you will not get to speak directly to the Congressperson. Ask for the legislative aide that deals with the area of your issue. In our case, ask for someone that deals with women's issues. If that person is not available, either ask for a better time or a call back.
- ❖ Refer to the actual number of the bill in the beginning of the conversation (*S.J. Res. \*\** or *H.J. Res. \*\**).
- ❖ Know the Congressperson's position on the bill (co-sponsor or non-sponsor) before you calls. You will sound more informed and be able to handle the conversation with confidence.
- ❖ Don't use phrases like "I'm a voter" and "I'm a taxpayer." Of course you are; we all are. These phrases are not useful, and most staffers have heard them so many times they'll just roll their eyes and probably stop paying attention.
- ❖ BE POLITE. Rude language and manners, disrespect, accusations, threats, or hostility are likely to cause your message to be completely disregarded.
- ❖ If the legislative aide asks questions you cannot answer, you can offer to get back to her/him with the answer and/or you can refer her/him to [www.equalrightsamendment.org](http://www.equalrightsamendment.org), especially to the Frequently Asked Questions (FAQ) page. (You may want to check out that website before making your call.)

### Sample Script (also reference fact sheet)

Hello, my name is \_\_\_\_\_ and I am a constituent of Senator/Representative \_\_\_\_\_. May I speak to the legislative aide who handles women's issues?

If the answer is no: Okay, I understand. I am calling in support of the Equal Rights Amendment. When would be a better time to call?

If the answer is yes:

Hello, my name is \_\_\_\_\_, and I am calling to voice my support for the Equal Rights Amendment (S.J. \*\* or H.J Res. \*\*). Without the ERA, the Constitution does not explicitly guarantee that rights are held equally without regard to which sex a person is.

The first – and still the only – right specifically affirmed as equal for women and men is the right to vote. The Equal Rights Amendment was first proposed 90 years ago, in 1923, to ensure that all the rights in the Constitution are equally guaranteed for women and men, and we're still working to get it ratified.

Though women have made a great deal of progress, we still face extensive challenges. For example, White (Black, Latina) women working full-time year-round earn only 77 cents (68, 59) for every dollar men earn.

I know that Senator/Representative \_\_\_\_\_ does not support unjust treatment for any citizen of the United States. That's why we urge him/her to reaffirm his/her belief publicly by co-sponsoring and voting for the ERA in the Senate/House.

**(For Progressive):** It is our responsibility as American citizens to end sex-based discrimination.

**(For Conservative):** I urge him/her to stand up for the traditional value of the right of all individuals to enjoy the liberties of citizenship without being unfairly advantaged or disadvantaged as a member of a class.

Even though the 14<sup>th</sup> Amendment guarantees equal protection under the law, its language does not specifically address sex discrimination, and courts have only applied it to such cases since 1971. This allows both men and women to face unnecessary discrimination. Men, for example, still sometimes lose child custody cases in court because of sex stereotypes, even when they are the more fit parent.

Women, as I said earlier, in most cases get less money than men for the same full-time year-round work, and only about 50% of the gender wage gap is accounted for by different job circumstances.

I urge Senator/Representative \_\_\_\_\_ to co-sponsor the Equal Rights Amendment to express his/her belief in the American tradition of equality and justice for all.

**Information from [www.equalrightsamendment.org](http://www.equalrightsamendment.org) was used for this script. Please refer to this site for further information.**

**\*\* Information not yet known for the 113<sup>th</sup> Congress**

## ERA FACT SHEET- Conservative Congressperson

FOR Conservative (specifically):

- The ERA would **not** transfer jurisdiction of any laws from the states to the federal government. It would simply be one more legal principle among many others in the U.S. Constitution by which the courts evaluate the constitutionality of governmental actions.

FOR EVERYONE:

The ERA would **not** make women more vulnerable to a military draft than they are now. Congress **already** has the power to draft women as well as men, and it is likely that if a male-only draft were reinstated, it would not survive a legal challenge of sex discrimination, even without an ERA in the Constitution. Women have participated in every war our country has ever fought, and they now hold top-level positions in all branches of the military. They are fighting and dying in combat, and the armed services could not operate effectively without their participation. However, without an ERA, their equal access to military career ladders and their protection against sex discrimination are not guaranteed. They are asked to defend and even give their lives for a Constitution in which their rights are still not equal to men's under the law.

Without the ERA, women regularly and men occasionally have to fight long, expensive, and difficult legal battles in an effort to prove that their rights are equal to those of the other sex.

An Opinion Research Corporation poll commissioned in 2001 by the ERA Campaign Network of Princeton, NJ shows that **96%** of U.S. adults believe that male and female citizens should have equal rights. Almost as many, **88%**, also believe that the U.S. Constitution should make it clear that these rights are supposed to be equal. However, **72%** of the respondents mistakenly assume that the Constitution already includes such a guarantee.

**These facts were taken from [www.equalrightsamendment.org](http://www.equalrightsamendment.org). Please refer to this site for further information.**

## ERA FACT SHEET - Progressive Congressperson

FOR Progressive (specifically):

- The ERA would provide a **clearer and stricter judicial standard** for deciding cases of sex discrimination, the same level of strict scrutiny that race discrimination receives.
- The ERA would **protect against a rollback of the significant advances in women's rights** achieved over the past half century.
- The ERA would **improve** the United States' human rights standing in the world community. The governing documents of many other countries affirm legal gender equality, however imperfect the global implementation of that ideal may be.

FOR EVERYONE:

The ERA would **not** make women more vulnerable to a military draft than they are now. Congress **already** has the power to draft women as well as men, and it is likely that if a male-only draft were reinstated, it would not survive a legal challenge of sex discrimination, even without an ERA in the Constitution. Women have participated in every war our country has ever fought, and they now hold top-level positions in all branches of the military. They are fighting and dying in combat, and the armed services could not operate effectively without their participation. However, without an ERA, their equal access to military career ladders and their protection against sex discrimination are not guaranteed. They are asked to defend and even give their lives for a Constitution in which their rights are still not equal to men's under the law.

Without the ERA, women regularly and men occasionally have to fight long, expensive, and difficult legal battles in an effort to prove that their rights are equal to those of the other sex.

An Opinion Research Corporation poll commissioned in 2001 by the ERA Campaign Network of Princeton, NJ shows that **96%** of U.S. adults believe that male and female citizens should have equal rights. Almost as many, **88%**, also believe that the U.S. Constitution should make it clear that these rights are supposed to be equal. However, **72%** of the respondents mistakenly assume that the Constitution already includes such a guarantee.

**These facts were taken from [www.equalrightsamendment.org](http://www.equalrightsamendment.org). Please refer to this site for further information.**



## Helpful Tips for Writing your Congressperson

- ❖ Say why you are writing and who you are. List your "credentials." (If you want a response, you must include your name and address, even when using email.)
- ❖ Keep the letter to ONE page.
- ❖ Refer to the actual number of the bill in the beginning of the letter (*S.J. \*\* or H.J Res \*\**)
- ❖ BE POLITE. Do not demand a response or give a deadline.
- ❖ Use the same etiquette in email as you do written letters.
- ❖ Address your Congressperson in the proper way:

To Your Senator:

The Honorable (full name)  
(Room #) (Name) Senate Office Building  
United States Senate  
Washington, DC 20510

Dear Senator \_\_\_\_\_:

To Your Representative:

The Honorable (full name)  
(Room #) (Name) House Office Building  
United States House of Representatives  
Washington, DC 20515

Dear Representative \_\_\_\_\_:

Note: Also refer to tips for calling.

**\*\* Information not yet known for the 113<sup>th</sup> Congress**

**Letter Encouraging Support**

Dear Senator/Representative \_\_\_\_\_:

My name is \_\_\_\_\_, and I am a constituent of \_\_\_\_\_ (your Congressional district). I am writing to express my support for the Equal Rights Amendment (*S.J. Res. \*\* or H.J Res. \*\**). Without the ERA, the Constitution does not explicitly guarantee that rights are held equally without regard to which sex a person is. The first – and still the only – right specifically affirmed as equal for women and men is the right to vote. The Equal Rights Amendment was first proposed 90 years ago, in 1923, to ensure that all the rights in the Constitution are equally guaranteed for women and men, and we’re still working to get it ratified.

Though women have made a great deal of progress, we still face extensive challenges. For example, White (Black, Latina) women working full-time year-round earn only 77 cents (68, 59) for every dollar men earn.

I know that you do not support unjust treatment for any citizen of the United States. That is why I urge you to reaffirm your belief publicly by co-sponsoring and voting for the ERA in the Senate/House.

**(For Progressive):** It is our responsibility as American citizens to end sex-based discrimination.

**(For Conservative):** I urge you to stand up for the traditional value of the right of all individuals to enjoy the liberties of citizenship without being unfairly advantaged or disadvantaged as a member of a class.

Even though the 14<sup>th</sup> Amendment guarantees equal protection under the law, its language does not specifically address sex discrimination, and courts have only applied it to such cases since 1971. This allows both men and women to face unnecessary discrimination. Men, for example, still sometimes lose child custody cases in court because of sex stereotypes, even when they are the more fit parent.

Women, as I said earlier, in most cases get less money than men for the same full-time year-round work, and only about 50% of the gender wage gap is accounted for by different job circumstances.

I urge you to support the Equal Rights Amendment to express your belief in the American tradition of equality and justice for all.

I appreciate your time and consideration.

Sincerely,

\_\_\_\_\_

**Note:** Feel free to refer to enclosed fact sheet to add information to your individual letters.

Information from [www.equalrightsamendment.org](http://www.equalrightsamendment.org) was used for this draft. Please refer to this site for further information.

**\*\* Information not yet known for the 113<sup>th</sup> Congress**

## Thank You Letter to Co-Sponsor

Dear Senator/Representative \_\_\_\_\_:

On behalf of *[the bipartisan National Women's Political Caucus (NWPC) or other organization]*, I would like to thank you for signing on as a co-sponsor of the Equal Rights Amendment (ERA) ratification bill. Your leadership in affirming support of equal rights for women and men is critical to the passage of this long-overdue amendment to the Constitution. *[The NWPC or other organization is]* prepared to fight with you for the passage of the ERA and joins numerous residents of \_\_\_\_\_ (your state) and national organizations to ensure this is accomplished in the 113<sup>th</sup> Congress.

*[The (your state chapter)'s members]* will also work hard to encourage the entire (your state) delegation to support ERA passage by signing on as sponsors of *S.J. Res. \*\** or *H.J. Res. \*\** (choose relevant Senate/House bill number). We believe that all \_\_\_\_\_ (citizens of your state) support a guarantee of rights, affirmed by the U.S. Constitution, held equally by all citizens without regard to sex. This guarantee is the essence of the ERA.

We believe that the 113<sup>th</sup> Congress could be the session during which women become truly equal under the law. All \_\_\_\_\_ (your state) residents should be proud that you are working with other state and national leaders to achieve this historical milestone.

Thank you once again for your support of women in \_\_\_\_\_ (your state) and throughout the United States.

Sincerely,

\_\_\_\_\_

Information from [www.equalrightsamendment.org](http://www.equalrightsamendment.org) was used for this draft. Please refer to this site for further information.

**\*\* Information not yet known for the 113<sup>th</sup> Congress**

## New Supporter Press Release

### Thank You, Senator/Representative \_\_\_\_\_

*[The National Women's Political Caucus or other organization]* is pleased to announce that Senator/Representative \_\_\_\_\_ is a new co-sponsor and supporter of the Equal Rights Amendment bill in the 113<sup>th</sup> Congress. We applaud Senator/Representative \_\_\_\_\_ for his/her exemplary efforts to support equal rights, in Washington and here at home.

If passed by Congress and ratified by 38 states, the ERA would be added to the Constitution to provide a fundamental legal remedy against sex discrimination for both men and women.

Without the ERA, the Constitution does not explicitly guarantee that rights are held equally without regard to which sex a person is. The first – and still the only – right specifically affirmed as equal for women and men is the right to vote.

The Equal Rights Amendment was first proposed 90 years ago, in 1923, to ensure that all the rights in the Constitution are equally guaranteed for women and men. While much progress has been made toward that goal, current laws do not provide the same level of legal protection against sex discrimination that the ERA would.

Please join us in thanking Senator/Representative \_\_\_\_\_ for expressing his/her belief in the American tradition of equality and justice for all.

We also ask you to contact your congressional representatives urging them to co-sponsor the ERA and to help achieve its passage. Please contact \_\_\_\_\_ (your website) for more information on how to reach out to your Congresspersons.

A list of current ERA co-sponsors as well as additional information about the ERA can be found at [www.equalrightsamendment.org](http://www.equalrightsamendment.org).

**Information from [www.equalrightsamendment.org](http://www.equalrightsamendment.org) was used for this press release. Please refer to this site for further information.**

## **Women’s History Month/ERA Anniversary Press Release**

### **41 Years Later—Still No Guarantee of Equal Rights for Women and Men**

The month of March is Women’s History Month, during which we celebrate the incredible women who have left lasting impressions on this country.

For example, we celebrate Alice Paul, a renowned suffragist and architect of the final campaign for the 19<sup>th</sup> Amendment that guaranteed women’s right to vote in 1920. Paul also authored the Equal Rights Amendment (ERA) in 1923, which was finally passed in both houses of Congress on March 22, 1972—41 years ago.

During a ten-year ratification campaign, the country had the opportunity to add the ERA to the Constitution and guarantee women and men equal rights. However, constitutional amendments require approval by 38 states, and at a 1982 deadline, the ERA was three states short of ratification because of misrepresentations about its intent and impact.

The ERA would provide a fundamental legal remedy against sex discrimination for both men and women. Without the ERA, the Constitution does not explicitly guarantee that rights are held equally without regard to which sex a person is. The first – and still the only – right specifically affirmed as equal for women and men is the right to vote.

Now, 41 years later we are fighting harder than ever to get the ERA passed! As your way of paying tribute to Women’s History Month, we ask you to contact your congressional legislators urging them to sign on as co-sponsors of the ERA and to help achieve its passage.

Please contact \_\_\_\_\_ (your website) for more information on how to reach out to your Senators and Representatives. Additional information about the ERA is available at [www.equalrightsamendment.org](http://www.equalrightsamendment.org).

**Information from [www.equalrightsamendment.org](http://www.equalrightsamendment.org) was used for this press release. Please refer to this site for further information.**

## **Equal Pay Day Press Release (April 17, 2013)**

### **Happy Equal Pay Day...Sort of**

Let's play a game of "Would You Rather?" Would you rather make \$770 or \$1000 for performing the exact same task?

We are almost absolutely sure that you responded "\$1000." It only makes sense!

April 9, 2013 is Equal Pay Day. This date symbolizes how far into 2012 women must work to earn what men earned in 2011. Doesn't seem fair, right?

Unfortunately it is a reality. On average, women (Black, Latina) working full-time year-round earn only 77 cents (68, 59) for every dollar men earn.

Good news! This reality can be changed with your help!

As your way of paying tribute to Equal Pay Day, we ask you to contact your congressional legislators urging them to sign on as co-sponsors of the Equal Rights Amendment and to help achieve its passage.

The ERA would provide a fundamental legal remedy against sex discrimination for both men and women. Without the ERA, the Constitution does not explicitly guarantee that rights are held equally without regard to which sex a person is. The first – and still the only – right specifically affirmed as equal for women and men is the right to vote.

The Equal Rights Amendment was first proposed 90 years ago, in 1923, to ensure that all the rights in the Constitution are equally guaranteed for women and men, and we're still working to get it ratified. Constitutional amendments require ratification by 38 states, and in 1982, the ERA fell three states short of meeting the threshold.

Please contact your legislators voicing your support of the ERA and asking for theirs!

Contact \_\_\_\_\_ (your website) for more information on how to reach out to your Senators and Representatives. Additional information about the ERA is available at [www.equalrightsamendment.org](http://www.equalrightsamendment.org).

**Information from [www.equalrightsamendment.org](http://www.equalrightsamendment.org) was used for this press release. Please refer to this site for further information.**

## **19<sup>th</sup> Amendment Anniversary Press Release (August 26, 2013)**

### **Don't Take the Last 93 Years for Granted!**

Women in the United States of America have been able to exercise their right to vote for less than 100 years—93 years, to be exact.

On August 26<sup>th</sup>, 1920, the 19<sup>th</sup> Amendment was added to the Constitution, guaranteeing women their previously denied right to vote. This was the first – and still the only – right specifically affirmed as equal for women and men.

Today we have before us another fight for the equal treatment of people under the law. We must ratify the Equal Rights Amendment!

The ERA would provide a fundamental legal remedy against sex discrimination for both men and women. Without the ERA, the Constitution does not explicitly guarantee that rights are held equally without regard to which sex a person is.

The Equal Rights Amendment was first proposed 90 years ago, in 1923, to ensure that all the rights in the Constitution are equally guaranteed for women and men, and we're still working to get it ratified. Constitutional amendments require ratification by 38 states, and in 1982, the ERA fell three states short of meeting the threshold.

As you reflect on the relatively recent addition of the 19<sup>th</sup> Amendment to the Constitution in 1920, become inspired to raise your political voice for the Equal Rights Amendment. Don't take for granted your right to equal treatment under the law without the ERA.

Please contact your congressional legislators urging them to sign on as co-sponsors of the ERA and to help achieve its passage.

Please contact \_\_\_\_\_ (your website) for more information on how to reach out to your Congresspersons. Additional information about the ERA is available at [www.equalrightsamendment.org](http://www.equalrightsamendment.org).

**Information from [www.equalrightsamendment.org](http://www.equalrightsamendment.org) was used for this press release. Please refer to this site for further information.**

## **Stand Strong with the Support of Others!**

By using this congressional outreach packet, you are doing your part to help the Equal Rights Amendment gain support and co-sponsors in Congress.

However, we are always stronger with the support of others. If you belong to other state organizations that can be helpful in this outreach, please share this information with them. The more people we have working in support of the ERA, the greater its chance for Congressional passage and ratification by 38 states.

We thank you for your support of this movement. Please let us know what we can do to further help you in your outreach efforts to help put the Equal Rights Amendment into the Constitution!