



PRESIDENT  
RAKIM BROOKS

CHAIR  
PAULETTE MEYER

September 22, 2022

Senator Schumer  
United States Senate  
Washington, DC

Dear Senator Schumer,

On behalf of the Alliance for Justice (AFJ), a national association representing 151 public interest and civil rights organizations, I write to urge you to schedule a vote on S.J. Res 1, the bill to remove the time limit from the Equal Rights Amendment (ERA). I know how much you value equality and progress and that you understand the significance of codifying equality in the Constitution. That is why I am asking you to schedule a vote on this important resolution.

As you are aware, S.J. Res 1 is cosponsored by the majority of the United States Senate, including the entire Democratic Caucus and Senators Murkowski and Collins. The House of Representatives voted to pass its companion bill, H.J. Res 17, on March 17, 2021, with bipartisan support. The fate of the ERA now lies in the hands of the Senate.

With Virginia becoming the 38th state to ratify the ERA on January 27, 2020, all requirements for it to become the 28th Amendment to the U.S. Constitution have been satisfied. However, the Archivist has yet to publish the ERA as part of the Constitution, citing the expiration of the time limit placed in the Amendment's preamble. It is now up to the Senate to bring this country's foundational document into the 21st century by scheduling a vote on this resolution.

On January 27, 2022, which was the two-year anniversary of Virginia's ratification of the ERA, President Biden called on Congress to pass legislation affirming the ERA's validity. His remarks followed the Department of Justice's Office of Legal Counsel's release of a memo confirming that Congress can act to remove the time limit and any ambiguity around the validity of the Equal Rights Amendment's status as the 28th Amendment to the Constitution.

Additionally, constitutional equality on the basis of sex is overwhelmingly popular with the American public. A poll conducted by Pew Research Center in the spring of 2020 found 78% support for the ERA being added to the Constitution. A separate poll by the Associated Press-NORC Center for Public Affairs Research in January of 2020 similarly found that three quarters of Americans support the ERA and, importantly, that 90%

Eleven Dupont Circle NW, Suite 500 | Washington, DC 20036 | [www.afj.org](http://www.afj.org) | t:202-822-6070

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of Democrats and 60% of Republicans were in favor.

Further, decisions made by the Supreme Court this past term underscore the ERA's modern relevance and potential significance. The ERA would serve as a new tool – for Congress, for federal agencies, and in the courts – to advance equality in the fields of workforce and pay, pregnancy discrimination, sexual harassment and violence, reproductive rights, and protections for LGBTQ+ individuals despite regressive Supreme Court decisions.

Recognition of the ERA as the 28th Amendment to the Constitution will confirm the rightful place of sex equality in all aspects of life and is fundamental to achieving equality in America. It is critical that you schedule a vote on S.J. Res 1 as soon as possible to ensure these important rights are protected.

Sincerely,

*Rakim H.D. Brooks*

Rakim Brooks  
President, Alliance for Justice