



April 29, 2019

Dear Representative,

In light of the upcoming House Judiciary subcommittee hearing on the Equal Rights Amendment, I am writing on behalf of over 700,000 members of the Susan B. Anthony List to state our opposition to the Equal Rights Amendment (ERA) in its current form.

The Equal Rights Amendment to the U.S. Constitution as proposed in 1972 and as interpreted to date by a wide range of legal scholars, by several lower courts, and even by certain advocates of the amendment, would install a legal mandate for abortion on request, funded with taxpayer dollars, into our Constitution.

Because the amendment was first proposed nearly a half century ago, one year prior to the U.S. Supreme Court decisions inventing a federal constitutional right to abortion, the evidence of the ERA's impact can easily be overlooked. The following points are central:

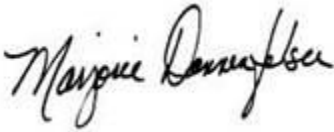
- As drafted, the ERA prohibits the enactment of any law that imposes a rule or condition that applies to one sex and not to the other. Thus, any law limiting abortion or imposing upon it such conditions as a funding limit will be struck down as violating the amendment's plain language. A range of interest groups, including the American Civil Liberties Union, the National Abortion and Reproductive Rights Action League (NARAL), Planned Parenthood and others have argued in court filings and amicus briefs that state-level ERAs with nearly identical wording guarantee a right to abortion with public funding.
- In 1998 the New Mexico Supreme Court ruled unanimously, at the urging of the groups listed above, that the state constitutional ERA required tax funding of abortion.
- Efforts by pro-life groups, beginning with the National Right to Life Committee (NRLC), to render the ERA neutral with respect to abortion by amending it to assure its inapplicability to abortion have been opposed and rejected by ERA sponsors in the U.S. Congress. Speaking for the consensus views of pro-life organizations nationwide, NRLC proposed simple language that would have excluded impact on abortion law via the ERA to the effect that "nothing in the article shall be construed to grant, secure, or deny any right relating to abortion or the funding thereof."

Absent inclusion of this or similar language that confronts the abortion issue lurking in the ERA, support for the ERA is not only a rejection of the sanctity of human life for the unborn but an

attempt to insert permanent legal protection for abortion-on-demand in the founding document of the United States. In addition, there is compelling evidence that the ERA, having passed its ratification deadline by 36 years as well as having had its ratification rescinded by five states, is no longer available for ratification.

In light of these considerations, we oppose the ERA in its current form. Susan B. Anthony List will consider any ERA votes in Committee or in the House when assessing Member records for this Congress.

Sincerely,

A handwritten signature in black ink that reads "Marjorie Dannenfelser". The signature is written in a cursive, flowing style.

Marjorie Dannenfelser
President
Susan B. Anthony List