



WHAT IS THE ERA?

The **Equal Rights Amendment (ERA)** reads:

“Sec. 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.

Sec. 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Sec. 3. This amendment shall take effect two years after the date of ratification.”

More than 100 years after some women gained the right to vote, people in the United States are still not constitutionally guaranteed equality on the basis of sex.

The **Equal Rights Amendment (ERA)** will constitutionally protect the equality of rights under the law regardless of sex.

Women and other Americans continue to face discrimination based on sex. This is clear in the ongoing fights against unequal pay, workplace harassment, pregnancy discrimination, domestic violence, and more.

Despite meeting all the ratification requirements, the ERA has not been published. There is a congressional resolution affirming the validity of the ERA.

1972

YEAR ERA PASSED BY CONGRESS, WITH MORE THAN 2/3 VOTE

2020

YEAR ERA PASSED THE 38-STATE THRESHOLD FOR RATIFICATION

78%

OF AMERICANS IN SUPPORT OF THE ERA*

*POLLING; PEW RESEARCH CENTER

HISTORY

The ERA was introduced by suffragist **Alice Paul** in 1923. It was **passed by Congress in 1972** with more than the necessary 2/3 vote and in 2020, **passed the 38-state threshold for ratification**.

When Congress passed the ERA in 1972, it put in the amendment proposing clause a time limit for ratification, which lapsed before all 38 states ratified the ERA. **Congress has the authority to address this question and affirm the validity of the ERA.**

WHAT HAPPENS NOW?

As the ERA has met all ratification requirements as per Article V of the Constitution, the ERA is ready to be published. **If enshrined in the Constitution, the ERA would:**

- Elevate the judicial standard for deciding cases of sex discrimination
- Protect against the rollback of rights
- Pave the way for further legislative progress toward sex and gender equality.

FREQUENTLY ASKED QUESTIONS

Haven't some states tried to rescind their ratifications?

According to the National Archives and Records Administration, the national Archivist's certification of state ratification is "final and conclusive," so states cannot rescind. **Rescission attempts for other amendments have not been recognized.**

Will the ERA impact abortion?

The ERA does not directly address abortion. The ERA would expand the tools that the judicial branch has to review laws that differentiate on the basis of sex.

Will the ERA eliminate single-sex spaces?

Under the ERA, the government would still be able to distinguish on the basis of sex if it had a compelling interest to do so.



TAKE ACTION

Scan and tell Congress that equality belongs in the Constitution

