

Is it true that in 2018 Americans don't need the Equal Rights Amendment?

- Only the Constitution is the Constitution and only the Constitution guarantees rights. Currently, the only right guaranteed to women in the Constitution is the right to vote.
- Only with Constitutional protection of gender equality will gender discrimination cases be subject to “strict scrutiny” (a legal term) versus the current standard of “intermediate scrutiny.”
- Without this Amendment the Supreme Court has refused to hear cases of gender discrimination. According to Justice Scalia the Constitution does not prohibit gender discrimination.
- Amendments provide greater security for gender equality than laws, like the Lilly Ledbetter Equal Pay Act, which can be easily repealed by a simple majority vote in Congress

But, the ratification deadline has already passed!

- The deadline is in a superficial clause and not included in the wording of the amendment itself.
- The original deadline was 1979 and was previously extended (to 1982) and could be extended again. There is currently a proposed bill in Congress to extend the deadline. The Congressional Research Service has a report that indicates there are two primary paths forward to complete ratification of the Equal Rights Amendment: Congress can pass bills to remove/extend the deadline -OR- Congress can accept ratification by the 38th state (there are currently 36 states that have ratified).

Nevada *JUST* ratified on March 22, 2017 - if they can do it so can Virginia.

- Virginia has previously voted to ratify an amendment after a deadline: Virginia ratified the 24th Amendment (Poll Tax) 7 years after the deadline for ratification had expired and also after it had been fully ratified. A purely symbolic gesture. Virginia also ratified the 19th Amendment (Women's Suffrage) 32 years after it had been fully ratified by the nation. Again, a purely symbolic gesture.
- The 27th Amendment (Congressional Raises) took over 202 years to become fully ratified / added to the U.S. Constitution so there is precedent for a lengthy ratification process.

If the Equal Rights Amendment is passed women will be included in the draft?

- Congress has always had the authority to draft women into service, it has just never been exercised.
- The Pentagon has already made the recommendation that women be included in the Selective Services Registration which is currently only required of men, ages 18-25. ([http:// thehill.com/policy/defense/357055-pentagon-recommends-requiring-women-to-register-for- the-draft](http://thehill.com/policy/defense/357055-pentagon-recommends-requiring-women-to-register-for-the-draft))