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SENIOR WHIP
DEMOCRATIC CAUCUS

CONGRESSWOMAN SHEILA JACKSON LEE

COMMITTEE ON THE JUDICIARY
SUBCOMMITTEE ON THE CONSTITUTION, CIVIL RIGHTS
AND CIVIL RIGHTS

COMMITTEE STATEMENT:
EQUAL RIGHTS AMENDMENT
2141 RAYBURN HOUSE OFFICE BUILDING
APRIL 30, 2019
10:00AM

- I would like to thank the Chairman for holding this hearing, and for our witnesses today for their testimony.
- In our nation's constitution—the oldest written charter in the world—the term “woman” is nowhere to be found.
- For over 95 years, it has been the cause of powerful, female (and some male) social engineers to amend the constitution to give women equal legal standing as men.

- While the cause has taken longer than any would want, I am proud today to once again lend my full support to joint resolutions, currently introduced by two of my colleagues not on this committee, to help finally ratify the Equal Rights Amendment.
- In a public opinion survey conducted in the United States, 92% of respondents indicated that there should be gender equality in the Constitution, and 72% believe it is already in place.
- In the early 1970s, when this effort was making its way through the halls of congress, the resolution in support of an Equal Rights Amendment passed overwhelmingly in both houses of Congress.
- During that time, 38 states were required for ratification—35 ratified it at that time.
- There are real consequences to a federal constitution that lacks an equal rights amendment.
- Without a ratified Equal Rights Amendment, the U. S. Supreme Court can refuse to hear cases regarding sex discrimination.
- This means that when scrutinizing laws that impact gender rights, the law receives intermediate scrutiny, rather than strict scrutiny which is applied to laws alleging racial discrimination, for example.
- This inequity has been recognized by jurists of differing philosophies—Antonin Scalia and Ruth Bader Ginsburg.
- And the need to address this inequity is no less urgent, as the country reckons itself with the impact of the #MeToo movement.
- For the last many years, women who have been victimized are empowered by the knowledge that they are not alone, and that there is strength in numbers, and shared experiences.

- And, rather than the debate ending with this knowledge, we must use this moment to revisit business that is no less urgent.
- This country can build on the unity that has been produced in this moment.
- After all, victims of sexual assault and sex discrimination do not distinguish based on political party, gender, race, age or socioeconomic status.
- This belief is what led 700,000 Latina farm workers to encourage those within the Hollywood business ecosystem to speak out about crimes in which gender is a motivating factor.
- The impetus for the letter was based on the shared experiences of women across the professional spectrum.
- With the ERA, actions which are designed to combat the prevalence of sexual assault will be more effective.
- Upon enactment, it will create a clearer, stricter judicial standard for deciding cases of sex discrimination and provide protection against rolling back advances in women's reproductive rights.
- It also has the added benefit of providing a stronger foundation for legal battles associated with equal pay.

- I am especially proud to sponsor resolutions in support of the Equal Rights Amendment, offered by Representatives Carolyn Maloney and Jackie Speier, not just because of my steadfast support for equality for all, but also because of the late great Barbara Jordan, who was my predecessor and mentor.
- She endorsed me for the seat I hold today, and whose memory has been a guiding spirit in my representation of the Eighteenth Congressional District.
- But also because of her work in making sure that the Equal Rights Amendment was not forgotten.
- In 1978, alongside her colleague in Congress, Elizabeth Holtzman, Congresswoman Jordan advocated for an extension of the time required to ratify the amendment.
- While the effort did not ultimately lead to enactment of the Amendment, the moment was but one small act which will soon lead to full ratification.
- At that time, we will have the service of Barbara Jordan to thank.
- Until then, we must all do our part to ensure all—women and men—are equal in the eyes of the law and our constitution.

- And with that, I yield back my time.

