Equal Rights Amendment folder 1979-1984 (League of Women Voters Records, box 42, folder 17)

Maine League of Women Voters Staff

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TO: State and Local League Presidents, State ERA Chairs
FROM: Nancy Neuman, ERA Chair
RE: Update on ERA

EXTENSION At its September meeting the national Board voted to lobby for the ERA extension bill in the Senate. At the same time the Board renewed its commitment to the League ERA campaign to try to ratify three more states between now and next March.

The focus of action on extension at the national level will be to target senators whose votes are in doubt; to line up votes for cloture in the event of a filibuster; to oppose a rescission amendment; and to make certain the bill is scheduled for a vote on the Senate floor. Spotmaster (202-296-0218) instructs all Leagues to contact their senators. Time is short, and it is possible, of course, that action will be completed by the time you receive this memo.

ERAmerica has analyzed future prospects for ERA if there is a 39 month extension of the ratification deadline. Their conclusion is: "should the three-year, three-month extension be granted . . . it would provide only one more election (1980) in most states and, in some states, only one more legislative session (1981). In states where legislatures convene each year, ERA could be considered in as many as three additional sessions although most legislatures have rules limiting how often an issue may be considered." So, we must keep up the fight for ratification at its current level of intensity.

ACTION ITEM: Postcards to Florida and Nevada ERAmerica is organizing a Mail Day, October 23, to mail postcards to people in Florida and Nevada urging them to vote on their ERA referenda. We will mail pre-printed cards with space for a personal message to state Leagues. State Leagues will be responsible for getting them to League members who know people to write to in the two referendum states. Postcard writers are responsible for postage. State Leagues that wish to participate should let the ERA Campaign Office know how many cards they would like by October 4.

FUNDRAISING A state-by-state report on fundraising through September 8 is enclosed. As you can see, it is beginning to look very good: over half the states have completed their pledges! I am especially gratified by the generous states that have sent in money in excess of their pledges to a total of $46,173. As for those states that have not reached 100%, please don't give up! The total of unfulfilled pledges is $145,193. This money is important to the success of the campaign, and will become more so as the pace quickens in November and December -- not to mention the unexpected demands that will doubtless be made on the fund when legislatures convene in January. It is a struggle, but enough states have succeeded to show that it can be done. We're counting on you!

There has been one piece of very cheery news since September 8: the Veatch Program, which is associated with the Unitarian Church in Plandome, New York, will contribute $40,000 to the New York pledge. This, of course, will release almost $10,000 of LWVUS funds, to make a total of $50,000. Furthermore, the Veatch Program will match, dollar for dollar, any new money raised by New York between now and December 31, up to $10,000. This gives a potential total of $70,000. We are particularly grateful to Ruth Hinerfeld who went with Natacha Dykman, New York State President, to explain our campaign to the Veatch people.

STATUS OF THE STATES Jan Otwell, President of LWV-Illinois writes:

Those of us in Illinois who worked so hard for the passage of the Equal Rights Amendment here want to pass on to Leaguers across the country our heartfelt thanks for your support. We could not have made the effort without your financial help, and your offers to write letters, contact individuals, and do what you could were constantly with us. We knew you shared our hopes; we know you share our sadness. We'll keep trying here, even as we look to other Leaguers in other states to carry on. Failure is impossible!
From the Illinois coalition: "After the June votes on ERA, Illinois leaders of the United Church of Christ, Lutheran Church in America, National Association of Women Religious, United Presbyterian Church, Church of the Brethren, Chicago Board of Rabbis, United Methodist Church and Christian Disciples of Christ joined in issuing a strong statement in support of ERA, ... We speak out to affirm that the religious tradition we know and cherish calls upon all people of faith to support equal rights for everyone -- women and men. ... As religious people we regret the distortion, pettyness and dilatory tactics which have surrounded this matter in Illinois for over six years ... In the exodus from Egypt our fathers and mothers in the faith joined God's liberation struggle. In faith we continue that struggle."

ERA could be considered by the Illinois legislature in November and again in January. LWV-Illinois is continuing to work with its allies to press for an affirmative vote if one seems possible.

"YES ON 2" is the name of our referendum campaign in Florida. The staff of four is working hard at organizing the various parts of the Florida community, distributing literature, planning a series of visits by luminaries, and developing contacts with the media. The highly visible part of the campaign will take place after the run-off election which occurs on October 10. The campaign staff is working closely with the League and other organizations in its efforts to mobilize the grass roots. ("Yes on 2", 866 Ponce de Leon Blvd., Suite 202, Coral Gables, Florida 33134; 305-445-1524)

A state-wide referendum was not part of our original campaign plans, and state-wide referendum campaigns are expensive. We feel that it is an essential undertaking, but it does have the result of making money perceptibly tighter for the rest of the campaign.

The September 12 primary saw the defeat of Ralph Poston, one of the infamous "switchers" in 1977, by a pro, Bob McKnight, and the addition of another pro Senator. There is hope that the November elections will provide the 3 more pro votes needed in the Florida Senate. The House continues to have a majority for ERA. If the November elections provide the Senate votes Governor Askew will add a special session on ERA to the organizing session of the new legislature already planned for late November.

National staff and consultants have made several visits to North Carolina to get to know leading politicians and ratification leaders - the essential basis of being effective in that state. One more trip, planned for the end of September, should yield enough information so that, with the League's counsel, a strategy and plan for implementing the strategy can be developed. Meanwhile, we have arranged for the League members to get training in a mail-producing telephone bank system at their fall workshops. The system, developed by NOW for their extension campaign, is very successful at producing masses of mail.

In Oklahoma the state coalition, OK-ERA, has been working on fundraising, education, and organizing. We have been helping with some office expenses, are in the process of adding a director of field organizing to the staff there, and will be adding more components to that campaign over the weeks ahead. Key to success in Oklahoma will be massive popular support for ERA. It is impossible to make any predictions about the Oklahoma legislature until after the primary run-off, which is taking place as this goes to press.

In Nevada we are assisting the referendum campaign by doing the design and production of the media. This includes flyers, yard signs, and radio and TV spots. The good news from the Nevada primary is that a vehement anti ERA Senator, Mary Foote, was unseated by a proponent, Jim Kosinski. The Senate seems to be almost evenly balanced, and the prospective House members mostly are saying that they will abide by the referendum. There is still a chance that the state Supreme Court will rule that the referendum cannot take place. If this happens we will, of course, have to review our role.

The Virginia League has been busy organizing and strategizing over the summer. They hope to generate enough grass roots support so that if the ERA bill passes the Senate, where it has a reasonably good chance, the House Privileges and Elections Committee will be forced to vote it out onto the floor.
Florida: Convenes on November 21, 1978, for an organizing session. Meets again April 3, 1979, for 60 calendar days. Can be extended by 2/3 vote.

Illinois: Convenes November 14, 1978, and again on January 10, 1979, for an undefined period.

Nevada: Convenes on January 15 for 60 calendar days. Session may be lengthened, but legislators receive no additional pay.

North Carolina: Convenes on January 10, 1979, for an unlimited period.

Oklahoma: Convenes January 2, 1979, for 90 legislative days.

Virginia: Convenes January 10 for 30 calendar days; can be extended by a 2/3 vote.

ERA COMMITTEE The revived ERA Committee met for the first time just before the September Board meeting. The members are: Joanne Hayes, Ruth Robbins, Florence Rubin, and Ann Savage.

SWAP SHOP: EDUCATIONAL AND FUNDRAISING IDEAS

Workshops on the Legal Status of Women are cropping up in a number of places such as New Jersey and Virginia. For states that have ratified this is a good way to focus attention on the next step, implementation. For states that haven't ratified these workshops dramatize the need for ERA.

A Letter Writing Coffee in Amarillo, Texas, produced letters to "friends, relatives and acquaintances in unratified states encouraging them to actively support the ratification of ERA."

Girl Scouts can help too! Maryland Scouts developed a package including newsletters on ERA and a list of Illinois legislators and sent it to 800 Girl Scout troops in Illinois.

"The Equal Rights Amendment and the Family" is the title of a new brochure put out by the AAUW. Individual copies are free, bulk orders cost $2 per hundred. Order from: American Association of University Women, Sales Office, 2401 Virginia Avenue, NW, Washington, D.C. 20037.

Gold necklaces on sale! The price of our 14 carat gold ERA necklace has been reduced from $90 for Leagues and $120 for others to $60 for everyone! A perfect focus for holiday parties! Also, fall and pre-Christmas bazaars would be a good place to sell the regular necklaces. A jeweler in New London, Connecticut has agreed to carry ERA necklaces on consignment; we would be glad to sell you a quantity if there is a similarly obliging jeweler in your locality.

1978 Leaders Catalog lists a number of ERA fundraising items.

"These Dollars Come from an ERA Supporter" says a stamp used by Nevadans when they pay their bills. Another says "I support ERA" - which, of course, can be used other places as well. The supply of stamps has run out in Nevada, but you are welcome to the idea.

A Great Kitchen Tour sponsored by LWV-St. Louis netted over $4,000 for ERA.

ERA labels, one saying "Equal Rights For All *** Support The ERA," the other saying "Equality For All *** ERA The Only Way," and both bedecked by an American flag, are available at $2.25 per package of 100. Write to: LWV of East San Gabriel Valley, c/o Kathy Jones, 1428 Sandia Avenue, West Covina, California 91790.
# REPORT OF STATE LEAGUE PLEDGES TO ERA CAMPAIGN

**AS OF SEPTEMBER 8, 1978**

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memorandum

TO: State and Local League Presidents
FROM: Gina Rieke, Communication Chair
RE: Women's Equality Day, August 26

Going on DPM

June 1978

It's not too early to begin working on your strategy for coverage of Women's Equality Day, August 26. That day offers a good opportunity to remind the public that we've yet to achieve full equality in this country.

In effect, August tends to be a slow month for action and the media is often looking for a story. All you need is a bit of imagination and some planning and you are likely to get coverage.

Enclosed is a sample press release. Please feel free to modify it to meet your needs.

# # #
news release

(Following is a sample press release regarding Women's Equality Day, August 26, which you may wish to adapt for use in your media.)

_________, president of the League of Women Voters of __________, issued the following statement today in honor of Women's Equality Day, August 26.

"Fifty-eight years ago today, women were finally given their right to vote. Yet, the struggle for equality is still with us more than a half century later.

"In every area of life, women are still denied their basic rights. For example:

- they suffer from high unemployment and low wages.
- they are often denied equal access to a quality education.
- they are discriminated against in credit matters.

"The League of Women Voters of __________ did not want this day to go by without reminding the public that until women are given the Equal Rights Amendment, their future will remain fraught with inequities and men as well as women will continue to suffer economically as well as socially.

"The proposed 27th Amendment to the Constitution is designed to make women equal partners in American life.

"To remind (name of community) of the importance of their support of the ratification effort, the League of Women Voters of __________ today will _________ to underline the importance of passing the amendment in the next seven months.

"Time is running out. In the next seven months we will determine whether this country is on the side of equality for all, or whether we will remain locked in the struggle for equal rights for years to come."

For further information on how you can help gain ratification of the ERA while there is still time, please contact __________, of the League __________, at
In pursuit of equal rights: women in the seventies

The Equal Rights Amendment

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

Section 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.

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

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

League of Women Voters of the United States
The League and the ERA

In May of 1972, only weeks after congressional passage of the ERA, delegates to the League's national convention overwhelmingly approved equal rights for all, regardless of sex, as part of the Human Resources position. At the same convention, delegates voted to support the Equal Rights Amendment as one of the major ways to take action in support of the HR position. With this decisive action the League, as a lineal descendant of the original women's movement, came full circle to give priority support to equal rights for men and women.

When the ERA was first introduced in Congress in 1923 by the National Women's Party, it received little support from women's organizations such as the League, the American Association of University Women, the National Federation of Business and Professional Women's Clubs, the National Consumer's League, and the National Women's Trade Union Leagues. Even though it had "no quarrel with the object of the bill," the League of Women Voters actively opposed the amendment in the 1920s fearing that it was too radical and would endanger hard-won protective labor legislation for women. In fact, "much of the ERA controversy during this period was over the question of whether protective labor legislation aided or hindered working women! ... By the end of the 1920s the amendment was beginning to attract more support from business and professional women, but most organized women and progressive reformers still opposed it. In 1937, the National Federation of Business and Professional Women's Clubs was the first major organization to break the freeze and endorse the amendment. By this time, the issue of protective laws for women was becoming less sensitive and controversial. New Deal labor reforms and increased unionization of women workers were slowly extending legislative protection to male and female workers alike (Women Together).

The League supported the step-by-step approach to equality of rights throughout the 1940s; the national program included "removal of legal and administrative discriminations against women," but a position in opposition to an ERA remained on the record until 1954. In that year the national program was restructured and the long dormant anti-ERA statement was dropped.

Times change, but events have a way of repeating themselves. More than a century after the abolition fight, the civil rights struggle of the 1960s helped respark the women's rights movement. As the League became active in seeking civil rights for blacks, League members became more acutely aware of the parallels between the status of women and that of minorities. Many state and local Leagues pursued women's issues in their own programs, and a strong push for equal opportunity for women culminated in the national convention action of 1972.

Since 1972, Leagues at all levels have helped to coordinate and organize state lobbying efforts in support of ratification. Leagues have raised money, produced and distributed educational material, set up candidate forums, arranged public meetings, lobbied legislators and candidates for the legislature, secured community leader and editorial support, and organized state and local coalitions to direct and coordinate endorsing organization activities. In short, Leagues have been involved in every aspect of the campaign to ratify ERA, with the exception of candidate support. League members, as individuals and as ERA coordinators, have been leaders in the effort to ratify and prevent rescission in every state. By July 31, 1976, the national League, with the help of state and local Leagues, had raised ERA campaign funds totaling $269,437, with the major amount going back to the states in the form of direct cash grants to state Leagues to aid ratification and prevent rescission.

Citations for all references appear in the bibliography.

Editor/Writer: Mary E. Brooks; Contributing Writer: Susan Tenebaum
Bold words . . . strong women

Resolved, that all laws which prevent women occupying a station in society as her conscience shall dictate, or which place her in a position inferior to that of man, are contrary to the great precept of nature, and therefore of no force or authority.

Resolved, that we deplore the apathy and indifference of women in regard to her rights, thus restricting her to an inferior position in social, religious, and political life, and we urge her to claim an equal right to act on all subjects that interest the human family.

Resolved, that the universal doctrine of the inferiority of women has ever caused her to distrust her own powers, and paralyzed her energies, and placed her in that degraded position from which the most strenuous and unremitting effort can alone redeem her. Only by faithful perseverance in the practical exercise of those talents, so long "wrapped in a napkin and buried under the earth" will she regain her long-lost equality with man.

Resolved, that all men and women are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty and the pursuit of happiness.

Bold words, waiting to be translated into reality. Waiting 125 years. Those resolutions were passed at the first two women's rights conventions, held in 1848 in Seneca Falls and Rochester, New York. Note well that they were rooted in the basic issue of human rights—not surprising, since the women's movement was stimulated in part by women's work in the abolition movement.

The unequivocal acknowledgement of women's equality before the law has been, from the start, what the women's movement is all about. Our foremothers—Lucretia Mott, Martha C. Wrights, Jane Hunt, Elizabeth Cady Stanton, Mary Ann McClintock, organizers of those first conventions—knew it in the 1840s. Carrie Chapman Catt and Alice Paul knew it in the 1900s. We know it now.

Other resolutions at those first gatherings dealt with specific discriminations. And during the last quarter of the 19th century and the first quarter of the 20th, women's rights advocates homed in on one of these rights—the right to vote—as the key that would unlock the door to all the others.

The moment that the suffrage amendment was passed in 1920, the leaders in that fight moved on to other parts of the women's rights agenda. The National Woman's Party wrote the first Equal Rights Amendment to be introduced in Congress, in 1923. Some (among them, those who founded the League of Women Voters) made a difficult policy choice: not to back an ERA but instead to opt for support of the protective legislation so recently placed on the books in many states, which gave the many women in unskilled, nonunion jobs their first leverage for decent job conditions. Some (again including the League of Women Voters) decided to campaign over the years for successive pieces of legislation—to wrest, law by law, some concessions to the principle of equality before the law.

Session after session, since 1923, there has been a bill before Congress calling for an ERA. That first version said: "Men and women shall have equal rights throughout the United States and every place subject to its jurisdiction." In 1943 it was modified to its present wording: "Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex."

But equal rights still had a way to go. ERA "resolutions were reported favorably by the Committee on the Judiciary in the 80th, 81st, 82nd, 83rd, 84th, 86th, 87th, and 88th Congresses. In the 81st and again in the 83rd Congresses, resolutions passed the Senate with a floor amendment," but in both instances, the House did not act. This floor amendment, commonly referred to as the Hayden Amendment, provided that the amendment "shall not be construed to impair any rights, benefits, or exemptions now or hereafter conferred by law upon members of the female sex." Proponents objected to this addition because it diluted equality of rights and responsibilities among men and women, which is the amendment's goal. After extensive hearings and debate, the House on October 12, 1971 approved the ERA resolution in its original form, 354 to 23, and sent it to the Senate. After rejecting several amendments to the original language, the Senate Judiciary Committee reported ERA to the Senate floor unamended. On March 22, 1972, the U.S. Senate approved the Equal Rights Amendment as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House occurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

Article --

Section 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.

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

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

In 1972, 22 states ratified the amendment; in 1973, 8 states ratified; in 1974, 3 states ratified and in 1975, 1 state ratified—a total of 34. Sixteen
states remain unratified, of which four must ratify before March 22, 1979, for the Equal Rights Amendment to become law. All 16 states can consider the ERA in their 1977 state legislative sessions. These unratified states include Alabama, Arizona, Arkansas, Florida, Georgia, Illinois, Indiana, Louisiana, Missouri, Mississippi, Nevada, North Carolina, Oklahoma, South Carolina, Utah and Virginia.

Ratification and rescission: what they mean

There is more than one way to adopt a constitutional amendment: through ratification "by the legislatures of three-fourths of the several states or by convention in three-fourths thereof." The ERA is traveling the more common route: approval by two-thirds of both houses of Congress and confirmation (ratification) by the legislatures of three-fourths of the states (Article V, U.S. Constitution). No action by the President is required.

Until recently, no time limit was placed on the ratifying process, but Congress set a limit of seven years for ratification of the Equal Rights Amendment by the required 38 states. Congress has final power to impose requirements for ratification resolutions and to determine the sufficiency of a state's ratification, since the decision in Coleman v. Miller [307 U.S. 433 (1939)] decided that questions relating to the ratification of amendments were "political questions," not subject to judicial review, and that determinations thereon were to be made by Congress.

Three procedural questions have arisen over the ratification process that are not definitively answered by Article V of the Constitution and give rise to debate.

1. May a state require other procedures, such as a popular referendum before voting on ratification?

No state has been allowed to "impede the amending process" by referendum or other means [Hawk v. Smith 253 U.S. 221 (1920)]. In 1974, the Montana Supreme Court ruled against an attempt to submit the question of rescission of Montana's ERA ratification to popular referendum.

2. If a state first rejects the amendment, then accepts it, is its ratification legal?

There is ample historical precedent for allowing a state to first reject, then ratify an amendment. This occurred during ratification of the 14th, 15th and 16th Amendments to the Constitution. In no case was the validity of such ratification overturned.

3. If a state first approves (ratifies) the amendment, then rejects (rescinds) its approval, which action counts?

"The prevailing view seems to be that a rejection is not final, whereas ratification probably is final [Orfield, Amending the Federal Constitution, the University of Michigan Press, Ann Arbor (1942) p.73]."

In the Coleman case just mentioned, the Court held that the "question of the effect to be given to reversals of action as to ratification by state legislatures was a "political" one to be decided on by the Congress under its powers to implement Article V." This question has been addressed by Congress in the past. In 1868, after three-fourths of the states had ratified the 14th Amendment, the Secretary of State posed to Congress for resolution" the question of the effect of the actions of Ohio and New Jersey in ratifying and subsequently rejecting the Amendment. Congress responded with a concurrent resolution declaring Ohio and New Jersey in the list of ratified states.

"The question was again posed to Congress in the case of the 15th Amendment two years later. The legislature of New York ratified the 15th Amendment on April 14, 1869, and withdrew its ratification on January 5, 1870. The proclamation of March 30, 1870 included New York in the list of ratifying states."

Since two states, Nebraska and Tennessee have ratified and subsequently rescinded the Equal Rights Amendment, it is possible that after 38 states have ratified the Equal Rights Amendment, the question of the validity of the Nebraska and Tennessee ratifications may ultimately have to be resolved by Congress.

(Direct quotations from February 1973 letter from J. William Heckman.)

How the ERA will be implemented and interpreted

In a presentation at the National Press Club in April 1976, Susan Deller Ross, clinical director of the American Civil Liberties Union's Women's Rights Project, gave a step-by-step rundown on how laws and practices would be changed by state legislatures and the courts to conform to the ERA. The following is a report on her talk adapted from the summer 1976 issue of The National VOTER.

"The day the ERA is finally ratified by all 38 states, all sex discriminatory laws are not suddenly and magically rewritten by some unknown presence. Instead, the initiative will pass once more to the states. ERA will take effect two years after ratification, to allow state legislatures to examine and rewrite their laws."

Then, explains Ms. Ross, "When the state legislature acts to correct its sex-discriminatory laws, it is, of course, subject to the normal political process. Let's take some examples from the area of family law. Opponents of the ERA have created much fear around family law issues. Now I leave it up to you. Do you know of a single state legislature in the country likely to pass a law saying husbands don't have to support wives, or that wives have to contribute 50 percent of the money to their households, or that senior women will lose their right to be provided with a home?"

"Obviously, state legislators are not going to
commit political suicide en masse. Instead, states will have choices. By rewriting laws in terms of function instead of sex, they can pass a wide variety of politically acceptable ones which both conform to the ERA and provide protection to dependent women."

Anti-ERA stalwarts have also confused citizens about how the courts are likely to interpret ERA. Ross explained that the process is not as whimsical as opponents would have the public believe. When faced with challenges to discriminatory laws, "Courts will have basic choices. They can avoid the issue by saying that the challenger is not the proper party to raise the question. They can conclude that the law does not violate the ERA. If they find the law does violate the ERA, they have two more choices: strike it down entirely or extend its reach to cover the excluded sex."

Ross drove her point home with two examples: "Assume a state has a law saying women only are entitled to alimony, which the legislature refuses to change during the two-year grace period. A couple of cases raising the issue come to the courts. A man says that his wealthy wife has deserted him, leaving him to raise their two children alone, and that he is handicapped and can't get a job. He asks the court to give him alimony by extending the state law to benefit men under the ERA. In another case, a male lawyer is being sued for alimony by his wife, who has a baby and a three-year-old to take care of. He attacks the alimony law as violating the ERA, and asks that it be invalidated."

"Is there any way to predict which choice the courts will make? The answer is yes. Whenever a statute or constitutional amendment does not give judges a precise answer to a question, they turn to legislative history to see what Congress intended in passing that measure. And we are fortunate indeed that the ERA has just such a legislative history--answering the very questions I have just posed. Guided by that legislative history, the court would award alimony to the deserted and dependent husband, since he has less earning power and current resources than his wife and is caring for the children. That is, the court would find the single-sex alimony law unconstitutional under the ERA, but rather than say that women cannot get alimony, it would extend the benefits to genuinely dependent men, since it is clear that Congress intended that result. In the case of the husband who is trying to avoid support obligations, the court would simply say that the man has no standing to raise the issue, because he's not interested in extending the law as Congress intended."

(For additional information on court interpretation, see the Section on The Need for the ERA.)

The courts and "legislative history"

In the absence of legal precedent, the courts will turn to "legislative history" to determine the intent of Congress in passage of the ERA. Two major sources for this determination will be: Equal Rights for Men and Women, U.S. Senate Report No. 92-689, 92d Cong., 2d Session, and "The Equal Rights Amendment: A Constitutional Basis for Equal Rights for Women," [80 Yale L.J. 871 (1971)].

The Senate Report reviews the inadequacy of present laws and court decisions and outlines the effect on military service, labor legislation, criminal and family law, and education. The expectation is that "laws which are discriminatory and restrictive will be stricken entirely" while "laws which provide a meaningful protection would be expanded to include both men and women" (Senate Report p. 15). Copies of this report are available from the Senate Documents Room, The Capitol, Washington, D.C. 20510. Please include a self-addressed mailing label.

The Yale Law Journal article (placed in the Congressional Record by sponsor Sen. Birch Bayh and distributed to all representatives by sponsor Rep. Martha Griffiths) was mentioned repeatedly during congressional debate and also can be used as a guide to the intent of the Equal Rights Amendment as expressed by Congress.

Like the Senate report, this article reviews present and existing laws; considers the status of laws dealing with physical characteristics unique to one
Most women work for the same reason most men do: to earn a living. Approximately three-quarters of the 30.5 million women in the labor force are single, separated, divorced, widowed or have husbands who earn less than $10,000 per year.

But employed women today are still heavily concentrated in the low-paid occupations that they have traditionally held. Three-quarters of all working women are nurses, household workers, elementary school teachers, clerical workers (who averaged $6,500 per year in 1973) or nonhousehold service employees (who averaged $4,100 per year in 1973, for full-time work)--all five fields characterized by lower-than-average earnings.

Over the last 25 years, unemployment has averaged 30 percent higher for women than for men. Among minority women over this period, recorded unemployment was 78 percent higher than it was among white women. Minority teenage unemployment was 32.9 percent in 1974--more than double the rate of white teenagers. But the unemployment rate of female black teenagers has averaged 25 percent higher than for nonwhite boys in the last 25 years.

Government-sponsored jobs programs have not improved this picture (see Education section). Women predominate in lower-paid clerical, sales and service jobs, while men fill the higher-paid jobs in machine trades and structural work. Work programs for welfare recipients give preference to teenage boys and men, despite the fact that over 98 percent of heads of households receiving Aid to Families with Dependent Children are women. When jobs are found for former recipients, those for males of any age average 50¢ per hour more than those for women (1976 Employment and Training Report of the President).

The lack of pregnancy leave and disability arrangements, added to the unavailability of decent child care, immeasurably complicates employment problems of the 13 1/2 million mothers presently in the workforce--especially the 5 million working mothers with children under six years.

At present, there are three federal laws designed specifically to protect women's employment rights.

- The Equal Pay Act of 1963 "was the first federal law against sex discrimination in employment." It "prohibits employers from paying employees of one sex less than employees of the other sex are paid for equal work on jobs that require equal skill, effort and responsibility and that are performed under similar working conditions . . . . The Wage and Hour Division of the Department of Labor administers and enforces the equal pay law."

- Title VII of the Civil Rights Act of 1964 "prohibits discrimination based on sex as well as race, color, religion and national origin in all terms, conditions, or privileges of employment." Title VII is administered by the Equal Employment Opportunity Commission (EEOC), whose five members are appointed by the President.

- Executive Order 11246 "as amended by Executive Order 11375, effective October 14, 1968, to cover sex, sets forth the Federal program to eliminate discrimination by Government contractors . . . for contracts exceeding $10,000." The Secretary of Labor has general enforcement responsibility with compliance responsibility delegated to the Office of Federal Contract Compliance.

One way to assess the impact of these laws is to look at whether or not women's wages, expressed as a percentage of men's, are going up. The figures are discouraging: women who worked full time in 1956 averaged 63 percent of men's wages; in 1973 they averaged only 57 percent of men's earnings. (1975 Handbook on Women Workers)

A July 1975 report prepared by the U.S. Commission on Civil Rights for the President and Congress summarized the problem:

"We have concluded in this report that although there has been progress in the last decade the Federal effort to end employment discrimination based on sex, race and ethnicity is fundamentally inadequate. If suffers from . . . lack of overall leadership and direction . . . diffusion of responsibility . . . and the existence of inconsistent policies and standards . . . " (To Eliminate Discrimination)

IMPACT OF ERA

The statistics demonstrating the inequity in earnings for men and women in the marketplace may not be disturbing to women who feel they are financially secure in their homes. They may not be disturbing to men who still feel that American women are well "taken care of" and really shouldn't be competing with men for jobs. But the 12 percent of all families headed by women should be concerned. The 43 percent of all married women (and their
What You Should Know About Women

Labor Force Participation Rates, Age
16–64, 1975
(Percentage of the Population in or Seeking Paid Employment)

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<thead>
<tr>
<th></th>
<th>White men</th>
<th>White women</th>
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<td>86.8</td>
<td>53.3</td>
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<td>Black men</td>
<td>76.8</td>
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Percentage of Workers Full-Time, Age
16 and Over, 1975

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<th></th>
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<tr>
<td>White men</td>
<td>91.8</td>
<td>74.9</td>
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Median Earnings Year Round, Full-Time Workers, Age 14 and Over, 1974

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<th></th>
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<tr>
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<td>$12,104</td>
<td>$6,823</td>
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<tr>
<td>Black men</td>
<td>8,524</td>
<td>6,258</td>
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Weekly Earnings, Full-Time Workers, May 1974

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<th></th>
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<th>White women</th>
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<tr>
<td>White men</td>
<td>$209</td>
<td>$125</td>
</tr>
<tr>
<td>Minority men</td>
<td>160</td>
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Unemployment Rates, 1975
(Percentage of persons in the labor force who are unemployed)

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<th></th>
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<tr>
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<td>7.2</td>
<td>8.6</td>
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<td>Black men</td>
<td>14.7</td>
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<td>18.3</td>
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<tr>
<td>Teenage black men</td>
<td>38.1</td>
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Occupations of Employed Men and Women by Race, 1974

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<tr>
<th></th>
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<tr>
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<td>29,280</td>
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<tr>
<td>Percent</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>Professional &amp; technical managers</td>
<td>15</td>
<td>9</td>
</tr>
<tr>
<td>&amp; administrators</td>
<td>15</td>
<td>5</td>
</tr>
<tr>
<td>Sales workers</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>Clerical workers</td>
<td>6</td>
<td>36</td>
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<tr>
<td>Blue-collar workers</td>
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<td>Service workers</td>
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<td>19</td>
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<tr>
<td>Farm workers</td>
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Why Women Work
In 1973
23 percent were single; 19 percent widowed, divorced, or separated; and 29 percent had husbands earning less than $10,000.

Working Mothers and Their Children, March 1974

43 percent of all married women (husbands present) were working.
46 percent of all women with children under 18 were working.
63 percent of all working mothers have children between 6–17 years.
19 percent of all working mothers have children under 3 years.
62 percent of mothers without husbands were working.
6.8 million families, 12 percent of all families, were headed by women in 1974 (between 1970 and 1974, the number increased by over 1 million).

Children of Working Mothers, March 1974

5.1 million women in the labor force in March of 1974 had children under 6 years of age.
26.8 million children had working mothers.
6.1 million children with working mothers were under the age of 6.
4.6 million children had working mothers who were heads of households.
913,000 of the 4.6 million children whose working mothers were heads of households were under 6 years of age.
The estimated number of day care slots in 1972 was 1 million.

Source: "...To Form a More Perfect Union..." Justice for American Women. Report of the National Commission on the Observance of International Women's Year, 1976
husbands) who work to help support the family, should be concerned, and every individual woman who wants to be assured of an equal opportunity to pursue her own talents in the marketplace should be concerned.

The Equal Rights Amendment will not markedly expand the protections afforded by these piecemeal federal laws, but it will provide needed national impetus for the recognition of women as individuals in the marketplace. It will provide a permanent, accessible, and well-known legal alternative to the limitations imposed by the present patchwork approach.

(Statistics in this section are drawn, unless otherwise noted, from a 1975 address by Mary Dublin Keyserling.)

The history of mankind is a history of repeated injuries and usurpations on the part of man toward women . . . . He closes against her all the avenues of wealth and distinction which he considers most honorable to himself. As a teacher of theology, medicine, or law, she is not known. He has denied her the faculties for obtaining a thorough education . . . . (Declaration of Sentiments Seneca Falls Convention 1848)

How much have things changed since 1848? Education is still thought of as a route for personal advancement; yet the percentage of women in the professions today is lower than at the turn of the century. In some professions (college teaching, for one) not only the percentage but the actual number of women has decreased. Though women are 50 percent of high school graduates and 44 percent of those receiving bachelor's degrees, they hold only 13 percent of doctorates. Though in 1974 they constituted 19 percent of college and university faculties, they are only 8.6 percent of full professors. Ours is still an educational system that casts women in supporting roles--both as purveyors and as consumers of education. This generalization applies not only to the professions but also to other kinds of vocational training. Females continue to move into educational programs that either do not prepare them for paid employment or prepare them only for work in lower-paying "female" jobs. For example, women account for half of all vocational education students; of that half, three-quarters either are enrolled in nongainful home economies courses or are being trained for clerical work. They are still grossly underrepresented in training programs in the high-paying trades, including those funded by the federal government. In fiscal year 1971 (the last year for which data are available) most of the women enrolled in programs administered by the U.S. Department of Labor were training for work in "women's fields": clerical, sales, cosmetology, practical nursing, nurses' aide and health attendant. In 1973, men completing the department's programs earned $3.05 an hour compared to a $2.36 average for women (1975 Handbook on Women Workers).

A new, comprehensive federal law, "Title IX" (of the Education Amendments of 1972), removes some of the barriers to women's progress through the educational system. It provides that no person shall, because of sex, "be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program" receiving federal money. With some public pressure, good regulations, and vigorous enforcement, Title IX could really make a difference.

Title IX does not tackle (hence, cannot change) all the other subtle ways in which the educational system grooves women to settle for less. Though attitude formation is an avowed component of the educational system, that system is not geared to change women's--or men's--attitudes and assumptions. And without this change, the rate of all change may be in doubt. A case in point is the image of

Adapted from Winter 1976 National VOTER

HEW's new regulations implementing Title IX of the Education Amendments of 1972 provide fresh ammunition for the battle against sex bias in education. Effective July 12, 1975, they prohibit sex discrimination against students and employees by educational institutions that get federal aid.

Which schools are covered?

Virtually all: 16,000 public school systems (elementary and secondary schools); nearly 27,000 post-secondary institutions; noneducational institutions receiving federal money for educational programs. Two exceptions: religious schools may apply for exemption to specific sections of the regulations that conflict with their tenets; military schools are entirely exempt.

How will Title IX affect school policies?

Title IX forbids discrimination in a wide range of areas, including financial aid, counseling, courses, extra-curricular activities and health care. Some other, more specific examples:

Admissions Title IX covers: vocational, professional, graduate schools and public undergraduate schools. Exempt: private undergraduate schools; single-sex public undergraduate schools (for admission purposes only) (e.g., state colleges); preschools, and nonvocational elementary or secondary schools (which rarely have admissions requirements).

Housing Primarily concerns post-secondary schools. Colleges and universities affected are not required to have coed facilities; they are required to equalize other housing policies. Forbidden are such discriminatory practices as: allowing one sex, but not the other, to live off-campus; charging unequal dorm fees; offering different roommate selection procedures; and posting registries of off-campus housing that are discriminatory.
women that most school books project. In children's books there are far fewer adult women than men; those who do appear are seen in few roles and are usually passive observers. The parallel with earlier textbook treatment of minorities leaps to the mind. But HEW has ruled that any attempt on its part to dictate textbook content would violate First Amendment rights.

WHAT COULD AN ERA DO THAT TITLE IX CANNOT?

There is, first of all, that "federal-aid" hooker in the present statute; so institutions not using federal monies need not conform. Title IX is "enforced" by the Department of Health, Education and Welfare, whose chief enforcement weapon, if it finds sex discrimination, is the right to cut off that federal money. Though many complaints have been filed, HEW has never cut off federal funds under Title IX, and the backlog of unresolved complaints is substantial. Enforcement of the ERA, which will be implemented through legislatures and the courts, will be less dependent on the attitudes of the moment in a single administrative agency.

FAMILY LAW

The legal marriage contract is unlike most contracts: its provisions are unwritten, unspecified and typically unknown to the contracting parties. (Drake Law Review) The legal status of most married women in the United States today has its origins in English common law. In 1775 the renowned English jurist, William Blackstone, summarized that condition:

- By marriage, the husband and wife are one person in law. . . . the very being or legal existence of the woman is suspended during the marriage. . . . For this reason a man cannot grant anything to his wife, or enter into covenant with her, for the grant would be to suppose her separate existence, and to covenant with her would be only to covenant with himself.

Blackstone lives on. The Ohio Supreme Court decided in 1970 that a wife was "at most a superior servant to her husband . . . only chattel with no personality, no property, and no legally recognized feelings or rights." Clouston v. Remlinger 22 Ohio St. 2d 65, 72-74, 258 N.E. 2d 230) Georgia restated this doctrine in a law declaring, "The husband is the head of the family and the wife is subject to him; her legal existence is merged in the husband, except so far as the law recognizes her separately, either for her own protection, or for her benefit, or for the preservation of the public order." [Georgia Code Ann. Sec. 53-501 (1974)]

MARITAL PROPERTY

The marital property law of the state in which she resides will have a major and far-reaching impact upon the financial situation of a woman from the day she marries until the marriage is dissolved either by the death of one spouse or by divorce. It will affect her financial rights and responsibilities during marriage, her ability to inherit property if she outlives her husband, her right to will property if she dies first, and her right to ownership of marital property if the marriage should end in divorce.

Separate Property Forty-two states and the District of Columbia have derived their laws of marital property from English Common law. Under this theory, the earnings of each spouse are the separate property of the earning spouse, which the earner has the sole right to manage and control. The same is true of property brought to the marriage or inherited during it. (Equal Rights Amendment Project)

Community Property Eight states (Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas and Washington) have derived their marital property laws from the quite different European (primarily French and Spanish) civil law. Under it, each
spouse has a one-half (joint) ownership interest in the earnings of either spouse, though each retains the right to own and control separately any property brought to the marriage or inherited during it. However, until 1972 these states did not allow a wife to manage this community personal property equally with her husband, although some did allow her to manage her own wages. Since 1972 five of the eight have given the wife by statute the "equal right." Texas has extended the wife to the right to joint control. Nevada and Louisiana have made no changes. Yet unless ownership is coupled with control, community property means little, especially to the nonearning homemaker. (Drake Law Review)

THE "RIGHT" TO SUPPORT IN AN ONGOING MARRIAGE

Many women place a high value on the "right" to remain in their homes, supported by their husbands. This presumed right, when put to the test, however, proves to be unenforceable, because courts have consistently refused to interfere in an ongoing relationship. It is more accurate to say that a wife has a right to be supported by the husband in the fashion and manner he chooses. Nor can a wife contract for a certain level of support, according to The Supreme Court [Maynard v. Hill, 125 U.S. 190, 211 (1888)]. Some states go so far as to say, a la Blackstone, that a husband and wife can't enter into a contract because she has no legal existence [Sodowsky v. Sodowsky, 152 p. 390 Okla. (1915)]. 1888 and 1915 are a long time ago, but these decisions are still in effect.

DISSOLUTION OF MARRIAGE

All marriages end--either by divorce or by death of one of the spouses. However and whenever a marriage ends, the emotional and economic hardships it can bring are severely worsened by present law:

When a Marriage Ends in Divorce

Presently, there are many sex-based legal presumptions and statutory rights involved in the process and outcome of a divorce. They range from statutory grounds for divorce available to only one sex in some states to the presumption of the wage earner's (husband's) property ownership and the presumption of the mother's fitness for child custody in many states. The major areas of sex discrimination in divorce are treated individually:

Division of Marital Property In the 43 separate-property states, as the earlier outline would suggest, women have no right of ownership in any assets acquired through the husband's earnings during the marriage. Half these states have mitigated the harshness of these laws by statutes that direct the courts to divide the property "owned" by husbands alone "equitably" between husband and wife. Even in community property states (except for Louisiana and California), the wife's right to half the marital property is not absolute, but subject to statutes directing the courts to make an "equitable" division between the spouses.

Alimony Marriage usually places women at a financial disadvantage. Most women do not get enough training, education, or job experience before marriage to maximize their wage-earning capacity. During childrearing years, the stay-at-home wife loses work experience and often her self-confidence. Even when wives do work during marriage, their choices and their chances for advanced training are typically sacrificed to the husband's career goals. When a woman is divorced, she has lost her "job" as surely as a man who has been fired from his (Women's Servitude Under Law).

Alimony (literally, "nourishment or sustenance") is one way of compensating a woman for the financial disabilities incurred through marriage (The Rights of Women).

But it is not a mode of support on which divorced women in general can realistically rely. The only nationwide study of alimony indicates that alimony awards were part of the final judgment in only 2 percent of divorce cases; they were awarded temporarily in 10 percent of the cases, in order to allow the wife an opportunity to find paid employment (ABA Monograph). Even when alimony is awarded, only 46 percent of these former wives collect. Some states do not even allow permanent alimony (Drake Law Review).

In most states with "no-fault" divorce laws, alimony is available to either husband or wife, depending on need and ability to pay. Some states, however, continue to allow alimony only to the wife. Under the ERA, alimony--when available at all--would be available to the dependent spouse, regardless of sex.

Child Custody In most states, in child custody cases there is no statute preferring one parent above the other, but judges prefer mothers for girls and young children and fathers for older boys. Under the ERA, the presumption about which parent is the proper guardian would be dropped in favor of a requirement that the child's welfare come first.

Child Support In divorce or separation involving children, most states place the responsibility for support, at least in theory, with a man (women are only responsible if the father refuses to provide support). But payments are generally less than enough to furnish half the support of the children, so the mother who is given custody must provide over half the support (Drake Law Review).

With passage of the ERA, according to the Senate report, "The support obligation of each spouse would be defined in functional terms based, for example, on each spouse's earning power, current resources, and nonmonetary contributions to the family welfare . . . . Where one spouse is the primary wage-earner and the other runs the home, the wage-earner would have a duty to support the spouse who stays at home, in compensation for the performance of her or his duties."
It should be noted that the duty of support has to date been largely unenforceable, both in and after marriage. In 1976, only 44 percent of divorced mothers were awarded child support, and only 47 percent of these collected regularly ("... In Order to Form a More Perfect Union ... " Justice for American Women). The ERA will not affect the problem of collection—one of the most severe faced by divorced homemakers.

When A Marriage Ends with the Death of One Spouse

The status of women upon the death of their husband depends heavily on their state of residence. If she lives in one of the eight "community property" states, she will inherit one-half of the property acquired during her marriage, regardless of any will her husband may or may not have left. This is an absolute interest, and she may, in turn, will it to whomever she pleases. Wives dying before their husbands in these eight states will have half the community property to whomever they wish.

Women in the 43 separate-property jurisdictions are not so fortunate. Even if the marital property is "jointly owned," it is part of the husband's estate. Though this harsh law is modified somewhat by provisions for a widow to acquire from a third to a half of the husband's property upon his death, this is not necessarily an absolute interest, so she may not be able to will it to whomever she chooses. In some states she is not entitled to any share of his estate, unless he chooses to give it to her. Women dying before their husbands in the separate property states, die with no marital property whatsoever to leave to children, parents or others for whom they might wish to provide.

IMPACT OF THE ERA

"The reluctance of courts to interfere directly in an ongoing marriage is a standard tenet of American jurisprudence. As a result, legal elaboration of the duties husbands and wives owe one another has taken place almost entirely in the context of the breakdown of the marriage ... " (Yale Law Journal) The Equal Rights Amendment will not change this.

The Equal Rights Amendment will have the effect of removing the double standard from marital law. It will remove legal discrimination in choice of name, domicile and grounds for divorce. In addition, the experience in states with state ERAs (such as Pennsylvania, Montana and New Mexico) suggests that ratification of the ERA could lead to increased financial security for the divorced or widowed woman, by encouraging a trend toward reform of the state marital property laws (see section on State ERAs).

CREDIT

Access to credit is second only to employment in determining the standard of living of most Americans. (1975 Handbook on Women Workers)

Women have historically had more difficulty than men in obtaining credit. What are the types of discrimination women have traditionally encountered in obtaining credit? A 1973 report of the D.C. Commission on the Status of Women drew the following conclusions as a result of a survey of lending institutions in the Washington Metropolitan Area:

- Often the salary of a working wife is discounted in whole or in part when a couple is being considered for a mortgage loan;
- Banks often refuse to consider alimony and child support payments, regardless of their reliability, for women seeking mortgage loans;
- Some lending institutions draw a distinction between "professional" and "nonprofessional" women in terms of what percentage of their income they count in evaluating the ability of a family to carry a loan.

In testimony presented to the National Commission on Consumer Finance in May 1972, the following problems were disclosed:

- Single women have more difficulty than single men in obtaining credit, especially for mortgage loans. In addition even though a woman has a sufficient income she is often told she needs a man to cosign.
- Normally creditors require a woman to reapply for credit in her husband's name when she marries. This is not asked of men.
- Married women experience difficulty in obtaining credit in their own names.
- Divorced or widowed women have difficulty re-establishing credit. This is the case even though before their marriage they established a credit record and continued to work throughout the marriage.

Many problems confronting women in securing credit stem from myths and assumptions about the reasons women work (i.e. that women work for pin money or only until they marry or have children) and the way women handle money (i.e. that women are bad credit risks). However, the hard facts and statistics belie those myths and assumptions. There is no evidence that women are poorer credit risks than men.

STATE PROPERTY LAWS

As discussed in the Family Law Section, there are basically two types of state systems for ownership, control and management of property: community property and separate property.

In separate property states and in community property states that do not allow a wife coequal
managment and control of marital property, a woman must rely on her own income to secure credit. The fact that women earn less in the marketplace means that women, on the average, obtain less credit. If a married woman lives in one of these states and has no income of her own she probably will be unable to secure credit without her husband's consent.

THE EQUAL CREDIT OPPORTUNITY ACT

In October, 1975 the Equal Credit Opportunity Act became effective. It requires "that financial institutions and other firms engaged in the extension of credit make credit equally available to all credit-worthy customers without regard to sex or marital status." The effect of this law has not yet been documented.

What about the ERA and credit for women? In one sense, public debate and support for the Equal Rights Amendment has already had an impact on credit for women. It has helped create the political climate necessary for passage of the Equal Credit Opportunity Act. Final ratification of the ERA would undoubtedly permanently reinforce this positive political climate. However, it is not clear whether ERA will have a direct impact on credit for women. The ERA does not prohibit private discrimination. It affects governmental action only. Ultimately, it will be up to the courts to determine whether the government's regulation of financial institutions is sufficient to warrant application of the ERA.

SOCIAL SECURITY

In 1974, 13.5 million women were beneficiaries of Social Security--4.2 million more women than men. In light of existing discriminations against women in education, employment, credit and management of property, federal agencies and women's organizations have begun to examine and challenge the effectiveness of Social Security as a social insurance program for women. Clearly, as the beneficiary figures indicate, a very large number of women depend on it (Women and Social Security: Adapting to a New Era).

Social Security presents two different kinds of questions that are of major concern to women. The first is, "Are there any inequities in existing Social Security provisions that discriminate against women solely on the basis of sex?" The second question is, "How well does Social Security serve the insurance and retirement needs of women in general?" For the purposes of this report, these two questions are treated separately because while the Equal Rights Amendment will directly affect the problems implicit in the first question, it is unlikely to produce solutions to many of the problems raised by the second.

Are there inequities in existing Social Security provisions which discriminate against women solely on the basis of sex?

Yes, but in order to understand the existence of these inequities it is important to understand the original intent of Congress in passing the Social Security Act in 1935.

The 1935 act was designed to provide social insurance protection for workers in private industry. It covered only wage and salary workers in industry and commerce, and benefits were limited to loss of earnings at age 65 or later. In 1939, it was amended to provide benefits for the dependents and survivors of insured workers. Social Security was, and is, funded by the payroll taxes (FICA taxes) of insured employees, their employers and the self-employed. Consequently, it is considered an "earned right." But in practice this "earned right" has been more the wage-earning husband's right than the wage-earning wife's right.

In the thirties only one out of every seven workers was a woman. In 1939, when coverage was extended to dependents of the insured worker, "in order to avoid detailed investigations of family relationships," dependency determinations were based on the presumption that the man is the wage-earner and his wife and children dependents. On the other hand, because the wage-earning wife's income was considered "marginal" or for use as pin-money, the wage-
earning husband had to prove that he was dependent on his wife's income before he could collect benefits derived from her wages.

Changing social conditions and the increased participation of women in the labor force over the last forty years raise serious questions about the validity of this dependency presumption. "During 1973 in just over half of all husband-wife families (husband aged 23-64), both members worked." (Women and Social Security: Adapting to a New Era) A 1975 report from the Advisory Council on Social Security states, "Looking back at the history of the Social Security Act, and for that matter, the Internal Revenue Act, and other laws that are so important to our society, we find that they were most certainly designed around a host of stereotypes of the worker, the family, the breadwinner, the male and the female .... Even at the time of enactment, many of these stereotypes may not have matched reality, and the changes in society that have occurred since then may have taken them even further from reality." The effect has been to treat the earnings of the husband as always vital to the support of the family while the earnings of the wife never are.

The most significant and successful challenge to this presumption came in 1975 [Weinberger v. Wiesenfeld; 420 U.S. 636, 95 S. Ct. 1225, 43 L.Ed. 2d 514 (1975)] when the Supreme Court "struck down as unconstitutional a provision of the Social Security Act because it provided less protection for the survivors of female wage earners. .... In this case Paula Wiesenfeld had provided most of the support for her family and paid Social Security taxes before her death in 1972. Under the Social Security Act, her child was entitled to benefits until maturity but her spouse, because he was male, was entitled to nothing. If the situation had been reversed—if he had been the wage-earner who died—his spouse, because she was female, would have been entitled to benefits under certain conditions until the child grew up." (Washington Post, Mar. 26, 1975)

A Christian Science Monitor editorial (March 31, 1975) called this decision "the most decisive to date on the issue of gender-based discrimination" and stated that while "some critics of the Equal Rights Amendment might argue that the court's new ruling ... shows that the intent of the amendment can be achieved without its passage ... supporters could well reply that the new ruling does not so much obviate the need for an ERA as give the amendment added standing."

Gender-based inequities continue to exist in Social Security law. They are primarily based on the lack of recognition of the wage-earning wife's contribution to the financial well-being of the family. Proposals to resolve these inequities have been presented to Congress and the executive branch. Recommendations have been made by the Social Security Advisory Council, the Citizen's Advisory Council on the Status of Women and the International Women's Year Commission. In general, the recommendations agree that "the requirements for entitlement to dependents' and survivors' benefits that apply to women should apply equally to men; that is, benefits should be provided for fathers and divorced men as they are for mothers and divorced women and benefits for husbands and widowers should be provided without a support test as are benefits for wives and widows." (Women in 1975)

Adoption of the Equal Rights Amendment would raise doubts as to the constitutionality of any provisions in the Social Security law that are different for men and women wage earners.

How well does Social Security serve the insurance and retirement needs of women in general?

The answer lies in the fact that the Social Security Act was never really designed to respond to the needs or take into account the financial contributions of women. Because it was never designed with women in mind and because benefits are derived directly from payroll taxes, there are some gaping holes in the protection afforded women under Social Security.

Some of the problems outlined by a 1975 report prepared by the Task Force on Women and Social Security, for use by the Special Committee on Aging, United States Senate, are listed here:

Problem: No coverage for a widow under the age of 60 who is neither disabled nor has dependent or disabled children in her care. ....

Problem: The limited 5-year dropout allowance in computing benefits can create hardships for women workers with interrupted work patterns. ....

Problem: No coverage for a person who remains in the home performing homemaking and child-rearing services. Example: A woman who has worked in the home for her entire marriage has no earnings coverage of her own and must depend entirely on the coverage that her spouse has earned. Threats to her economic security arise when she is widowed early in life or is divorced before the marriage lasted 20 years, since she has no earnings record of her own to qualify for retirement benefits.

Problem: The earnings limitation frequently places many young widows in a dilemma: (1) They can work and lose their survivors benefits, or (2) they can receive benefits inadequate to exist comfortably and to support children. ....

... corrective action on major problems would increase Social Security costs, even though several specific proposals made in this report call for surprisingly modest expenditures. It could be argued that the Social Security system faces financing problems in the fairly immediate and long-range future and therefore should not be called upon to make substantial and expensive alterations in the present benefit structure.

But two points must be considered: (1) The Congress can and will deal with financing problems and will
certainly keep the system sound, and (2) in the course of taking this required action, the Congress must also reevaluate the entire system in terms of adequacy and equity, if it is accurately to measure the total demands upon that system. Treatment of women clearly must be part of that reevaluation.

INSURANCE

Numerous sex-related discriminatory practices against women are found in the insurance industry. Insurance poses a unique problem however, because classification (grouping people according to actuarial risk) is one of the bases of the industry. This fact seems on the surface to make the insurance industry an exception in a society in which classification by sex is otherwise becoming increasingly suspect and in which federal legislation has made such distinctions illegal in employment, education and credit. In point of fact, the McCarran-Ferguson Act of 1945 specifically excepted the insurance industry from federal law and leaves regulation entirely to the states. Nor has changing public opinion had much effect in keeping insurance companies from categorizing women separately. That the motive is economic, not social, does not alter its impact.

A brief summary of discriminatory insurance practices follows:

Life Insurance

☐ To justify classifying policy holders by sex, insurance companies often cite the fact that life insurance rates for women are lower than for men because women live longer. The implication of this kind of argument is that women should welcome discrimination if on rare occasion it works to their financial benefit. (However, though women live six to nine years longer than men, their rates are discounted only by three years.) In some states, the three-year discount is limited by law.

A survey of application forms for life insurance on file with the Iowa Insurance Department reveals that it is common practice to include questions for "Females Only" in the medical history sections. These questions relate to past disorders of menstruation, pregnancy, and female organs. A comparable category of questions relating to "Males Only" was not found.

☐ A common practice in the selling of life insurance is to assume that there is little or no need to insure the life of a married woman. Not only does this custom impose a considerable economic burden for the remaining members of a family where the mother dies, it presents particular problems in the case of divorce. A woman who has contributed to the premiums on a husband's policies throughout marriage may be left without insurance on her own life after divorce. The practice of some companies of automatically cancelling a divorced or widowed woman's coverage exacerbates the problem.

Disability Income Insurance

☐ Disability insurance is economic protection against income loss resulting from illness or injury. The assumptions that men are the primary breadwinners and that women work for convenience have made this kind of insurance difficult and costly for women to obtain. The facts don't square with those assumptions.

-- In 1972 one-half the working women in the U.S. were heads of households or married to men earning less than $3,000 annually.

-- Though women are thought to be temporary labor-force participants, the average married woman has a worklife of 25 years.

-- Single women average 45 years in the labor force. The worklife expectancy of the average male worker is 43 years. (The Myth and the Reality)

The insurance industry operates on another premise not borne out by the facts: that higher rates for women's disability insurance are justified by industry experience.

☐ The Public Health Service reports that men and women lose almost the same amount of time from work because of disability. Furthermore, those statistics included the work time lost by women for childbirth and complications of pregnancy. (Economic Problems of Women)

☐ Finally, pregnancy-related disabilities are routinely excluded from coverage by most insurance companies, a practice that the Supreme Court upheld in 1974 [Geduldig v. Aiello, 417 U.S. 484 (1974)].

☐ Disability insurance is particularly difficult for homemakers to obtain. For disability—and indeed most insurance—purposes, homemaking is apparently not considered an occupation.

Health Insurance

☐ Whereas most health insurance plans provide full coverage for men, including coverage related to reproductive capacity, they do not provide corresponding coverage for women. To be fully covered for costs incurred during pre- and post-natal care plus confinement usually entails payment of a significant extra premium.

☐ Women, because of their biological function in the reproductive process, bear the medical costs of that function. But maternity coverage is virtually unavailable to single women without paying a family rate, and maternity coverage, where it exists, is extremely limited.

☐ Coverage is usually limited to a flat maximum amount or a specified length of time, both a fraction of the real costs or time limit of pregnancy and delivery. Prenatal and post-partum coverage is not generally available.
Abortion coverage is even more limited. (Information in this section is drawn, unless otherwise noted, from A Study of Insurance Practices That Affect Women.)

The Effect of the Equal Rights Amendment

Since it applies only to government action, it is not clear that the insurance industry will be affected by Equal Rights Amendment. To date, the courts have been reluctant to hold that governmental regulation of insurance company activity constitutes "state action" though cases have been brought under the philosophy that state regulation of insurance companies renders states "significantly involved" with operations of the companies. However, under the ERA, discrimination in government insurance programs could be challenged and the case for state involvement in private insurance might be strengthened.

THE MILITARY

The early feminists' reactions to the outbreak of the Civil War are described by Katherine Anthony in Susan B. Anthony, Her Personal History and Her Era:

"Mary Livermore was one of the most active of the war heroines of the age. She nursed in hospitals from Cairo to New Orleans . . . . Mrs. Livermore met Lincoln scores of times and conferred with Grant over and over. A leader of the Sanitary Commission, she organized a soldier's fair in Chicago which raised a hundred thousand dollars. A still greater heroine, whose name, though less known, should outshine them all, was Anna Ella Carroll, Miss Carroll devised the military plan which General Grant followed in his Tennessee River Campaign--the strategy which enabled the North for the first time to gain the upper hand and ultimately to win the victory. Only Lincoln and his cabinet knew that Anna Carroll was the author of Grant's winning strategy . . . . They kept it [the secret] so well that history is still uninformed on the subject (emphasis added).

IN DEFENSE OF OUR COUNTRY

"Women in the armed services of the United States are an integral part of the nation's Armed Services. The successful utilization of the capabilities of women in uniform during World War II resulted in the Women's Armed Forces Integration Act of 1948, which authorized the four branches of service to enlist and commission women as integrated members of the regular and reserve forces . . . . Women's peak participation in the Armed Forces was reached in May 1945 when a total of 226,000 women were in the four military services . . . ."

"In 1973 enlisted women were in a wide variety of occupational areas, with the concentration of enlisted women in personnel, administration, and management (25 percent); medical (16 percent); and intelligence, communications and photography (12 percent) . . . .

The Air Force has assigned women as electricians, electronic computer repairers, and flight simulator specialists." (1975 Handbook of Women Workers)

"The services in the past had been quite restricted on the number of occupations open to enlisted women. However, recently each of the services has effectively opened up all occupations except those categorized as combat or combat related . . . . The services have taken action in recent years to assign women to fields newly open to them. The Army, for example, is assigning women to occupations dealing with air defense missiles, precision devices, automotive maintenance, and motor transport operations. The Navy has sent women to school to learn quartermaster, boiler and signal work.

In 1975 publicly supported military service academies opened their doors to women and a Supreme Court decision (Frontiero v Richardson) in 1973 set the stage for equalizing dependency benefits for men and women in the Armed Forces. The military has long provided men with invaluable career opportunities, training and education. In the last few years, it has taken important steps toward extending these opportunities to women.

ADVANCE AND RETREAT

But "despite these advances, differential enlistment standards and quotas still hinder career opportunities for women in the military." The Army continues to maintain higher enlistment and test score standards for women. In a challenging suit, which is pending, the Army defends its position as a matter of "military necessity." In addition, all of the Armed Services maintain quotas which limit the number of women allowed to hold jobs in the military. The percentage for women, projected for 1978 ranges from 1.6 percent in the Marines to 8.5 percent in the Air Force.

"The Army argues that it uses the following factors in limiting the number of women: (a) the number of 'combat' and 'close combat support' positions, which can be filled only by men; (b) privacy of the sexes; (c) promotion opportunity and state side rotation equity; (d) the management factor, which is used to assure, 'for sake of fairness and more,' that men are guaranteed a certain number of jobs considered by the Army to be most desirable; and (e) the requirement that 'a balanced mix of men and women' be maintained in certain units. (Quotes and statistics taken from " . . . To Form a More Perfect Union . . . " Justice for American Women).

WHAT EVER HAPPENED TO ANNA ELLA CARROLL?

The Equal Rights Amendment would require that women be allowed to participate in the Armed Services on the same basis as men. The question of equal participation in the military is often obscured by irrelevant emotional issues. The issue is not whether war is desirable--it clearly isn't. The issue isn't the draft--there isn't one. The issue isn't whether men are more capable than women--because it varies
from individual to individual. The issue isn't whether the life of a woman is more important than that of a man—that's indefensible on its face. The fact is that "true equality does require that all persons accept the duties and responsibilities as well as the rights of citizenship" (Drake Law Review). Nowhere are both the benefits and the responsibilities of full citizenship so sharply demonstrable as in the military.

The opposition
WHERE THEY'RE COMING FROM

Appended to the Senate ERA Report—as is customary on all major legislation—is a section for the views of members of Congress who opposed the Equal Rights Amendment. The "Minority Views of Mr. Ervin" (Senator Sam Ervin of North Carolina, an opponent to the ERA) has been a major source of material for those who oppose the amendment's ratification.

Though statements of opponents are not considered reliable legislative history (The Rights of Women), Ervin's views are extensively quoted by many opponents and provide ideas for the other major source of opposition material, The Phyllis Schlafly Report. This report, published once a month by the best-known ratification opponent, deals with various aspects of ERA she thinks will harm women. Her objections, Senator Ervin's, and those of other opponents of the amendment fall into three general areas:

1. Uncertainty about what the amendment would do, and how it would be interpreted.

The precise impact of an amendment whose implementation depends on state legislatures and court decisions cannot be known in advance. Differences between ERA supporters and opponents arise in predictions of the amendment's interpretation. Opponents feel, as Sen. Ervin does, that the ERA will strike down all distinctions between the sexes "however reasonable such distinction might be in particular cases."

Proponents, on the other hand, feel that the need has been clearly stated, the intent outlined, and that the courts and state legislatures will act responsibly in accordance with the public interest and congressional intent.

2. Disagreement over the present role of women.

Opponents of the ERA believe that women now have the best of all possible worlds; that a change in status can only hurt them. They frequently cite a homemaker's "right to support," and the special protections available to widows under the law.

The problems women face in trying to enforce support orders or in getting a job or an education are rarely mentioned by opponents. And when exploitation of women is raised as an issue, they tend to focus solely on sexual exploitation, seldom on economic disadvantages.

For example, in her November 1972 newsletter, Schlafly asks, "Are Women Exploited by Men?" "Yes, some women are, and we should wipe out such exploitation. We should demand strong enforcement of the laws against procurers, the Mann Act and the laws against statutory rape." She goes on to mention pornography and French fashion (dominated by a "Queer breed of...Parisian women-haters") as other areas that exploit women. The fear insistently expressed (despite evidence to the contrary in states with ERAs) that under the ERA a woman's privacy will be invaded in bathrooms and dormitories perhaps relates to this focus on sexual exploitation as the chief problem that women experience.

3. Disagreement over what the role of women should be.

Beliefs about what the role of women should be are deeply held and often change only through traumatic personal experience. For example, opponents of the ERA deplore the opening of roles for women in the military, because to them it is an area inimical to an ideal of womanhood. The fact that women could avail themselves of training opportunities in the service cuts no ice with someone whose basic belief is that the field is inappropriate for women.

Similarly, ERA opponents usually feel that the status of married women—and men—is exactly what it should be; hence, Sen. Ervin's objection that under the ERA married women would no longer be required to take their husband's name or accept his legal residence as her own. Hence, his refusal to consider making work leave for childbearing available to either parent. His feelings about women are summed up in his use of an ancient Yiddish proverb in his minority remarks attached to the Senate Report: "God could not be everywhere, so He made mothers." Ervin and other ERA opponents feel that the institution of marriage is presently as God intended and that we should not weaken the legal underpinnings with which we mere mortals have propped up the heavenly plan.

Opposition to the ERA has been frustratingly resistant to rational argument, partly because most proponents have been careful to distinguish between what is firmly predictable and what can only be claimed as probable, a cautiousness not much observed by less inhibited opponents.

Opponents claim... that the ERA will mean loss of privacy.

Sexual equality in this country need not be obtained at the expense of individual privacy. The ERA is intended to break down legal barriers between the sexes in their rights and responsibilities as citizens, not to turn the tables on accepted standards of decency. The ERA will fit not only into the framework of existing constitutional structure but into our set of social mores as well.

The Senate Report notes that "the Amendment would
not require that dormitories or bathrooms be shared by men and women." This "legislative history," the Supreme Court's reliance on the right of privacy in abortion and birth control cases, and common social mores and standards make this widely used opposition argument a distraction from the real issues.

The ERA requires only that the concept of privacy not be used as an excuse for denying women equal access to opportunities now enjoyed by men (Ten Things the ERA Won't Do For You).

Opponents claim . . . that the ERA will constitutionalize abortion

Phyllis Schlafly has charged that the ERA will "constitutionalize" the Supreme Court's decisions on abortion. Her December 1974 newsletter is dedicated to this proposition, but she doesn't present one legal argument to back up her pronouncement. The reason is clear—there aren't any.

The Supreme Court's abortion decisions [Roe v. Wade, 410 U.S. 113 (1973) and Doe v. Bolton, 410 U.S. 179 (1973)] are based exclusively on the privacy principle derived from the due process clause of the 14th Amendment. The right of privacy was first recognized by the Supreme Court in Griswold v. Connecticut, [381 U.S. 479 (1965)]. In the Griswold case, "the Court held that a couple's right of privacy in the marital relationship prevented the State of Connecticut from imposing laws concerning their use of contraceptive devices."

"The Equal Rights Amendment . . . has nothing to do with privacy or the Due Process Clause, rather it is concerned with equal protection of the laws. It provides simply that government may not in its laws or in its official actions discriminate on the basis of sex. Since abortion by its nature only concerns women, sex discrimination in this area is a biological impossibility. The proposed Twenty-seventh Amendment, if ratified, therefore, would have no applicability whatsoever to the question of abortion." (February 1974 letter from J. William Heckman, Jr.)

Opponents claim . . . that the ERA will undercut protective labor legislation

Historically, one of the major objections to the Equal Rights Amendment was the threat it posed to "protective" labor laws applying to women only. Though legislative history on the ERA indicated that beneficial laws applying to one sex would be broadened to include workers of both sexes, not withdrawn from the one sex, this did not satisfy critics of the ERA who felt that protective labor legislation for women was a hard-fought and genuine reform of the early 1900s that should not be jeopardized.

The Senate Report called attention to the fact that many of the laws that claim to protect women in actuality have had a far different effect: They protect "men's jobs from women and make women workers unable to compete with male coworkers be-cause of legal restrictions." This conclusion was also reached by major labor unions like the AFL-CIO, which by 1973 turned from opposition to the amendment to active support. Such "protective" laws fail to take into consideration the economic circumstances, physical capacities and preferences of individual women, treating them instead as a homogeneous class.

The California Supreme Court stated in 1971 that, "Laws which disable women from full participation in the political, business and economic arenas are often characterized as 'protective' and beneficial. Those same laws applied to racial or ethnic minorities would readily be recognized as invidious and impermissible. The pedestal upon which women have been placed has all to often, upon closer inspection, been revealed as a cage" [Sailer Inn Inc. v Kirby 95 Cal. Rptr. 329, 485 P.2d 259 (1971)].

Finally, the dispute over "protection" laws is moot: Title VII of the Civil Rights Act of 1964 bars sex discrimination in employment, and in cases brought under it, courts have uniformly held that so-called "protective" labor legislation be stricken and/or rewritten to be fair to both sexes.

Opponents claim . . . that the ERA will legalize homosexual marriage

Some ERA opponents have argued that the Equal Rights Amendment will mean legalization of homosexual marriage. This argument stems from a misunderstanding of the word "sex" in the amendment. While ERA refers to gender discrimination, it does not address sexual behavior. Senate debate clearly states that the amendment would not interfere with a state prohibiting marriage between two people of the same sex, so long as rules applying to men also apply to women. In Washington state, which has a state ERA, the Supreme Court held that the state amendment did not invalidate Washington's law prohibiting homosexual marriages [Singer v. Hara, 11 Wash. App. 247, 522 Pd 1187 (1974)].

Opponents claim . . . that the ERA will mean loss of support

The opposition has often charged in its ads and printed material that a homemaker, under the ERA, will be obligated to provide 50 percent of the financial support of the family in an ongoing marriage.

Responding to a February 1976 letter requesting information on any possible loss of rights for women under Washington state's ERA, Governor Daniel J. Evans stated, "I am aware of no classification of 'privileges' which a woman has lost because of adoption of ERA . . . . A woman has not lost her right to be supported by her husband; rather she never had such a right. Support within a marriage has been a matter of custom and has never been guaranteed by law."

Although several states have marital support laws that will undoubtedly be rewritten under the ERA, on the basis of function rather than sex, the
court have always been reluctant to become involved in an ongoing marriage. The Equal Rights Amendment will not change this. When marital laws are rewritten along functional lines under ERA, the revised laws will not erode homemakers' rights; on the contrary, they will give added legal recognition to the function of homemaking, at the same time the government will get out of the business of prescribing roles for married couples.

In the event of divorce, the ERA would require that arrangements for alimony and child support be written in a sex-neutral fashion, i.e. so that support flows from the spouse able to give it to the spouse who needs it. It would prohibit automatic assignment of children to a parent on the basis of sex alone, requiring that custody arrangements serve the best interests of the child.

The ERA would not change the "right" of a homemaker in an ongoing marriage to be supported by a wage-earning spouse, and may strengthen that right in some cases. (See Family Law Section for a more complete discussion)

Opponents claim . . . that the ERA will affect church practices

Opposition to the Equal Rights Amendment has charged that the ERA will require churches to accept women into the ministry on the same basis as men (Phyllis Schlafly Report). A June, 1975 opinion letter from Columbia Law School professor, Ruth Bader Ginsberg, responds:

... Legal precedent directly in point is McClure v. Salvation Army, 460 F. 2d 653 (5th cir. 1972), cert. denied, 469 U.S. 856 (1973). McClure was a Title VII action instituted by a female minister. The church had no dogma assigning women a lesser role, but McClure alleged she received less salary and fewer fringe benefits than male ministers with the same rank and responsibilities. The court said that a literal reading of Title VII could lead to the conclusion that McClure's employment was covered by the statute's antidiscrimination ban. However, it then explained that such a reading would bring the statute into conflict with the First Amendment. Observing that [t]he relationship between an organized church and its ministers is its lifeblood," the court reasoned that any application of Title VII to this sphere "would intrude upon matters of church administration . . . matters of a singular ecclesiastical concern." Interjecting the state into the church-minister relationship, the court declared, "could only produce by its coercive effect the very opposite of that separation of church and state contemplated in the First Amendment." The opinion concludes that a church-minister exemption must be deemed implicit in Title VII to prevent "encroachment by the State into an area of religious freedom which it is forbidden to enter . . .".

The need for the ERA

A favorite argument of those who oppose the ERA is that it is not necessary, that existing laws and the 14th Amendment to the Constitution bar sex discrimination. Is this so?

Added to the Constitution in 1868, the 14th Amendment was not drafted with gender discrimination in mind. In fact, it marks the first time that the Constitution used the word "male," thereby specifically excluding women (Drake Law Review).

Five years after passage of the 14th Amendment, the Supreme Court handed down the first in a long line of decisions upholding sex discrimination. In 1873, the Court approved an Illinois law prohibiting women from the Illinois bar: "Man is, or should be, women's protector and defender. The natural and proper timidity and delicacy which belongs to the female sex evidently unfit it for many of the occupations of civil life . . . The paramount destiny and mission of woman are to fulfill the noble and benign offices of wife and mother. This is the law of the Creator." Georgia's 1974 declaration that "the husband is the head of the family and the wife is subject to him" is not far removed from this view.

Not until 1971 did the Court ever use the 14th Amendment to strike down gender discrimination. Since 1971, the Court has struck down some sex classifications and allowed others to stand. No majority opinion has articulated a general principle in this area (Drake Law Review). As a practical matter, for women to be assured redress under the 14th Amendment for gender-based discrimination, the Supreme Court would have to firmly establish "sex" as a "suspect classification," (as has been done in cases involving race and religious discrimination) thus shifting the burden of proof from the challenger to the state. The Court has not been willing to do this. In fact in the 1973 Frontiero case (see section on Military) three justices "used the pending ratification of the ERA as their reason for not treating sex discrimination similarly to race discrimination. They said that the Equal Rights Amendment 'if adopted will resolve the substance of this precise question'" (The Equal Rights Amendment: Its Political and Practical Contexts).

Indeed, if the 14th Amendment had been applied to women's rights, there would have been no need for the 19th Amendment giving women the right to vote. The long-fought struggle for passage of the suffrage amendment is a measure of the distance between the ideals of the 14th Amendment and its application to women.

If the 14th Amendment has not been applied to women's rights, what about the rash of legislation of the 1960s and 1970s that prohibits discrimination against women in employment, education, credit and other fields? Don't these adequately protect women's rights?

The equal employment legislation of the 1960s, Title IX of the Education Amendments in 1972 and the Equal Credit Act of 1975 are important steps toward eliminating sex discrimination, but there is nothing permanent about them. They can be amended, ignored and written into obscurity with little effort and little notice. Though they represent progress, these laws still constitute the body
of the car without the engine, the cart without the horse. The effort to ratify the permanent driving and sustaining force behind existing sex discrimination legislation is still being pursued.

Without final and full constitutional recognition of the right of men and women to be treated as individuals before the law, congressional, executive and Supreme Court action on the question of sex discrimination will undoubtedly continue to fluctuate, as it has for the last 200 years, according to political and economic circumstance.

Without comprehensive revision of federal and state laws, in accordance with the principle established by the Equal Rights Amendment, efforts to eliminate sex-discriminatory legislation could well continue for another 200 years.

The great advantages of the ERA over this piecemeal approach are clear:

1. The ERA would be a well-known remedy. Women who don't spend full time poring over federal legislation may not be able to tell the boss that some practice is illegal under Executive Order 11246 (chances are the boss hasn't heard of it either). Knowing of one comprehensive remedy will enable women to invoke rights they may now have but do not know about. At present, if a woman turns to the wrong law, she will not succeed in changing her situation. Under the ERA, there is no wrong law (The Rights of Women).

2. The ERA would provide an accessible remedy. Enforcement of present measures too often involves the cutoff of federal funds or involvement of an executive agency. For a woman to try for such a cutoff is much more involved than to sue on her own behalf. Under the ERA, the complainant would not have to show that sex discrimination is "unreasonable." All she would have to do is show it occurred.

3. The ERA would provide a permanent remedy. Passage of the individual laws barring sex discrimination takes years of careful nurturing, coalition building, money, time and energy. Each individual law is subject to compromise and bargaining, to political whims and trends. Each emerges compromised and imperfect. Congress and state legislatures cannot be relied on for piecemeal measures. The Equal Rights Amendment would provide a legal impetus for reform, independent of political mobilization.

Like the argument for states' rights, the argument for piecemeal measures is a delaying tactic. Experience has shown piecemeal measures to be imperfect at best, unenforceable in practice, and damaging at worst, because they create the illusion that stronger, more comprehensive measures are unnecessary.

The goal of the ERA is equality between the sexes under the law. It deals only with government action; social customs and private behavior will not be affected. In fact, far from infringing on rights, the ERA protects individual freedom to choose according to individual wishes and desires.

As conservative Republican State Representative Bill Stoner of Springfield, Missouri says in his article, "A Conservative for ERA":

"The ERA says to government: 'Get out of peoples' lives! Let women be whatever they can be . . . Let husbands and wives decide for themselves what their relationship is to be . . .' I believe the ERA represents a valiant effort to restrict Government's ability to tell men and women how to relate to each other . . . I believe this is the essence of a free society."

State ERAs: what they have done

So much attention is being focused on the federal ERA that many people may not be aware that 15 states have already specified in their state constitutions that equal rights or equal protection may not be denied on account of sex. These states include Alaska (1972), Colorado (1972), Connecticut (1974), Hawaii (1972), Illinois (1971), Maryland (1972), Montana (1973), New Hampshire (1975), New Mexico (1973), Pennsylvania (1971), Texas (1972), Virginia (1971), Washington (1972), Utah (1986), and Wyoming (1890).

Differing interpretations of these provisions follow the pattern established by each state's supreme court and point unmistakably to the need for a single, uniform federal standard for judging sex discrimination cases. "The Wyoming and Utah provisions were adopted prior to 1900 and have not been interpreted consistent with modern understanding of an equal rights amendment. The Virginia amendment includes an exception permitting separation of the sexes and has been interpreted by the Virginia Supreme Court as permitting women to decline jury service without reason. On the other hand, "the Illinois constitution uses the 'equal protection' language of the 14th Amendment to the U.S. Constitution, while the Illinois Supreme Court has interpreted the amendment in as strict a fashion as the courts of other states have interpreted ERAs worded like the federal ERA [People v. Ellis, 311 N.E. 2d 98, (1974)]." Until the federal ERA is ratified and takes effect, judicial interpretations of state equal rights and equal protection provisions are likely to continue to vary widely from state to state. ("...To Form A More Perfect Union...," National Commission on the Observance of International Women's Year, p.27.)

Nonetheless, state legislative and court action taken under these provisions do demonstrate a measure of the benefit to be derived from an equal rights amendment and should douse the fiery rhetoric of those who claim that bathrooms will be integrated, homosexuals will marry, and wives will have to provide financial support for their families. To verify the facts, a League member in New York wrote to all the governors in states with state ERAs and asked whether women had lost any rights under the state ERA. The ten states that replied said "No" on all counts—to the contrary. From MaryLn, Ellen Luff, counsel, Governor's Commission to Study Implementation of the Equal Rights Amendment, came this response (January 14, 1976):
"The allegations which have been made about Maryland which you repeat in your letter must be categorically denied: (1) Maryland women have not lost rights or privileges because of the Equal Rights Amendment; (2) the legislature has not mandated sexual integration of public rest-rooms, prison cells, or sleeping quarters of public institutions; and (3) implementation of the state ERA has been neither costly nor unwieldy."

State ERAs have proven to be particularly helpful in domestic and inheritance matters, some areas of employment, insurance and criminal law.

WHAT HAS HAPPENED IN DOMESTIC LAW?

Alimony and Child Support: Under the state ERA, the Pennsylvania Supreme Court ruled in 1974 that responsibility for child support (in the event of divorce) should be equal and determined on the basis of what each spouse can contribute. This has led to a new standard which looks at contributions not only monetarily, but also in terms of homemaking and child care services. Illinoi, Maryland, New Mexico, Texas and Washington now scrutinize both spouses' financial means in setting alimony and child support awards.

Child Custody: New Mexico, Pennsylvania and Texas now require that custody be awarded the parent who will serve the child's best interests.

Property: Until 1973, a wife in New Mexico "owned" half the property acquired during marriage but had no control over it. She could not keep her husband's dishtowels because of compatibility, rather than on the basis of sex alone. Both states have now extended parole officers are now assigned because of compatibility, rather than on the basis of sex alone.

Discriminatory employment advertisements have been banned, and restrictive licensing requirements stricken.

Maryland now permits women to be state police and firefighters with salaries and benefits equal to men's.

...IN INSURANCE AND OTHER BENEFITS

The Pennsylvania insurance commissioner ruled that the ERA prohibits sex discrimination in coverage, benefits and availability and has required that medical and disability insurance cover complications of pregnancy. Women are now able to buy the same policies and receive the same benefits as men of the same age, health and other characteristics.

Pennsylvania's tax breaks for widows have been extended to widowers.

Maryland has sex-neutralized many pension and survivors' benefits provisions.

...IN CRIMINAL LAW

Contrary to the fears of ERA opponents, rape protections have been significantly strengthened under state ERAs:

New Mexico struck a provision which allowed a judge to give special instructions to the jury in a rape trial suggesting the victim's testimony was less credible because of the nature of the crime (18 PSCA 3106 repealed).

At least 14 states now protect both males and females from rape, and 12 states prohibit questions about a victim's sexual history without a special determination of relevance.

At least 6 states have repealed special corroboration requirements.

No state has changed prohibitions against homosexual marriage or integrated its toilets because of a state ERA.

This is not an exhaustive review of rulings under state ERAs. If your state has an ERA, the state Commission on the Status of Women should have a breakdown of your rights. The commissions can usually be contacted through (and often are located in) the governor's office.

Film resources

American Parade: We the Women

Narrated by Mary Tyler Moore, a survey of women in American history from colonial times to the present. Produced by CBS for their Bicentennial historical series, American Parade. Includes brief reference to present situation of women.
16 mm, color, 29 minutes. Available from:

B. F. A. Educational Media
P.O. Box 1795, Santa Monica, California 90406
(213) 829-2901
Rental fee: $45

University of California Extension Media Center
2223 Fulton Street, Berkeley, California 94720
(415) 642-0460
Rental fee: $27 (film #9272)
Order well in advance of showing, heavy demand.

Choice: Challenge for Modern Woman Series

1966 series of discussion films designed to help women arrive at reasoned choices as they make decisions affecting themselves, family and society. Authorities discuss their own viewpoints and results of research. Two films from this series may apply to ERA discussion from perspective of 1960s attitudes.

"What Is Woman?" (film #6772)
Keith Berwick and Margaret Mead discuss what is feminine and what is masculine as prescribed by society and confused changing patterns.

"Wages of Work" (film #6778)
Mary Keyserling and a panel of employment experts discuss why, how, when and where women work and the effect on family, job and community.

16 mm, black and white, 30 minutes each. Available from:

University of California Extension Media Center
2223 Fulton Street, Berkeley, California 94720
(415) 642-0460
Rental fee: $16 each

The Emerging Woman

Documentary using old engravings, photographs and newsreels to show the history of women in the United States. Shows varied economic, social and cultural experiences; how sex, race and class determined women’s priorities from the early 1800s through the 1920s. Available from:

Film Images
17 West 60th Street, New York, N.Y. 10023
(212) 279-6653

1034 Lake Street, Oak Park, Illinois 60301
(312) 386-4826
Rental fee: $45 in classroom to one class; $60 when shown to organization membership; $75 general public.

Out of the Home and Into the House

Documents the process of influencing legislation at the state level, using the ERA as an example. Lobbying activities by persons favoring or opposing legislation are commonplace in a democratic society. With few exceptions, the legislators being appealed to are male, and most professional lobbyists are also male. Here the lobbyists, both those favoring and those opposed to the Amendment are female. Thus, the film captures an unusual scene in American history: widespread, determined participation in the political process by women.

16 mm, black and white, 48 minutes. Available from:

Film Images
17 West 60th Street, New York, N.Y. 10023
(212) 279-6653

1034 Lake Street, Oak Park, Illinois 60301
(312) 386-4826

4530 18th Street, San Francisco, California 94114
(415) 431-0996
Rental fee: $50

We Are Women

Narrated by Helen Reddy, combines dramatic vignettes, brief documentary interviews and pertinent historical artwork delineating the origins of the traditional role of women.

16 mm, color, 29 minutes. Available from:

Motivational Media
8271 Melrose Avenue, Suite 204
Los Angeles, California 90046
(213) 653-7291
Rental fee: $50

University of California Extension Media Center
2223 Fulton Street, Berkeley, California 94720
(415) 642-0460
Rental fee: $26 (film #9370) Order well in advance of showing, heavy demand.

Women on the March: The Struggle for Equal Rights

Older film going only through the fifties but full of history of the women’s rights struggle in England, Canada and the U.S. Divided into two parts, the film records the struggle of women for the franchise and other rights from the beginning of the suffrage movement. Gives faces and action to names in history. Part I shows the struggle to gain recognition by picketing, parading and hunger strikes. Part II is much less satisfactory because of the 1950s point of view; it covers the period after World War II.

16 mm, black and white, 30 minutes each part. Available from:

Contemporary Films/McGraw Hill
Princeton Road, Hightstown, New Jersey 08520
(609) 488-1700 Ext. 5851
Rental fee: $15 each part; Part I #407676; Part II #407677
Order well in advance of showing and indicate alternate date in case film is not available.

Women: The Hand That Cradles the Rock

Intercuts footage of advertisements that use stereotyped images of women with brief, occasion-
ally superficial sequences in which members of the women's movement discuss their ideas. Also interviews a woman who prefers being a housewife and mother and who explains her reasons for rejecting the women's movement. (1971)

16 mm, color, 27 minutes. Available from:

University of California Extension Media Center
2223 Fulton Street, Berkeley, California 94720
(415) 642-0460
Rental fee: $28 (film #8406)

Women's Rights in the U.S.: An Informal History

Bright, fast moving, tongue in cheek. Our political origins in pictorial montage. A historical background for present ERA debate. Using quotes from major historical figures and magazine illustrations from the times discussed, sets the scene for each major period in the history of women's rights.

16 mm, color, 27 minutes. Available from:

Indiana University Audio Visual Center
Bloomington, Indiana 47401
(812) 337-2103
Rental fee: $13 (note film #CSC2454)
Order at least 5 weeks in advance; they have limited copies.

Altana Films
340 East 34th Street, New York, N.Y. 10016
Rental fee: $40

University of California Extension Media Center
2223 Fulton Street, Berkeley, California 94720
Rental fee: $28 (note film #EMC9059)
Order well in advance, heavy demand.

Bibliography

HISTORICAL

*WOMEN TOGETHER: A HISTORY IN DOCUMENTS OF THE WOMEN'S MOVEMENT IN THE UNITED STATES by Judith Papachristou, A Ms. Book. New York: Knopf, 1976; 273 pp. $8.95. (Unless otherwise indicated, all historical quotes were taken from this book.)


LEGAL PRECEDENT AND PROCESS

*THE EQUAL RIGHTS AMENDMENT: A CONSTITUTIONAL BASIS FOR EQUAL RIGHTS FOR WOMEN by Barbara A. Brown, Thomas I. Emerson, Gail Falk and Ann E. Freedman, The Yale Law Journal, Vol. 80, No. 5, April 1971. (For information on availability see section on "The Courts and Legislative History.")

*EQUAL RIGHTS FOR MEN AND WOMEN, a Report, together with individual views, prepared by the Senate Judiciary Committee, United States Senate, 92nd sess., 1972 (Report No. 92-689). Referred to in the text as "Senate Majority Report" or "Senate Report."

(For information on availability see section on "The Courts and Legislative History.")


CONGRESSIONAL RESEARCH SERVICE MEMO: TO THE HONORABLE MARTHA GRIFFITHS, FROM AMERICAN LAW DIVISION, SUBJECT: COURT DECISIONS CONCERNING WHETHER A STATE LEGISLATURE MAY RESCIND A RATIFICATION OF A PROPOSED CONSTITUTIONAL AMENDMENT, September 12, 1972.


THE EQUAL RIGHTS AMENDMENT: ITS POLITICAL AND PRACTICAL CONTEXTS (Excerpts), by Joan M. Krauskopf, Professor of Law, University of Missouri, submitted for publication in the California Bar Journal, September 17, 1974. Single copies available from LWVUS.

"ERA Meets the Press" (Report on speech by Susan Deller Ross, clinical director of the American Civil Liberties Union, Women's Rights Project) The National VOTER (LWVUS), Summer 1976.

A REPORT BY THE OHIO TASK FORCE FOR THE IMPLEMENTATION OF THE EQUAL RIGHTS AMENDMENT prepared by the Ohio Task Force, Mary Miller, Chairperson, for the Governor and Attorney General of Ohio, July 1975. (See section on "How the ERA Will Be Implemented and Interpreted.")

STATUS OF WOMEN


"Title IX: Bringing it All Back Home," The National VOTER (LWVUS), Winter 1976.


*A COMMENTARY ON THE EFFECT OF THE EQUAL RIGHTS AMENDMENT ON STATE LAWS AND INSTITUTIONS prepared by Anne K. Bingham for the Equal Rights Amendment Project, 288 pp. (Referred to in text as Equal Rights Amendment Project. For copies write to 926 J St., Suite 1014, Sacramento, Calif. 95814.


A STUDY OF INSURANCE PRACTICES THAT AFFECT WOMEN, a Report prepared by the Iowa Commission on the Status of Women, February 1, 1975. (For more information contact: Iowa Commission on the Status of Women, 300 Fourth Street, Des Moines, Iowa 50319.


Order from League of Women Voters of the U.S. 1730 M St., Washington, D.C. 20036. Pub No. 321,$1.50


OPPOSITION

THE PHYLLIS SCHLAFLY REPORT, Box 618, Alton, Illinois 62002.

TEN THINGS THE ERA WON'T DO FOR YOU by Women's Law Project, 112 So. 16th Street, Suite 1012, Philadelphia, Pennsylvania 19102. The Women's Law Project has additional information on state laws including a list of significant court decisions under state ERAs.

An opinion letter from former U.S. Senator Marlow W. Cook (Kentucky) to Ms. Kay Jones (Columbia, Missouri) regarding the effect of ERA on the question of abortion, February 1, 1975.

An opinion letter from J. William Heckman, Jr. (Chief Counsel, Subcommittee on Constitutional Amendments, U.S. Senate) to Ms. Kay Jones (Columbia, Missouri) regarding effect of ERA on question of abortion.


An opinion letter from Ruth Bader Ginsburg (Professor, Columbia Law School) to Barbara Burton (LWVUS Staff) regarding effect of ERA on church practices, June 10, 1975.

STATE ERAS


"New Mexico Statute Revisions Under ERA 1973-75 Summarized," State publication, "La Palabra," League of Women Voters of New Mexico, November-December 1975 (219 Shelby St., Room 211, Santa Fe, New Mexico 87501).


*Major Sources (good for general reference on the subject of ERA)
Organizations that endorse the ERA

From list compiled by ERAmerica, 1976.

American Association of Law Libraries
American Association of University Professors
American Association of University Women
American Baptist Women
American Bar Association
American Civil Liberties Union
American Federation of Labor-Congress of Industrial Organizations, and affiliated unions
Americans for Democratic Action
American Home Economics Association
American Jewish Committee
American Jewish Congress
American Medical Women's Association
American Newspaper Women's Club
American Nurses' Association
American Psychiatric Association
American Psychological Association
American Public Health Association
American Psychological Science Association
American Psychological Science Association
American Public Health Association
American Society for Public Administration
American Society of Women Accountants
American Veterans Committee
American Women in Radio and Television
Association for Women in Science
Association of American Women Dentists
B'nai B'rith Women
Catholics for the ERA
Center for Social Action, United Church of Christ
Child Welfare League of America
Christian Feminists
Christian Church (Disciples of Christ)
Church of the Brethren
Church Women United
Citizens' Advisory Committee on the Status of Women
Coalition of Labor Union Women
Common Cause
Council on Women and the Church
Democratic National Committee
Evangelicals for Social Action
Executive Women in Government
Family Services Association of America
Federally Employed Women
Federation of Organizations for Professional Women
Federation of Women Shareholders in American Business, Inc.
Friend's Committee on National Legislation
General Federation of Women's Clubs
Institute of Women Today
Intercollegiate Association for Women Students
International Association of Human Rights Agencies
International Association of Personnel Women
International Association of Women Ministers
International Brotherhood of Teamsters
Leadership Conference on Civil Rights
Leadership Conference of Women Religious
League of American Working Women
League of Women Voters of the United States
Lutheran Church Women
Movement for Economic Justice
NAACP
National Association for Women Deans, Administrators, and Counselors
National Association of Bank Women
National Association of Colored Women's Clubs, Inc.
National Association of Commissions for Women
National Association of Social Workers
National Association of Women Lawyers
National Black Feminist Organization
National Catholic Coalition for the ERA
National Center for Voluntary Action
National Coalition of American Nuns
National Commission on the Observance of International Women's Year
National Council of Churches (of Christ)
National Council of Jewish Women
National Council of Negro Women
National Council of Women of the U.S.
National Education Association
National Federation of Business and Professional Women's Clubs
National Federation of Press Women
National Federation of Temple Sisterhoods
National Organization for Women
National Republican Congressional Committee
National Secretaries Association
National Student Nurses' Association
National Welfare Rights Organization
National Women's Party
National Women's Political Caucus
Network
Planned Parenthood Federation of America, Inc.
Presbyterian Church, U.S.
Republican National Committee
Sociologists for Women in Society
Soroptimist International of the Americas, Inc.
Southern Christian Leadership Conference
St. Joan's International Alliance
Union of American Hebrew Congregations
Unitarian Universalist Women's Federation
United Auto Workers
United Church of Christ
United Methodist Church
United Mine Workers of America
United Presbyterian Church, U.S.A.
Women in Communications
Women's Bureau, Department of Labor
Women's Campaign Fund
Women's Equity Action League
Women's International League for Peace and Freedom
Women's National Democratic Club
Young Women's Christian Association
Zero Population Growth, Inc.
Zonta International

The Equal Rights Amendment has also been endorsed by Presidents Eisenhower, Kennedy, Johnson and Ford
and President-elect Carter

Organizations that oppose the ERA

From Women in 1976

American Conservative Union
American Women Are Richly Endowed (AWARE)
Communist Party, U.S.A.
Daughters of the American Revolution (DAR)
Eagle Forum
Humanitarian Opposes the Degrading Our Girls (HOT DOG)
John Birch Society
Knights of Columbus
Ku Klux Klan
League of Housewives (formerly HOW)
Liberty Lobby
National Council of Catholic Women
Rabbinical Alliance of America
Stop ERA
The American Party
Veterans of Foreign Wars
Young Americans for Freedom
In pursuit of equal rights: women in the seventies

The Equal Rights Amendment

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

Section 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.

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

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

League of Women Voters of the United States
TO: State and Local League Presidents, State ERA Chairs
FROM: Nancy Neuman, ERA Chair
RE: Update on ERA

Although we still need three more state ratifications, we are determined to continue the fight for equality under the Constitution. The League’s commitment has been put to the test; the past two years have only strengthened our determination to remain strong leaders in the front lines of battle against those who would deny us equal rights.

The budget adopted by the board for the next fiscal year will of necessity reduce the funds available to states and also reduce the size of the national staff. Please refer to the national Board Report for further information on the plans for 1979-80. The national board recognizes the need to keep up the fight: to assist unratified states, to mobilize ratified states, and to produce a political climate more favorable to ERA.

SITUATION IN THE STATES. Our three hopefuls for ratification at the time of the last memo were Florida, North Carolina, and Oklahoma. Florida is the only remaining state with any chance for ratification this session and that is very slim. The House committee, as expected, voted ERA out favorably 15 - 9 on April 3, but it was killed in the Senate Rules Committee (chaired by arch ERA foe Dempsey Barron) the next day by a vote of 11 - 4. The House sponsor is keeping the House bill from the floor, where it is virtually certain to pass, in hopes that other legislation will come up that can provide the basis for trading some votes on ERA.

In North Carolina the LWVUS contributed $11,100 for field work in targeted districts as part of an overall ERA ratification budget, portions of which were funded by other national organizations. We also paid for a legislative reception hosted by the LWV-NC with Liz Carpenter and Erma Bombeck as guests. Unfortunately, the antis made a move to force the bill onto the Senate floor before there were enough votes to pass it, so the pros had to kill it in committee. It is doubtful if ERA will come up again in North Carolina until 1981 since it would take a 2/3 vote to reconsider it in this session and there is no session 1980.

In Oklahoma the ratification effort was more extensive and better organized than ever before. The League contributed field work, NOW developed a phone bank system, and ERAMerica helped with administration and office expenses. But, when the deadline for bringing legislation to the floor approached, the count was simply not good enough to bring the ratification bill to the floor of either house. Rallying from their dashed hopes, OK-ERA stalwarts are now aiming for the 1980 legislative session.

Attempts to change the 3/5 rule in Illinois were not successful, and counsel has advised us that there are insufficient grounds on which to go through the courts for a change. The pros in Virginia did their best, managing to increase their votes in the House, but in neither chamber were there enough votes to get ERA out on the floor. Virginia is the one state that has two more elections before the ratification deadline, which does give some measure of hope. The coalition in Georgia brought in Marlo Thomas to wine and dine with legislators and other notables; good publicity and heightened enthusiasm resulted, but the count in the legislature is still deficient. The Georgians also got 1,000 fellow citizens to put their names on, and pay for, a full page pro ERA ad in a Sunday Atlanta Constitution. The League in Louisiana continues to keep ERA a top priority and is working on its own and with a vigorous coalition. The troops in Nevada are courageously keeping up the struggle in the face of massive odds.

RESCSSION The rescission situation is in constant flux, so the chances are that this report will be out of date by the time it reaches you. The antis have amply fulfilled their plan of introducing rescission bills into as many legislatures as possible. There are two kinds of bills: straight rescission and "null and void" which declares a state's ratification void after March 22, 1979. A gallant effort in Wyoming caused the defeat of rescission in that state on January 17. In Indiana, which at one point looked perilously close to rescinding, the antis withdrew their bill on February 27 when it became clear that they would lose the vote. Despite all possible efforts by pro forces, South Dakota
voted a "null and void" bill on March 1. The Montana House agreed with their committee's "do not pass" recommendation on March 9, and New Hampshire defeated its bill on April 3. There are still bills in Rhode Island, Delaware, West Virginia, Kansas, Wisconsin and Texas. At the moment Delaware is in the midst of a heated legislative battle on rescission. Hearings are being held around the state and anti-ERA, led by the fundamentalist churches, are becoming very vociferous. The pros are well organized, but the opposition is intense. The noble fighters against rescission in all the above states deserve our very great appreciation.

FUNDRAISING During this new fiscal year we hope to rebuild the ERA war chest. Therefore, we continue to be delighted to receive contributions from the states. As of March 19, 1979 local and state Leagues have sent in $821,487 to the ERA campaign. 99% of our goal! This has released $198,000 of the $200,000 pledged by the LWVUS which, with the $23,588 that has come in from other sources, has given us a total of $1,043,075. Twenty-six states have exceeded their goal and five others made 100%. Of the total raised approximately $65,000 - $70,000 will be left at the end of the fiscal year.

The board has taken two steps to raise additional funds: members sent out letters to friends and professional associates on March 22, and the board has approved a tear-out solicitation for funds that will appear in the Spring Voter. We will be working on other fundraising ideas - any suggestions will be most welcome! Please be assured that additional contributions from state and local Leagues will be most helpful, and very gratefully received. A few of the latest money making ideas: the church of a League member in Fairfax, Virginia, has offered to match, dollar for dollar, money raised for ERA by the Fairfax League. In Philadelphia the League joined a number of other organizations to put on a Disco for ERA; the state League received a percentage of the profit on each ticket the League sold. And, the Minnesota LWV is going to contribute all the profit on the ERA items described in the enclosed brochure to the national campaign! (Brochure enclosed for presidents only.)

ADOPTION REPORT In a number of places the adoptions that were undertaken at Convention a year ago are proving fruitful. Of course the most pressing need of unratified states is funds with which to pursue their campaigns, but other kinds of help are welcome too. California generously adopted Illinois, Arizona and Nevada, and has provided Illinois with some money, Arizona with a clipping service and Nevada with both dollars and precinct walkers when they were working on getting out the referendum vote. Local Leagues in Pennsylvania have adopted local Leagues in North Carolina. The adopters have sent clippings down to their "children" and the pairs have discussed fundraising techniques. Margot Hunt, Pennsylvania state League president, was invited down to speak to North Carolina League members at their Legislative Day in January. She was able to attend the legislative reception given by LWV-NC and starring Liz Carpenter and Erma Bombeck as well as to spend some time lobbying legislators.

The Maryland LWV invited the League president and ERA chair from their adoptee, neighboring Virginia, to speak at a Council meeting - an impromptu collection was taken which was a welcome addition to the Virginia ERA coffers. Perhaps the most colorful - or at least the tastiest - adoption has been that of Louisiana by New Jersey. The president of the Baton Rouge League runs a gourmet cookery shop and when she realized that she would be in New Jersey at a trade fair she volunteered to cook a Cajun meal for the New Jersey state board. Neighboring markets contributed food and she headed north laden down with Louisiana delicacies (nothing spoiled, despite a stop-over in D.C.). Two days of cooking yielded an unforgettable feast for the board and spouses and $300 for ratification in Louisiana. New Jersey also thoughtfully used some of the overage in its fund drive to add the last portion of Louisiana's fund drive and thus arrive at 100%.

Many of the adoptions are a north-south pairing, and similar profit from exotic delights must be possible. How about unratified states sending mistletoe north at Christmas to be peddled for their benefit by their northern adopters?

EXTENSION Now that there is a new deadline for ERA challenges to its legality are surfacing in the courts and in public debate. Since Congress passed the new deadline for ERA it is now the law of the land. You will recall that the arguments for its validity when it was going through Congress rested on the fact that the original time limit was put in the resolving clause, and not in the language of the amendment itself, and therefore can be changed. And, it is agreed that it is up to Congress to decide what a reasonable time for ratification is. In this case they clearly felt that more time was needed for discussion of ERA and so they provided three more years.

The Supreme Court cases with the most direct bearing on the subject are: Dillon v. Gloss 256 U.S. 368 (1921), which says that amendments must be ratified within a reasonable time and that it is up to Congress to decide what that time period is, and Coleman v. Miller 307 U.S. 433 (1939) which stresses that the timeliness is a decision for Congress and not for the courts.
MISSOURI V. NOW The suit that the state of Missouri brought against the National Organization for Women alleging a conspiracy to boycott unratified states was decided in NOW's favor. U.S. District Court Judge Elmo B. Hunter ruled that the "Constitutional interests involved in protecting NOW's ability to exercise its right to petition and right to political association outweigh the interest in protecting the business expectancy involved." The League's testimony in the case proved without doubt that organizations make their own decisions on such matters and thus have in no way engaged in a conspiracy.

ERA NEWS AND MATERIALS Not to be outdone by Hollywood or New York, the LWV-Illinois has given out "Susie" awards (named for Susan B., of course) to local Leagues for their work in the ERA campaign. Just a few of the Susies: "Daniel in the Lion's Den" went to the four leagues in Phyllis Schlafly's backyard; "Cauliflower Ear" was won by the Kankakee-Bradley-Bourbonnais League for working on a telephone poll; "Pennies from Heaven" to the Park Ridge LWV which raised $15 per member for ERA.

The East San Gabriel Valley, California LWV celebrated the anniversary of its state's ratification with a special evening of information and a slide show. The TV spots that were made for our South Carolina campaign received a Certificate of Distinction in the field of public service in a contest run by Art Direction Magazine.

The new edition of "ERA Means Equal Rights for Men and Women" (pub. #272), our brochure, has been selling like hotcakes. It was suggested that the necklace on the young man on the cover might not be the fashion in all parts of the country so our skillful designer has removed it.

As mentioned above, LWV-Minnesota is undertaking a new fundraising venture, described in the enclosed brochure. (Enclosed for presidents only.) I've seen examples of all the items and can vouch for their high quality. The logo was designed by Dave Peterson, battle-scarred veteran of our Yes on 2 campaign, and all profits will come to the national campaign.


A fairy tale skit which explores women's rights in New York State is a successful venture of the Schenectady, New York League. Although stressing New York's laws, it could be a useful guide and inspiration to Leagues in other states. The script (copyrighted), and a questionnaire and a fact sheet for the audience are available for $3.50. A packet with four scripts, a prop list and staging suggestions is available for $6.50. Order from: LWV of Schenectady County, 503 State Street, Schenectady, New York 12307.

An ERA puzzle-card game has been devised, designed to inform about ERA. It is available singly at full price or in lots of 10 or more for resale. The individual price is $3.95 plus 55¢ for postage and handling. For resale, 1-100 cost $3.00; 101-200 cost $2.90 @; 201-300 cost $2.80 @; 301-400 cost $2.70 @; and over 400 cost $2.60 @. Please include 15¢ postage and handling for each game with bulk orders. Michigan residents should either give their state sales tax license number or add 4% of the price as sales tax. Order from: Lilax Productions, Inc., 320 City Center Bldg., Ann Arbor, Michigan 48104; (313) 994-3000.

Flyers on religion and the ERA: "Why Religious Groups Support the Equal Rights Amendment" is the title of a flyer published by the Religious Committee for the ERA. It is available at $5 per hundred from: The Religious Committee for the ERA, 475 Riverside Drive, Room 812, New York, New York 10027. "Christians and the Equal Rights Amendment: Coming Through the Confusion" has been written by Anne Follis, wife of a Methodist minister and president of Housewives for ERA; it is available at 15¢ for single copies and $5 per hundred from: Service Department, Board of Church and Society, 100 Maryland Avenue NE, Washington, D.C. 20002. The order number is W-101.
Election day didn't hand ERA many roses. Since then, in cooperation with our colleagues at the other national organizations, we've been sifting through available information and reevaluating. In brief, the political situation has about equal parts of uncertainty and pessimism, and our financial resources have dwindled as a result of all-out ratification efforts in 1978.

FLORIDA It was indeed a blow to lose our "Yes on 2" campaign, but the situation in Florida is by no means one of total gloom. First of all, the voters rejected all nine ballot issues (eight constitutional amendments and a casino gambling referendum). Analysts seem to agree that voters just didn't pick and choose: they simply chose the safest route, which was to vote "no" on everything. Among the group of nine that was rejected we didn't do so badly: we won in Dade, Broward, and Palm Beach counties and statewide pulled approximately 100,000 more votes (pro and con) than the other revisions. We won 42% of the vote, second only to the uncontroversial "merit retention of judges" proposal, which got 48%. ERA did well in the legislative races, maintaining a pro majority in the House and a probable 20-20 tie in the Senate. At this point it is unknown whether a tie-breaking vote will materialize, thus it is also unlikely that ERA will be considered by the legislature when it meets December 5-7.

All in all, the defeat was by no means a triumph for the antis. The Florida press has attributed it to a combination of confusion about the revision questions which, except for #2, were not discussed or explained publicly, and the massive, $1.5 million anti casino gambling campaign which sent the voters to the polls with a basic negative set. The Tampa Tribune stated that "the Ten Commandments may not have survived Tuesday's votes," and the Orlando Sentinel Star editorialized that "Given the mood of the voters this year, it's well motherhood wasn't on the ballot." Our showing looks especially good considering Anita Bryant's last minute attempt to distort the facts by linking Revision 2 with homosexuality.

In a very important respect the campaign was a real success: approximately 7,000 volunteers from the League, NOW, BPW, AAUW, WPC, the Council of Jewish Women, and numerous other church and civic groups staffed phones, distributed literature, and organized grassroots support from 20 local "Yes on 2" headquarters across the state. The campaign organization was strong, and has served to strengthen the League as well as to build a cohesive proponent ERA ratification effort. If ratification looks like a real possibility that strong organization can be reactivated.

As two members of the Polk County, Florida League have written to the national Board, the expenditure of League ratification dollars in Florida made a significant difference for the League itself. They speak of the favorable publicity generated for the League by our advertising on TV, radio, and in newspapers, increases in membership, and the valuable campaign experience gained by League members which will carry them forth in the future.

NEVADA The Nevada advisory referendum, for which we had contributed production of media, lost by about two to one. The elections also brought the defeat of enough pros in the legislature to make ratification in 1979 a virtual impossibility. The major factor in the defeat was a massive and highly organized campaign by Mormons; for instance, on the Sunday before the election, churchgoers were given a sheet of written instructions citing the opposition of the head of the church to ERA and urging a "no" vote. Those who didn't go to church received the instructions at home.

NORTH CAROLINA There was one gleam of cheer: Jim McDuffie, who switched his yes vote to no in the 1977 legislative vote, was defeated for a second time in Charlotte-Mecklenburg. He had been defeated once in the primary and then ran in the general election as an independent. The issue was clearly ERA, and the pros rallied to do what needed to be done. But in general the legislative elections did not go
well; a number of seats that had seemed sure bets were lost, partially as a result of the Jesse Helms Senate race sweep, leaving a small majority in the House and a gap of three to five votes in the Senate. With ratification looking less likely than it had seemed prior to the election, prominent organizations are reassessing plans for North Carolina.

OKLAHOMA A significant ERA race in Oklahoma was pro Bernest Cain against incumbent anti Senator Mary Helm. Although it looks like a Cain victory, there was a faulty voting machine in one precinct and Helm is contesting the results. It is likely that the courts will decide to hold a special election, probably in December.

Basic to ratification of Oklahoma will be the significant number of undecideds in each house, and the key to them will be the legislative leadership. Both the president of the Senate and the speaker of the House are pros, a definite plus for ERA.

AMONG THE STATES THAT ARE NOT CURRENT TARGETS: In Arizona the elections did not produce a pro ERA legislature. So the prospects for ERA are dim. The new governor of Arkansas is Bill Clinton, a pro, who won by a landslide. A number of the strongest antis are now out of the legislature. The actual chances of ERA ratification are still unknown though undoubtedly helped by the presence of newly elected House member Gloria Cabe, former state LWV president. Senator Percy's win in Illinois was, in part, a win for ERA. His vote on extension was the most recent of a series of controversial votes. Phyllis Schlafly tried to capitalize on this by sending an anti-Percy letter to all her Illinois supporters. The ERA forces saw the problem; their hard work for Percy was one of the factors responsible for the dramatic turnaround he made. The Illinois legislature lost 2 ERA seats in the House and picked up one or two in the Senate. The old legislature will meet before the end of the year but at this time ratification seems unlikely. In South Carolina an ERA referendum in Marlboro County lost, but by a much smaller margin than had been anticipated.

RESCISSION AND REFERENDA The new danger we face is a concerted effort by the antis to force referenda in unratified states and achieve rescissions in ratified states. Either one would do great harm to the cause. Senator Jake Garn of Utah has written every state legislator in the nation advising them that they can rescind ERA during the extension period. Please let the ERA campaign office know immediately if rumors or facts about either surface in your state. At the moment, states that we know have been targeted for rescission are: Indiana, Iowa, Kansas, Michigan, Minnesota, Montana, North Dakota, Oregon, South Dakota, Texas, Washington, and Wisconsin. Eternal vigilance is the price of no more rescissions!

MONEY Thanks to the generosity and hard work of League members around the country we were able to do what we had planned: run a highly professional campaign in Florida and contribute professional media to the Nevada effort. It is unlikely that even if we had had twice as much to spend in each state that would have made the difference. But, there is still everything to do and our finances are diminishing. All contributions and the LWVUS match have provided us with $969,122 since May, 1977 (almost our million!). Of this, approximately $760,000 has been spent in the states, and approximately $125,000 by the national office for staff, Board, publications, consultants, contributions to ERAmerica, etc. We are left with slightly over $80,000. Although decisions about next steps can't be made until the Board meets in January, one thing is clear: without more money we won't be able to maintain a highly visible League ERA effort. Therefore, I would like to issue a plea to those states that have not met their pledges to bend every effort to do so. It is especially urgent for New York Leagues to raise $10,000 before December 31 because each of those dollars will be matched, one-for-one, by the Veatch Program of Plandome, New York. In addition, whatever you dauntless souls who have already met or exceeded your pledge can raise would be most welcome. Texas is setting a superb example: their December Voter will include a tear-off for "one more dollar for ERA".

BOYCOTT SUIT The NOW trial in the boycott suit brought by the attorney general of Missouri is now over, and the Judge says he will hand down a decision at the end of January. At issue is whether the first amendment protects the right of organizations to take economic action for political purposes. A negative decision would be a landmark reversal of previous decisions in this area. I testified in Kansas City on November 6; League testimony was important because we were one of the first two groups to officially decide not to hold conventions in unratified states, two years before NOW began to encourage other organizations to adopt similar resolutions.

Witnesses for the defense in Missouri v. NOW demonstrated the diversity of organizations supporting ERA. It should be very clear from the depositions we gave last summer, from the files subpoenaed from all the organizations, and from the trial record that all the groups called to testify have
different purposes, that their boards of directors determine quite independently one from another
where and when to hold conventions, and that the one issue that we have in common happens to be ERA,

It is frustrating to all of us to use precious ratification dollars to defend ourselves in a case
such as this one, and it must be doubly frustrating to Missouri ERA supporters to see their tax
dollars spend on this lawsuit.

ERA COMMITTEE The national ERA committee will be meeting early in December to review the campaign
and prepare recommendations for the national Board. You will recall that the Board decided in
September to go full steam ahead until the end of March 1979, as originally planned, whether exten-
sion passed or not. The meeting in January will give them an opportunity to reassess this decision.

MAIL DAY, OCTOBER 23 ERAMerica sponsored a get-out-the-vote sending of post cards to Florida and
Nevada on October 23. Over 400,000 postcards were sent, of which 22,413 were mailed by League
members in 19 states. New York sent 10,000!

LUMINARIES FOR ERA As part of our campaigns in Florida and Nevada we were able to enlist a number
of luminaries to make radio and TV spots, including Governors Rubin Askew of Florida and Mike
O'Callaghan of Nevada, Betty Ford, Coretta King, and Burt Reynolds.

NEW MATERIAL

ERA Means Equal Rights for Men and Women, LWV pub. #272 has been redone; a copy is enclosed. It
has already been very well received in Nevada, Oklahoma, South Carolina, and Georgia.

The Equal Rights Handook by Riane Tennenhaus Eisler has recently been published by Avon. Ruth
Hinerfeld has written a brief introduction-testimonial for it. The book discusses a number of
"facts and fallacies" and suggests ways to work for ERA. Avon is offering the book at half price
to Leagues if there is a minimum order of twenty five copies. It costs $1.95 (full price) and
can be resold by you to make money. Books should be ordered from: Jack Bernstein, Avon Books,
959 Eighth Avenue, New York, NY 10019. A check for 50% of $1.95 times the number of books you
are ordering should be sent with the order.

Rights and Wrongs, Women's Struggle for Legal Equality by Nicholas, Price, and Rubin, of the Women's
Law Project in Philadelphia has been published by The Feminist Press (Box 334, Old Westbury, NY
11568) and McGraw Hill. Short and concise, its four sections cover: women and the Constitution,
marriage and the law, women and employment, and women and their bodies. This same group produced
Women's Rights and the Law, a copy of which was send to each state League several months ago.

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 ERA Christmas and Chanukah Cards The Notables, 6019 Kenwood, Kansas City, MO 64110 (816-523-
2646) again have appropriate Christmas and Chanukah cards. They come 12 cards to a package
and cost $2.50 retail, $1.25 if you are going to resell them.

Note: Please notify the campaign office if your state ERA chair has changed.

Keep the Faith!
TO: State and Local League Presidents, State ERA Chairs  
FROM: Nancy Neuman, ERA Chair  
RE: ERA Progress Report  

NATIONAL CONVENTION proved once again the overwhelming commitment of local and state Leagues to ratification of ERA. Not only have Leagues raised the funds needed to mount professional political campaigns in unratified states, they also demonstrated on the floor of the Convention how willing they are to pull together to present a unified effort to reach our ultimate goal, ratification.

During the closing hours of Convention, ratified states "adopted" unratified states in a show of solidarity. The adoption proceedings included passing an American flag from presidents of ratified states to the presidents of unratified states. It was understood that the states will continue to raise funds for the national campaign, but that "adoption" will mean additional, direct relationships between the states. For example, Pennsylvania local Leagues plan to "adopt" North Carolina local Leagues, and to increase economic action taken by individuals in Pennsylvania to vacation in ratified states. The Pennsylvania president intends to travel to North Carolina to describe the effects the state ERA has had on Pennsylvanians. Louisiana may travel to New Jersey to put on a cajun cooking fundraiser, and Massachusetts, once it reaches its goal for the national ERA drive, will buy ads for the Arkansas League. Let us know your plans and we will share them. The adoptions are:

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The Convention body sent wires to Mayor Bilandic of Chicago and Governor Thompson of Illinois urging ratification. In addition, delegates sent postcards to these individuals. There was a great deal of coverage by Chicago radio stations of our action, and many questions about how much Chicago lost and Cincinnati gained in dollars by our moving the national Convention. The Cincinnati newspapers estimated that we directly and indirectly generated at least $2 million for that city's economy.

In caucuses delegates decided not to bring the issue of extension up on the Convention floor because of the potential negative impact such a discussion might have on a favorable vote in Illinois. For the same reason the issue of Medicaid funding for abortion was also not brought up on the floor of Convention but instead was discussed in directions to the national Board at the Human Resources breakfast.

Open House in the ERA suite continued most of Convention; we exchanged ideas and strategies and plans and proposals were reviewed with unratified states. In the meantime, delegates were raising more ERA money every day by sales of ERA products, and in a final burst of enthusiasm over $1,600 was collected in a shopping bag within a 5 minute period on the last day of Convention.
An action motion was passed on Convention floor urging League members who belong to PTA to express their concern that the national PTA Convention is being held in July in Atlanta and urging delegates to that Convention to reaffirm their commitment to equal rights during that meeting.

I heard of many successful fundraising events as I wandered about the Convention floor. Please send your success stories to us so we can share them in a future memo. Don't forget we still have 14K gold ERA necklaces in stock which can be used in raffles, auctions, as an "incentive" award for the person in your League who raises the most money, or as a gift to prominent leaders in your communities (including former League presidents!).

CAMPAIGN FINANCES As of May 9, 1978, the ERA campaign fund had raised a total of $705,644.93. This figure includes $556,431.51 from state pledges, $134,000 from LWVUS, and $15,213.42 that came through development department fundraising, board and staff "over the transom" contributions.

So far our expenses have been: South Carolina: $40,000 to the coalition effort in which we participated and $5,000 to the state League; Virginia: $2,575 to the state League; Illinois $138,500 to the state League for campaign expenses, $3,000 for free pubs, $500 for Catholics Act for ERA and $5,077 for national office expenses relating directly to the Illinois campaign. Running the national office costs about $11,250 per month for salaries, fringes, rent, printing, postage, publications and telephone. Field service to unratified states is costing about $5,800 per month.

STATE REPORTS We're giving all possible support to our Illinois campaign office and holding our breaths.

The primary in North Carolina took place on May 2. The results indicate a fairly safe margin in the House, but the Senate remains ominously close. Obviously much needs to be done before Legislature convenes in January. With the primary over, the North Carolina League is busy formulating a proposal for funding for their state ERA campaign.

In Oklahoma the political situation is still fluid since the final filing date for the primaries isn't until July 12. The Oklahoma League is a major participant in OK-ERA, the Oklahoma state coalition, and has prepared a proposal for funds that will assist its work with that group. Two staff members from the national ERA office spent three days in Oklahoma at the end of March getting to know LWV and OK-ERA members and attending a leadership workshop on ERA put on by OK-ERA.

The state constitutional revisions in Florida that will be on the ballot in November include a state ERA as a separate provision. This means that we may have to get into a campaign to get a favorable vote on that, in addition to working on legislative ratification of the national ERA.

The state-wide ERA referendum that Nevadans will vote on in November is becoming a key issue in the ERA fight. As ERAmerica puts it, the referendum could be won and make no difference, but if it is lost there will be negative repercussions across the country. Therefore, we will participate in the referendum campaign there. It will be a matter of running ERA as a candidate, with all the precinct walking and voter registration that go with a candidate campaign.

ERA will come up in committee in Louisiana in June. Among the several hurdles it faces is the confusion among many Louisiana Catholics about the relationship of ERA to abortion.

In Arizona ERA was voted out of the Senate committee in late March 5-4. During the second reading on the floor of the Senate it was amended to delete the second section ("The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.") and passed, thus amended, on the third reading. Since a proposed Constitutional amendment, once passed by Congress, cannot be changed this action has no validity.

The national office is undertaking some polling for its own use in Florida, Nevada, North Carolina and Oklahoma to determine how various segments of the population feel about ERA. The results of the poll should be very helpful in designing campaign strategy in all four states.

BOYCOTT The states of Missouri and Nevada have sued NOW as the organizer of the convention boycott, on the basis that it is a restraint of trade in violation of the Sherman Act. NOW points out that a unanimous Supreme Court decision in 1961 (the Noerr case) concluded that the Sherman Act does not forbid "associations for the purpose of influencing the passage or enforcement of law." Justice Black, who wrote the decision, stressed the fact that in a "representative democracy the whole concept of representation depends upon the ability of the people to make their wishes known to their representatives." To say that "people cannot freely inform the government of their wishes would impute to the Sherman Act a purpose to regulate not business activity, but political activity."
Discovery in both the Nevada and Missouri suits has been stayed pending the resolution of a motion to dismiss made by NOW. The hearing on the motion relative to Missouri was held on May 10, and the matter is still under advisement, but action is expected fairly soon. The League, along with a number of other organizations, has been subpoenaed to make a deposition in the Missouri suit, but no date for this can be set until the matter of the motion to dismiss is settled. The firm of Wilmer, Cutler and Pickering has agreed to work with us on the case on a pro bono basis.

In some places politicians are using the convention action as an excuse not to act on ERA. There is no doubt that it is having some effect. As of April, it was estimated by NBC news that Chicago had lost $21 million and New Orleans $13.5 million. There is no doubt that conventions mean money. Our hosts in Cincinnati estimated that the $400,000 we spent at Convention would multiply to $2 million in the local economy.

EXTENSION The Subcommittee on Civil and Constitutional Rights of the House Judiciary Committee held four days of further hearings on ERA ratification extension in mid-May. Those testifying included people from the legislatures of Arizona, Illinois, Oklahoma and Virginia, Liz Carpenter of ERAMerica, Phyllis Schlafly, Congresswoman Barbara Jordan, and representatives of AAUW and BPW. The Subcommittee plans to vote on June 5 and will presumably pass the extension resolution 5-2. At this writing, the vote in the full committee is split 17-17. A complicating factor is lurking in the wings: it has been said that there will probably be attempts to amend the resolution to give states the right of recission. The LWV is firmly against this.

A similar extension resolution was introduced in the Senate by Birch Bayh on May 18th.

IDEAS AND MATERIALS FOR PUBLIC EDUCATION A new edition of "In Pursuit of Equal Rights", with updated statistics, has just come off the press. It is printed in green instead of brown, for easy identification, and is priced as before, at $1.50. There are still a number of the previous edition in the storeroom. They are available free, on a first come, first serve basis. If you would like some, write the Publications Sales Department.

Summer fairs and parades are a good place to publicize ERA. Last Fourth of July the Downers Grove, Illinois, Stop ERA had a float in the local parade . . . We should certainly be able to do the same. An information booth at the county fair would also be a good way to spread the word.

The Nebraska League has put together a successful slide show on state property laws, called "By Whom Possessed". Other states interested in doing something similar for themselves can contact Kappie Weber, Nebraska LWV Women's Rights chair, 1614 N Street, Lincoln, Nebraska 68508, (402) 488-3088, for guidance.

There are two relatively recent brochures on ERA aimed at a religious audience. "Why ERA", a 30 page booklet written for Catholics discusses the pro and con sides of many ERA related issues. A limited number are available for 25¢ @ from the 8th Day Center for Justice, 22 East Van Buren, Chicago, Illinois 60605. "ERA and 'Family Life'" is a brochure written by Charles V. Petty, director of the Christian Life Council of the Baptist State Convention of North Carolina. It costs 15¢ @, or $3 per 100, from the Service Department, Board of Church and Society, 100 Maryland Avenue, NE, Washington, D.C. 20002.

An innovative and productive approach to community education has been developed by the LWV of the Upper Darby Area in Pennsylvania. Their ERA speakers bureau begins its presentations by having audiences fill out a poll on attitudes toward women's issues that was developed by Good Housekeeping magazine in 1971. This leads naturally to a discussion of various aspects of ERA, with an emphasis on a question and answer format. The session closes with a comparison of the questionnaire results of that group, the original 1971 poll, and others conducted locally. For further information and/or a copy of the poll contact: Kay Armstrong, 645 Harper Avenue, Drexel Hill, PA 19026, (215) MA2-3034.

SWAP SHOP Although fifteen states have completed their pledges, the rest have anything from a few dollars to many thousands yet to go. Perhaps some of these ideas will be helpful:

* A Simple Matter of Justice, a film on ERA and the Houston Conference starring Jean Stapleton, is available for rent ($100) or purchase ($350) from P.S. Films, c/o Ann Hassett, 933 North Beverly Glen, Los Angeles, California 90024, (213) 279-1069. It is 26 minutes long, in color, and has numerous shots of the convention hall and various celebrities such as presidents' wives, as well as close-ups of delegates from Florida, Illinois, North Carolina and South Carolina. This film was enthusiastically received at our Convention, and could be used as the drawing card at a fund-raising event.


* The Livingston, New Jersey, LWV put on an auction in hope of earning $650 and ended up by netting $2,795.50. Their unexpected success came partly from careful preparation: a member wrote to a number of famous people and got things to auction off, they canvassed the community to get attractive auction items, and they put together a professional looking catalogue to help the auction goers.

* The Sedalia-Pettis County, Missouri, LWV has navy and white T-shirts that say "I'm for ERA", wholesale price $4.00 (French cut, 50% polyester, 50% cotton) and $3.50 (100% cotton). Suggested retail $7.95 and $5.95 respectively. Write: Carmen Fletcher, 114 West 14th Street, Sedalia, Missouri 65301, (816) 826-7036.

* Working Leaguers often don't have the time to take part in many fundraising events. From San Bernardino, California comes the suggestion that they take special goodies to the office for sale at coffee break.

* A sewn ERA badge (ERA in red, on white, approximately 1" x 1/3") is available in quantity at 4 for $1 from the East Multnomah County LWV, P.O. Box 81, Troutdale, Oregon 97060, (503) 665-4295. Suggested retail.

* "The American Way is ERA" says a white on blue bumper sticker that also sports two eagles. Designed and sold by the Orange County, California LWV, the wholesale price is $10 for 50; suggested retail price $1 apiece. Order from: Peggy Tucker, 6052 Dagny Circle, Huntington Beach, California 92647, (714) 846-4779. If you order from California she needs your resale number.
TO: State and Local League Presidents, State ERA Chairs
FROM: Nancy Neuman, ERA Chair
RE: Update on ERA

ERA in Illinois has fallen victim to political chicanery. The House defeat of ERA by two votes on June 22 shows what a slippery business we are in. The votes that did us in were cast by three Republicans who had voted for ERA two weeks previously. Evidently Governor Thompson - who has assured the pros of his support all along - was not able to keep his people in line. And two of them were appointed by him to the House! I am reminded of the week in March when he endorsed an anti ERA legislative candidate one day, and on the next joined the Committee for Equal Rights in '78 at a League reception. ERA lost by 101 for to 64 against on June 7 because five Chicago legislators abstained over a party leadership dispute. On the 22nd the vote was 105 for to 71 against - a rousing majority in any other state where it takes a simple majority to ratify. 107 votes were needed.

It is not a time to write off ERA, however. Polling by LWVUS has been completed in Florida, North Carolina, Nevada and Oklahoma, and our consultants are in the process of refining their analysis of the results. Basically, the polls show that ERA is not a shoe-in anywhere, but that every state has a substantial group of voters who are either undecided or weak in their convictions. It is these people that good campaigns will be able to firm up for ERA.

Plans are advancing for Florida, where a referendum on adding an equal rights provision to the state constitution will be on the ballot in November. Success in the referendum is one key factor in ratification, so we are setting up a highly professional campaign organization to work on it. We have hired Tom Baker, a political consultant based in Washington who has done considerable work for ERAmerica, to head the effort, backed up by a staff of two or three others. Campaign design will be guided by the poll results.

Campaign director Alice Kinkead and one of our political consultants have visited North Carolina; the results of their visit and the poll indicate it is possible to win by focusing on the legislature. The specifics of the campaign are currently being worked out.

ERA staff will visit Oklahoma again soon to firm up details of the campaign effort there. Through the state League we will be working with OK-ERA, the state coalition.

The issue in Nevada is a state-wide "non-binding" referendum on the November ballot, which the legislators decided to institute to get the pressure off themselves for a while. A U.S. Constitutional amendment cannot be decided by
referendum, but the courts have said that there is no reason why this non-binding exercise should not proceed. Strong anti's and strong pros seem to be about evenly matched in the state. Even if the referendum comes out for ERA there is no consensus that the Nevada Legislature would then ratify. A loss in the referendum, however, would have negative repercussions around the nation. So with the blessing of the Nevada League we will assist with the referendum campaign to the extent that our resources will permit.

Which brings me to money. As of June 22 76% of the pledges ($642,513) had come in. With the proportionate share of the LWVUS pledge and money that has come through the Development Department we have raised a total of $794,955. Close to $200,000 has been spent on South Carolina and Illinois. The Florida campaign will cost about $350,000, a small piece of which may be contributed by other organizations. Campaigns in North Carolina and Oklahoma should be budgeted at about $200,000 apiece. This already totals $950,000 and doesn't include Nevada or office expenses and money for the polling and political consulting. We will, of course, put some money in Nevada and pay the bills of our national office, but the general moral is clear: to do the job we need every dollar that has been pledged and more if possible. So, if you haven't completed your pledge please keep at it! We are, of course, very thankful for those states that have reached 100%, and especially grateful to those states that have exceeded their pledge.

We have received some queries about the march scheduled for Sunday, July 9. It is sponsored by NOW and is a march for the extension and ERA, to be followed by a day of lobbying for the extension on the Hill. Since we must commit our limited staff to ratification efforts and since the League has not taken a position on extension we are not planning to officially participate.

Note: the source for the film "A Simple Matter of Justice" is now: Films Incorporated, 733 Green Bay Road, Wilmette, Illinois 60091. They have a toll free number: 800-323-4222. The rental price has gone down to $75; purchase is still $350.
To: State and Local League Presidents, ERA Chairs  
From: Madeleine Appel, LWVUS ERA Chair  

Subject: THE NATIONAL BUSINESS COUNCIL FOR THE EQUAL RIGHTS AMENDMENT

The National Business Council for the Equal Rights Amendment, which is sponsored and organized by the LWVUS/ERA, will be formally launched by Ruth J. Hinerfeld, LWVUS President and Polly Bergen, Co-chair for the National Business Council for ERA, February 12 at a press conference in New York.

The National Business Council for ERA is the League's new national strategy for gaining ratification of the Equal Rights Amendment. The purpose of the NBC is to create a formal structure which will bring together business leaders who support ERA and underscore with the media and the public in general that business is with us in the effort to ratify ERA. By taking up the challenge to organize business leaders for ERA, the League is not only continuing its priority commitment to the amendment, we are also generating a new base of influence from which to strengthen ERA legislative campaigns in the unratified states. Council members are being asked to lend their names, their talents and their business contacts to the ERA ratification effort. They will also be asked to use their clout to reach into the state legislatures in the unratified states, which may make the difference in the vote. The Council will also raise some money for League ERA campaign efforts.

The League has enlisted Polly Bergen as a national co-chair and tireless partner in putting together this Council. The other co-chair will be announced February 12. A steering committee chaired by Ms. Bergen and made up of members of the business community and the LWVUS/ERA has developed materials on Why Business Should Support ERA, and reached into the corporate community to recruit a nucleus of business leaders to initiate this effort. In order to establish a unified and effective effort, the League has consulted with and received the backing and cooperation of every facet of the ERA proponent force, notably ERAmerica, the Administration and the President's National Advisory Committee for Women.

We are asking that you wait until February 12 before using any of this information outside the League. If you need any additional information, please feel free to contact Ellouise Schoettler, LWVUS/ERA Director.
ERAmérica Holds National ERA Strategy Meeting

ERAmérica set a precedent in the fight for ERA ratification when it brought together representatives from all its member organizations for a Washington, DC meeting in mid-August. For the 125 participants from these groups and from ERA Coalitions in unratified states, the meeting brought the realization that they are it—they and the ERA supporters in their states are the national strategy and working team for ERA ratification.

ERAmérica assembled an impressive roster of speakers who addressed the group on issues of strategy and campaign tactics. The meeting, conducted by Mary Futrell, board chair of ERAmérica, featured such notable speakers as Elly Peterson and Liz Carpenter, honorary co-chairs of ERAmérica; Ellie Smeal, president of N.O.W.; Jerry Tucker, UAW; Matt Reese, professional campaign strategist; Rosalie Whelan, executive director of the National Women’s Education Fund; and Anne Follis, president of the Homemakers for Equal Rights Association. Suone Cotner, executive director of ERAmérica, outlined the role of ERAmérica to the delegates, and during the Sunday morning session each state coalition chair presented a report on that state's ERA situation.

Ellie Smeal brought the group to its feet Sunday when she said, "We must persuade people to change their lives now or live with this (struggle) the rest of our lives. It's cheap if we do it (ratify ERA) now. It will cost us another generation of feminism if we do not do it now."

Mary Futrell closed the meeting with the remark, "the future of women is on our shoulders."

The League figured prominently in the meeting by bringing to Washington 14 unratified state ERA chairs and also through the attendance of many League members who have additional roles in their state ERA Coalitions and other organizations. Attending as League delegates were: Betty Thompson, Alabama; Maureen Murphy, Arizona; Emily Barrier, Arkansas; Wilma Felder, Florida; Alice Steinmann, Georgia; Gretta Tameling, Illinois; Dorothy Dahlberg, Louisiana; Roseanne Newcomb, Missouri; Cynthia Cunningham, Nevada; Bonnie Medinger, North Carolina; Sandra Rose, Oklahoma; Sandra Watts, South Carolina; Nanette Benowitz, Utah; and Jean Franklin, Virginia. Also present were board and staff members (see photo below).

Around the edges of the ERAmérica meeting, this LWVUS team met to exchange information and to strengthen ties between state and national League ERA leadership. Appel, who facilitated the discussions, explained the financial support available from the LWVUS at this time, described the role that the LWVUS can play within the states, and fielded the recommendations and requests from state leaders.

There was general agreement that the coming together to share opinions and develop campaign strategies was an ideal way to build cooperative ties and recharge enthusiasm and commitment to ERA, in readiness for renewed efforts in unratified states.

We have a new format and a new mix of news, with excerpts from League sources reporting, in your own words, your ERA activities and related concerns.
ERA WON'T GO AWAY

The following editorial from the St. Petersburg Times, May 25, 1979, reprinted in the Manatee(FL) VOTER, tells the story of how the Florida legislature turned its back on equal rights:

It hurt to watch the Florida Senate defeat the Equal Rights Amendment Thursday. It hurt women; it hurt men; it hurt Florida and the nation. For less than an hour senators rose to speak. Mary Grizzle rebuked her fellow Republicans for failing to follow the lead of Republican Presidents and the GOP platform. Don Childers complained that President Carter tried to exert his influence.

Governor Graham and his staff also moved to persuade a few key legislators; obviously they failed, and that failure disappoints many people around the state and the country who had hoped for success. Only three more states need to ratify the amendment for it to become part of the U.S. Constitution.

The 21 Senators who voted no also turned their backs on some persuasive arguments. Senator Grizzle pointed out that the boycott by ERA supporters is costing the state valuable business and publicity—including perhaps the Republican National Convention.

Another proponent argued that the piecemeal approach of passing specific statutes is not getting the job done—the job of wiping out discrimination and ending the notion that women are inferior to men.

Even those who spoke against the ERA admitted that point: that women are still judged by the stereotype of inferiority instead of by their abilities as individuals.

"That's something we can address in the Legislature," said Brandenton, Florida's Patrick Neal. He was partly right. The Florida Senate could have...

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...AND WHO IS REALLY ANTI-MALE?

A recent column by Ellen Goodman in the Washington Post was called to our attention through Karin Dovring in Illinois. It skewers media treatment of the Supreme Court decision that alimony applies equally to men and women and goes on to lay bare the real anti-male bias of the anti-ERA leadership.

Under the curious media policy of presenting "both sides" of any controversial story, even if one side has "about as much validity as the Flat Earth Theory," the press turned to a favorite anti source, Phyllis Schlafly, for comment. After labeling the decision a bad one for women, she added one of her customary unsupported generalizations: "It's the end of all alimony." The press, notes Goodman, failed to raise the factual points that Schlafly herself must know:

- less than a quarter of the states still have statutes that discriminate against males, allowing only women to get alimony;
- only a small minority of divorced women are awarded alimony;
- and only a fraction of these actually get it.

Beyond this critique of reporting standards, Goodman scores a more important point, that Schlafly's reaction is symptomatic of a basic anti-male pattern among ERA opponents. Schlafly always "fumes" when men win an equal rights case. While arguing that they want to "protect" women's special privileges, in actuality anti-simply want them denied to men.

The antis persistently call ERA proponents "anti-male," if not downright "rabid manhaters," but it is the antis who "start hyperventilating with rage" when men make advances in Social Security, parenthood and alimony rights. They are the ones who want to keep men in their place, "a place somewhat lower than their own preferred dais, the pedestal."

Goodman concludes that the significant gains in men's rights are not an accidental by-product of the women's movement. They are, she says, "part of its intentional goal of finding a better basis for the law than gender...and like so many other items on the equal rights agenda, (the alimony) decision is ultimately both pro-male and pro-female, because it is pro-fairness."
MIAMI LOSES ANOTHER ONE  United Mine Workers followed the lead of the AFL-CIO in cancelling its convention in Miami this year because Florida has not passed the ERA. The union's international executive board voted unanimously to find another site. The AFL-CIO cancellation cost Miami $1 million in lost hotel, food and entertainment income.

ERA WORKS IN STATES

The U.S. Commission on Civil Rights report, Statement on the Equal Rights Amendment, states that the legal rights of women and men have been expanded in the 14 states that have added equal rights amendments to their constitutions since 1970. The commission, an independent, fact-finding agency of the federal government, is charged with determining the evidence of discrimination or denial of equal protection under the law.

The commission points out that the fears expressed by opponents of the federal ERA—about such issues as co-ed bathrooms, recognition of homosexual marriages or legalization of prostitution—have NOT been realized in any of these 14 states. The commission further states that "the ERA is the APPROPRIATE remedial action to...assure women and men equal justice before the law."

The 14 states that have added equal rights provisions to their constitutions since 1970 are Alaska, Colorado, Connecticut, Hawaii, Illinois, Maryland, Massachusetts, Montana, New Hampshire, New Mexico, Pennsylvania, Texas, Virginia and Washington. Of these, Illinois and Virginia have not ratified the federal ERA.

The commission cited public benefits in employment and education as well as in criminal and civil law that were realized in those states:

- Some ERA states have sex-neutralized the allocation of worker's benefits.
- Girls can participate in a broader range of public school athletics.
- In Massachusetts a special trust to provide financial aid to male law students has been opened to female candidates.
- The Illinois, Texas and New Mexico juvenile justice systems have been "equalized." Pennsylvania has amended its sex-based sentencing laws, bringing into conformity the penalties for identical crimes, whether committed by men or women. It, along with Massachusetts and New Mexico, is taking steps to provide women prisoners with programs comparable to those offered men prisoners.
- No ERA state has legalized prostitution. Prostitution laws are no longer aimed solely at women—prostitutes and patrons risk the same criminal penalties.
- Most ERA states have neutralized rape laws to protect women and men against sexual assaults.
- In divorce cases, Pennsylvania courts evaluate a wife's services as a homemaker in calculating how much she and her husband should contribute to the support of children. The traditional legal concept that all household goods belong to the husband has been abolished in several of the states.
- None of the ERA states has repealed laws requiring husbands to support dependent wives and children or passed laws requiring a rigid 50-50 split of financial responsibilities.
- Courts in ERA states have refused to interpret the equal rights provisions to validate homosexual marriages.

The report also points out that ERA is needed because the U.S. Supreme Court's interpretations of the 14th Amendment's equality provisions give broader protection against race discrimination than against sex discrimination.

The commission says the federal amendment "will give women a clear route to seek redress against sex bias; provide impetus for the enforcement of existing anti-discrimination laws and the completion of legislative reform; and give the courts a basis for dealing with sex-based discrimination."

To obtain a copy of Statement on the Equal Rights Amendment, send a POSTCARD to the U.S. Commission on Civil Rights, Publications Division—Room 700, Washington, DC 20425.

LEAGUE HONORS MEMBERS ON THE 19TH AMENDMENT ANNIVERSARY

June 10th, 1979, marked the 60th Anniversary of the ratification of the Suffrage Amendment in Illinois. Illinois was the first state to ratify the 19th Amendment to the U.S. Constitution. The League of Women Voters honored Dorothy Salene, Bernice Vander Vries and Frances Dawson (all from Evanston) who fought for our right to vote and continue to fight for equal rights under the law.

In reminiscing about her early efforts for equal rights, Dorothy recalled that she was at the University of Illinois when ERA was first introduced as federal legislation. "A small but vocal group there at the journalism school formed CUE, Count Us Equal. I was very hopeful then," she said, "I never thought I would be 74 years old and still not see it ratified."

Bernice Vander Vries, 89, said she was "outraged" when college friends were jailed in 1912 and 1914 for picketing in Washington, DC for the right to vote. The former state legislator also termed it "outrageous" that the state has not ratified the Equal Rights Amendment. "If I were in the legislature now I would be keeping it (ERA) stirred up."

Frances Dawson, a 50-year member of the League, decried the fact "that a few people are holding up the ERA ratification in Illinois." As a Republican member of the Illinois House from 1956 to 1970, Frances regrets that "much of the opposition comes from Republican leadership."

From the ERA ILLINOIS Newsletter, June 1979.
ON THE MONEY: INTO THE CONSTITUTION

When ERAmerica organized a campaign that capitalized on the issuance of the Susan B. Anthony Dollar to bring renewed attention to the ERA fight, Leagues were active participants. Harriet Hentges, executive director of the LWVS, represented the League at a June 20 White House ceremony at which Rosalynn Carter spoke on behalf of ERA. Since then Leagues, along with other supporting organizations, have followed up with statements, special events and media coverage. Below is a representative example of the many letters to the Editor received by newspapers around the country, this one written by Helen Yost, President of the Santa Barbara, California League:

Editor, News-Press: Newspapers report that the new dollar coin may take time for public acceptance. Susan B. Anthony wouldn't be surprised. She knew that all change takes time, and she had a lot of patience. She also had courage, determination, intelligence and extraordinary organizational ability. She was born in 1820. From 1851 to 1906 when she died, she worked to secure women’s rights. She wanted women to have equal pay, the right to enter all professions, not just school teaching, the right to own property and control their own income. But she knew the right to vote was a prerequisite to all other rights, and so she and Elizabeth Cady Stanton led the long fight for the 19th Amendment.

Anyone who reads the history of the suffrage movement knows the ridicule, the vilification, the economic and physical hardships endured by both leaders and rank and file workers. In spite of powerful opposition, the 19th Amendment was finally adopted in 1920, 14 years after Miss Anthony’s death. It is known as the Anthony Amendment and bears repeating: "The rights of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex." The same arguments that were used against adoption of the 19th Amendment are now being used against the Equal Rights Amendment—that it will destroy the home, that it will take away the "protected" rights of women, that it is not necessary, that women are satisfied with the present state of things, etc. The ERA Amendment says simply, "Equality of rights under the law shall not be denied or abridged...on account of sex."

ERA PROTECTS OLDER AMERICANS

Our parents and grandparents have earned retirement years of security. And every senior citizen should have a right to full protection against age discrimination and sex discrimination.

But discrimination against women can sometimes make life difficult for older women. Social Security, for instance, doesn't recognize homemaking and child-raising as "real" work. So, if a woman is widowed early in life, she may be completely out of luck in terms of Social Security. Widows, too, have suffered because Social Security doesn't always allow them benefits based on their deceased spouse's work.

A Social Security system that treats men and women equally will be a stronger system, with benefits that are fair for all Americans.

THAT'S WHY THE NATIONAL COUNCIL OF SENIOR CITIZENS STRONGLY ENDORSES AN EQUAL RIGHTS AMENDMENT TO THE UNITED STATES CONSTITUTION.


STATEMENT FOR WOMEN'S EQUALITY DAY, AUGUST 26, 1979, by Ruth J. Hinerfeld, LWVS president:

Fifty-nine years ago this weekend, American women won the right to vote. They have not yet won the right to equal protection under the U.S. Constitution.

On Women's Equality Day, 1979, the League of Women Voters finds little to celebrate. Women work both inside and outside the home and yet are shortchanged in many areas of life:

-- Women, whether in the home or in the workforce, are penalized by inheritance laws, pension rules, and insurance practices.

-- Women, 52% of the workforce, are paid 20% less than men for doing the same work.

Only clear protection in the form of an Equal Rights Amendment can end these inequities.

Just three states stand between women and their equal rights under the law. As our suffragist ancestors fought for the right to vote, the League of Women Voters will continue to fight for the ratification of the Equal Rights Amendment.

MORMONS FOR ERA TAKE ACTION

Just before a scheduled Fourth of July flag-raising ceremony, MORMONS FOR ERA raised another banner over the Washington, DC area's Mormon Temple urging Mormons to "RAISE THE FLAG FOR ERA."

Sonia Johnson, chair of the group, says media coverage of a verbal sparring match between her and Mormon Senator Orrin Hatch helped turn individual efforts into a national organization. The occasion was an August 1978 Senate subcommittee hearing, at which Johnson was testifying on behalf of pro-ERA Mormons. In the year since, MORMONS FOR ERA has been organized in many states, to demonstrate dissatisfaction with the church's current attitudes toward women and to counter the organized political activities of the Mormon Church to defeat ERA.

"The Banner is being flown over the nation's capital," explained Johnson, "to remind all Americans that women have not yet won their independence...it is now time to raise the flag for equal rights for women."

To express your concern "that Mormons are tampering with your civil rights," says Johnson, write Spencer W. Kimball, President of the Mormon Church, 50 East North Temple, Salt Lake City, Utah 84150 or call 801-531-2531.
THE NEW RIGHT

A new and growing political movement threatens the very life of the Equal Rights Amendment. That was the word from America, honorary co-chair Elly Peterson at the August 1979 ERA Strategy Session in Washington, D.C. as she expressed concern, saying, "We have got to focus on the New Right--and the threat it poses for the ERA." We are providing this information on the so-called New Right because of the active opposition to ERA by a number of groups that are often categorized as being associated with this movement.

The term "New Right" has entered the political vocabulary as a tag to identify a movement that prominently reappeared on the American political scene in the mid-1970s. It consists of a number of single and multi-issue organizations, including STOP ERA and the Eagle Forum,* which coalesce in varying combinations in efforts to defeat a wide array of targeted issues. While the movement can trace its ideological roots to such earlier groups as the John Birch Society and the Liberty Lobby, there is an important philosophical difference. Says Paul Weyrich, national director of the Committee for the Survival of a Free Congress, "We are different from previous generations of conservatives. We are no longer working to preserve the status quo. We are radicals working to overturn the present power structure in this country."

The movement is bipartisan--affecting both major political parties. According to Republican Peterson, it has already made inroads into her party. "I dislike being used [by this movement] both as a Republican and as a woman," she says. Peterson noted that perhaps the most complete analysis of this movement had been done by former U.S. Senator Thomas J. McIntyre in his book, The Fear Brokers. She recommended it as required reading for all ERA supporters. As described by McIntyre, The Fear Brokers, "...is a book about the Radical Right, about people who profess to love America more and understand it better than you or I do, but whose words and deeds belie this claim...it is about the exploitation of genuine and widespread anxieties by political leaders who preach passionate certainties but whose chauvinism about America masks their own deep-seated reservations about the Grand American Experiment--about our basic values, traditions, and institutions; about the Bill of Rights and the Constitution itself--and whose shrillness reveals their profound fears about our strength as a nation, our character as a people."

McIntyre takes pains to point out that many of the beliefs held by groups in this movement are shared by millions of other Americans. But he is quick to add that "it is the subtle blending, the exaggeration of what may well be valuable attributes, and intolerance of other viewpoints that make the New Right political philosophy an unacceptable distortion."

The Washington, D.C. Interchange Resource Center, an organization that monitors ultra-conservative political groups, characterized the various coalitions and groups as a pragmatic movement willing "to embrace any issue that serves its cause, broadens its constituency and brings in money."

Part of the movement's mounting success is due to its use of modern computer technology to mount massive direct mail drives that raise millions of dollars overnight. This computer capability also makes it possible to generate an outpouring of support in the form of letters to Congress and/or state legislators on a specific issue they have targeted for defeat, e.g., ERA. (It is significant to point out that it is far easier to identify what these groups are against than to cite what they are "for.")

The movement is also characterized by its choice of tactics. Its aligned groups lean heavily on emotional rhetoric designed to stymie reasonable arguments and nullify the impact of facts and figures. Peterson cautioned the delegates from unratified states attending the Washington meeting: "They know ERA is an emotional issue with which they can stir people up."

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* Among the organizations that participate in many of the coalitions within this movement are: The National Conservative Political Action Committee, The Conservative Caucus, Young Americans for Freedom.

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ERA STATUS REPORT ON THREE STATES

- Missouri has developed a changed and more positive climate for ERA and plans to enter the amendment into their Senate in mid-January 1980. It looks hopeful.

- Florida is developing another Coalition, and they are working together and plan to try the amendment again.

- Illinois ERA decisions depend on the results of the elections in March. N.O.W. is giving an all out push there under the name of the ERA Ratification Council. LWV is working with them and the reports of their activities are positive.
The LWVUS-ERA Committee, made up of national board members, shown during a recent Washington meeting at which they approved funding for Missouri and Oklahoma ERA campaigns.


IDAHO ET AL. V. FREEMAN

ERA proponents are increasingly concerned over the recent developments surrounding a current court case filed by the states of Idaho and Arizona and four state legislators from Washington. The case challenges the constitutionality of the ERA extension and also seeks to validate a state's power to rescind a prior ratification.

The concern arises over whether federal Judge Marion J. Callister should rule in this case involving the Equal Rights Amendment, because he holds a high-ranking position in the hierarchy of the Mormon Church, which has taken official stands against ERA, against extension and in support of rescission—the issues of the case.

Last October, Judge Callister rejected a Justice Department motion that he disqualify himself from the case because of his position as a Regional Representative in the Mormon Church. (There are fewer than 100 men who rank higher than a Regional Representative in the church's policy-making body.) In its motion to disqualify, the Justice Department stated that the test for disqualification is whether a reasonable person could infer that a judge's impartiality might reasonably be questioned. They concluded that, because of Callister's position in the Mormon Church and the official position of the church vis-a-vis ERA, a reasonable question does exist.

The Justice Department's Solicitor General has so far decided not to seek a reversal of Callister's decision to remain on the case. As a result, 79 members of Congress have sought to intervene in the case as party defendants on the grounds that the suit challenges the authority of Congress (under Article V of the Constitution) to control the constitutional amendment process.

In a related action, Rep. Patricia Schroeder (D-CO) and several other members of Congress are asking to meet with President Carter and Attorney General Benjamin Civiletti to demand that the Justice Department make further efforts to have Callister's refusal to disqualify himself reconsidered.

On December 3rd, the National Organization for Women responded to the Solicitor General's decision not to seek a reversal by filing its own appeal of a previous decision by Callister that denied N.O.W. intervenor status. The Justice Department will support N.O.W.'s request. If granted intervenor status, N.O.W. intends to pursue the question of disqualification of Judge Callister.

ERA proponent organizations held meetings in Washington, D.C. to discuss strategies which could be taken to urge the Attorney General to take action in the matter. He has not yet taken any steps, although there are legal procedures available.

Believing in the validity of ERA extension, the League of Women Voters of the United States and the LWV of Idaho, Arizona, and Washington signed on as amici (friends of the court) in the case. They share the concern of all ERA proponents that this case be given every chance for a fair and equitable hearing.

UP-DATE: Callister is not being challenged on his religion but on his position in the Mormon Church. At press time the Mormon Church had just freed Judge Callister from his church duties.
The LWVUS-ERA Office gratefully acknowledges those persons in both ratified and unratified states who completed the ERA questionnaires sent out this summer. Plans are being made to determine how best to use and distribute the information received. Thanks again!

WOMEN AND AMERICA: ROSALYNN CARTER CHALLENGES COMMUNICATORS In a speech on April 26, 1979 to the New York Women in Communications, Rosalynn Carter declared that American men and women must be informed that the Equal Rights Amendment "will assure that both women and men are guaranteed choice in all areas of their lives."

"In the past decade, the number of women legislators has more than doubled and, in my view, this may be the key to the passage of the Equal Rights Amendment—an issue I feel I must address today. The Equal Rights Amendment must be ratified--and right now women at the state level are in the center of the action.

In North Carolina, for instance, for the first time, the women in the House agreed to block-vote on other key issues so that they could force male House members to vote with them on ERA. In Florida, all of the women in the State House went together as a unified group to support the Amendment. In Oklahoma, (3) women legislators are keeping ERA alive. And in Kentucky, the women Lt. Governor has successfully blocked efforts to rescind the (state's ratification of) ERA.

I think we should consider our own responsibility here. Millions of Americans still need to be educated about the positive benefits of ERA—only the men who feel threatened, but the women who insist they are for women's rights—and against ERA. We must inform them that ERA will assure that both women and men are guaranteed choice in all areas of their lives. And that ERA will not require changes for those who do not want changes.

I feel it is especially important to explain that women like me support the ERA. I am a relatively traditional person. I enjoy my roles as wife, mother, partner and businesswoman. I care how I look—and what I think. I am not threatened by ERA. I feel freed by it.

You and I can try to make this controversial issue understandable. We can talk about the breadth of its support. We can be assertive in targeting our attention on key legislators in unratified states—and on those women in elected positions at the state level who are desperately working for all of us.

I came here today hoping to wield some First Lady influence in urging you to join me...in encouraging women throughout the country to have the self-confidence to ask for nothing less than full equality.

All of us are responsible for building a more just and caring society—and certainly one in which we have more control over our own lives."

GROWING STRONG IN THE ERA STRUGGLE Nancy Newman, LWVUS national board and ERA committee member, when speaking out for ERA in the October 5, 1979 issue of the Bucknell University newspaper, The Bucknellian, offered these thoughts for anti-ERA legislators:

"Ironically, while some public officials have not taken either the ERA or other issues affecting women seriously, they have played a cruel joke on themselves. By denying women equality under the law, they have broadened and strengthened the women's movement. Their action has caused previously apolitical women to come out of their homes and places of work to swell the numbers of those who have been fighting during this decade for equality.

The greatest paradox of the ERA struggle has been that while a few state legislators continue to hold the ERA in hostage, the women's movement has become so strong, so large, so vocal, that it is indeed the movement of the age, one that will prove historically to have moved the women of the United States further toward equality than ever before.

We must remain constant in our efforts to see to it that legislators know that ratification of ERA is an important and necessary step to be taken toward achieving equal rights for ALL Americans."

NEW DEPUTY ASSISTANT TO THE PRESIDENT APPOINTED Linda Tarr-Whelan, former administrative director of the New York state Department of Labor, has been appointed deputy assistant to President Carter responsible to Sarah Weddington. Tarr-Whelan will be serving as the liaison with women's organizations and working with the Interdepartmental Task Force on issues affecting women. She can be reached at 202-456-6585.

TWO GENERATIONS FOR ERA Suzanne Gray, LWVLA Legislative chair and state board member, and her daughter at an LWVUS-ERA workshop in Baton Rouge, LA. ERA chair Madeleine Appel and Ellouise Schoettler, LWVUS-ERA director, spent a day with LWVLA local League representatives where the group discussed coalition building and ERA strategies for Louisiana.
The LWUS-ERA Committee, made up of national board members, shown during a recent Washington meeting at which they approved funding for Missouri and Oklahoma ERA campaigns.

Last October, Judge Callister rejected a Justice Department motion that he disqualify himself from the case because of his position as a Regional Representative in the Mormon Church. (There are fewer than 100 men who rank higher than a Regional Representative in the church's policy making body.) In its motion to disqualify, the Justice Department stated that the test for disqualification is whether a reasonable person could infer that a judge's impartiality might reasonably be questioned. They concluded that, because of Callister's position in the Mormon Church and the official position of the church vis-a-vis ERA, a reasonable question does exist.

The Justice Department's Solicitor General has so far decided not to seek a reversal of Callister's decision to remain on the case. As a result, 79 members of Congress have sought to intervene in the case as party defendants on the grounds that the suit challenges the authority of Congress (under Article V of the Constitution) to control the constitutional amendment process.

In a related action, Rep. Patricia Schroeder(D-CO) and several other members of Congress are asking to meet with President Carter and Attorney General Benjamin Civiletti to demand that the Justice Department make further efforts to have Callister's refusal to disqualify himself reconsidered.

On December 3rd, the National Organization for Women responded to the Solicitor General's decision not to seek a reversal by filing its own appeal of a previous decision by Callister that denied N.O.W. intervenor status. The Justice Department will support N.O.W.'s request. If granted intervenor status, N.O.W. intends to pursue the question of disqualification of Judge Callister.

ERA proponent organizations held meetings in Washington, D.C. to discuss strategies which could be taken to urge the Attorney General to take action in the matter. He has not yet taken any steps, although there are legal procedures available.

Believing in the validity of ERA extension, the League of Women Voters of the United States and the LWV of Idaho, Arizona, and Washington signed on as amici (friends of the court) in the case. They share the concern of all ERA proponents that this case be given every chance for a fair and equitable hearing.

UP-DATE: Callister is not being challenged on his religion but on his position in the Mormon Church. At press time the Mormon Church had just freed Judge Callister from his church duties.

A RECAP OF RECENT LWUS-ERA ACTIVITIES

- LWUS-ERA has developed a plan for organizing support for ERA from the business community. This League effort is the only new national strategy on the boards for gaining ERA ratification. We anticipate a major public announcement in mid-February. The LWUS-ERA has networked with the entire spectrum of organizations supporting the ERA campaign, as well as the White House, to insure a unified effort.
- Brought ERA chairs from unratified states to Washington in August for an ERAMerica national strategy session.
- Initiated an ERA REPORT.
- Approved funding for: a phone bank in Missouri, field service in Oklahoma, the Illinois ERA Ratification Project.
- Conducted ERA coalition-building workshop in Baton Rouge, Louisiana.
- Participated in ERAMerica board and steering committee meetings.
- Distributed free LWUS-ERA publications to unratified states.
- Served as liaison with state ERA chairs and other national ERA proponent organizations.
- Entered as amicus in the Idaho/Arizona/Washington case (see story). Working behind the scenes on insuring a fair hearing for this case.
ERA WASHINGTON SUMMIT

ERA was the focus of Administration attention on October 23, 1979, as the President's National Advisory Committee for Women(PNACW) and representatives from unratified states met in a closed-door session to discuss strategies for ERA ratification in their states. Later that afternoon the committee personally gave the President a report based on the discussions.

At an ERA gala "pep rally" at the White House that capped the day's meeting schedule 500 proponents were invited to mingle, share campaign stories and hear remarks by President and Mrs. Carter.

Mr. Carter pledged his administration's full support for ERA. He said he will be asking Cabinet members to push for ratification of ERA in their speeches and to pointedly remind unratified states of the need for the amendment every time federal grants or loans are made to them.

In turn, the PNACW has asked presidents of all proponent organizations to back up the President's action with similar statements of support and to ask their members to do the same.

From Ruth J. Hinerfeld, LWVUS President:
A major strength of the League lies in the fact that we are a multi-issue organization, reaching diverse audiences. I urge all League leaders and members to include statements in support of ERA whenever possible in public engagements. I am aware, of course, that in many speaking situations, such as voter's service, we must remain nonpartisan on issues, and it may not be possible to work ERA into every subject we address. However, when feasible, a statement in behalf of ERA will be a powerful and positive demonstration of the League's continuing commitment to the ratification of ERA.

NOVEMBER: THE MONTH TO READ ABOUT ERA

Thirty-three national magazines participated in a major effort, orchestrated by ERAmerica, to publish articles and editorials in their November issues to focus attention on ERA and generate wide-spread public discussion of the amendment.

According to ERAmerica co-chair Sharon Percy Rockefeller, "The significance of the joint publishing project is that women's magazines have recognized the need to provide their readers with independent information on ERA, an important issue which has too often been obscured by ridiculous allegations."

Helen Milliken, co-chair of ERAmerica, also points out, "No matter what role a woman fulfills ... she is interested in the issues that affect her life. Ratification of the Equal Rights Amendment is a must if women are to become full-fledged members of our society."

Among the magazines participating in this project are: Redbook, Cosmopolitan, McCall's, Mademoiselle, Family Circle, Good Housekeeping, Ladies Home Journal, Essence, and Glamour.

LWVUS PRESIDENT INTERVIEWED

The League of Women Voters national president, Ruth J. Hinerfeld, participated with six other women in government in a November Ladies Home Journal interview in which they covered such issues as "Strength for the '80s," "How to Win," "The Politics of Equality," and "Women for Women."

When discussing the "Women for Women" question, Mrs. Hinerfeld observed that "women who have gotten their feet wet campaigning for an issue have taken a big step toward running for office themselves. A lot of the heightened awareness of women is a result of the drive for the Equal Rights Amendment."

Rep. Patricia Schroeder, in "Strength for the '80s," points out, "It's hard to overcome the illusion that all you must do is prove your cause is fair and just. Take the Equal Rights Amendment: equal benefits for paying equal taxes; equal pay for equal work. How much more fair and just can you be? But the enthusiasm hasn't been there. We need more women in politics to push for the advancement of all women."

With the increase of women in the political arena, it is apparent that, as observed by Hinerfeld, "Women are no longer circumscribing their interests to what at one time was called women's issues. We have stood in gas lines; we're interested in the energy situation. Half of us are working; certainly we're interested in inflation, interest rates, taxes. What concerns the women of this country is what concerns the people of this country."

In addition to Hinerfeld and Schroeder, participants included Sarah Weddington, assistant to the President; Nancy Kassebaum(R-KS); Lila Cockrell, mayor, San Antonio, Texas; Carla Hills, former HUD secretary, now chairperson of Council of Human Concerns for the Republican National Committee; and Mary Burke Nicholas, director of the Women's Division, State of New York.

ERA: "SEE HOW SHE RUNS" Gretta Tameling, LWV state ERA Chair for Illinois, sends this report on the Illinois ERA Ratification Project:

The project consists of Action Teams which will be spreading throughout the state in an effort to broaden the base of support for the ERA.

Action Teams are made up of individuals whose sole purpose is to coordinate and take action for passage of the amendment. Each team organizes within a "territory," which can be a county, district, neighborhood, etc., and is responsible for a wide range of activities essential to a well-organized, knowledgeable campaign--including lobbying, phone banking, letter writing and fundraising.

Ms. Tameling invites anyone interested in more information on Action Teams to contact her at the LWV Illinois office, 67 East Madison St., Chicago, Illinois 60603 (312-236-0315).
NATIONAL BUSINESS COUNCIL FOR ERA

The National Business Council for ERA, sponsored by the League of Women Voters of the United States, was launched at a press conference in New York City on Tuesday, February 12, 1980. LWVUS president Ruth J. Hinerfeld and N.B.C. co-chairs Polly Bergen, William M. Agee and Coy G. Eklund announced that some 50 top corporate leaders had signed on as members of the council at the time of the press conference.

"Our goal," said Agee, chairman and chief executive officer of The Bendix Corporation, "is to recruit more of the nation's leading businessmen and businesswomen to push aggressively for ratification of the Equal Rights Amendment. Only three more states are needed for ratification and I'm certain that, with business adding its weight in support of the amendment, we'll make the June 1982 deadline. ERA—it's simple human justice and simply good business."

Although individual business leaders have supported ERA in the past, the National Business Council for ERA is the first formal structure through which top corporate leaders can join with their peers to establish a major public image of business support for ERA.

"We have long professed liberty and justice for all," Eklund, president of The Equitable Life Assurance Society of the U.S., said. "It is time—it is imperative—that we acknowledge constitutionally the inherent right of every human life to the full range of options for self-expression, self-fulfillment and self-reliance. I urge everyone to read the proposed amendment with an open mind. Its simplicity and straightforwardness persuaded me to take on this role."

Mr. Agee cited as advantages to business from the ratification of ERA:
- uniformity in regulations affecting companies operating nationwide
- establishment of clearly defined equality principles
- minimizing differences in judicial rulings that businesses must deal with, to save both time and money
- hiring and promotion practices based on true merit.

"We welcome the additional thrust direct involvement by these executives provides to a campaign to which the League of Women Voters has given top priority since 1972."

(Ruth J. Hinerfeld, LWVUS president, February 12, 1980.)

In September 1979, the board of directors of the LWVUS endorsed a plan developed by LWVUS/ERA to organize and sponsor the National Business Council for ERA. The League reached out to Polly Bergen, who agreed to act as the organizing co-chair. Miss Bergen, a director of The Singer Company, has been a tireless partner in realizing the formation of the N.B.C. The N.B.C. will function under the direction of an executive committee composed of Polly Bergen, Ruth Hinerfeld, William Agee and Coy Eklund. A steering committee made up of members of the business community will plan and implement future N.B.C. activities. The League, as sponsor, will participate in the steering committee and administer and coordinate the activities of the council.

"I am pleased," Miss Bergen said, "that the country will be able to see more men standing up with women for ERA. After all, this is not just a woman's issue but a matter of national concern. The Equal Rights Amendment calls for only one thing: an end to any form of discrimination based solely on a citizen's sex."

NATIONAL BUSINESS COUNCIL FOR ERA CO-CHAIRS
L to R: William Agee, Polly Bergen and Coy Eklund.
THE NATIONAL BUSINESS COUNCIL FOR ERA MEMBERS


NATIONAL BUSINESS COUNCIL FOR ERA STARS AT WHITE HOUSE BRIEFING

The White House held the first in a series of briefings on the ERA on February 12, 1980, which brought together over 200 proponents from Florida, Illinois, Missouri and Georgia to hear panel discussions of ERA campaigns and outline strategies.

Polly Bergen, Sey Chassler and LWVUS ERA Director Ellouise Schoettler flew from the N.B.C. morning press conference to D.C. just in time for Miss Bergen to describe the formation of the council and outline how it would work for ERA ratification. The enthusiastic response from the audience, all veterans of ERA campaigns, pointed up the importance of this welcome addition on the ERA campaign front.

Other vital items on the briefing agenda were the questions of how to involve the religious community, minority groups and labor more fully in ERA campaign efforts. Both the Rev. Willie Barrows, vice-president of Operation PUSH in Chicago, and Dr. Dorothy Height, president of the National Council of Negro Women, focused on the critical need to involve representatives from the minority communities at every level of coalition activity in order to strengthen the base for successful ERA strategy development and campaign activity.

WHY BUSINESS SHOULD SUPPORT ERA

TWO BUSINESS REASONS:

1. ERA will mean systematic identification—and maximum use—of all good personnel, male and female.

2. ERA will make the law clear. It will reduce the number of lawsuits, changing government regulations, general confusion on equal opportunity areas.

THREE MARKETING REASONS:

(41 million working women contribute $254 billion per year to the nation's economy.)

1. ERA will clarify the economic status of women, including credit standing (e.g., in many states, a wife's income is discounted in whole or in part when the couple is being considered for a mortgage loan).

2. ERA would aid the two-income family home by increasing the number of dollars coming into it. In 1979 two-income families:

- represented one-half of new home purchasers
- spent 25% more in restaurants
- took more vacations (over half took three or more)
- represented one-half of new car purchasers
- bought more big ticket items (microwave ovens, for example)

(Half of these families are under 35, which means they are just heading into their peak earning years.)

3. ERA would increase the income of the single woman household.

- 25% of all U.S. households are run by a woman
- divorced women make up 10% of the total work force.

LWV STATE ERA CHAIRS PLAY KEY ROLE IN ORGANIZING THE NATIONAL BUSINESS COUNCIL FOR ERA

Wilma Felder, LWV-FLA, and Gretta Tameling, LWV-IL, provided essential information on business leaders in their states that greatly aided LWVUS during the initial recruiting phase for the N.B.C.

LWVUS would welcome similar help from ERA chairs and LWV members in all the states to assist the on-going effort to build the N.B.C. membership.

Criteria for membership on the council: The individual should be a corporate chairperson, president, chief executive officer or member of the board of directors.

Please include correct name, title, company, phone and address when submitting the materials on a potential candidate and send it to Ellouise Schoettler, LWVUS, 1730 M Street, N.W. Washington D.C. 20036 (202) 296-1770.
Lois C. Harrison, new national board member and former Florida state LWV president, brings to her assignment as LWVUS ERA chair expertise and political savvy acquired as a seasoned veteran of Florida ERA drives.

When asked what her priority will be during her tenure as ERA chair, Harrison replied, "We must have three states ratify ERA to ensure equal rights for all our citizens by June 30, 1982. That's my priority." She added that "the League's sponsorship of the National Business Council for ERA is the exciting key to the entire ratification campaign. My past experiences working for ERA have made me realize that business has a very important role to play in the fight for equality." Harrison has already put her extensive ties in the business community to work on behalf of the N.B.C.

Polly Bergen Rouses Convention Delegates

Speaking to 1,300 delegates to the League's national convention in Washington, D.C. May 3-7, Polly Bergen, co-chair of the National Business Council for ERA, urged continued commitment of time, energy and member-power to gaining ERA ratification.

Calling on the League to "join together in one massive, organized and concentrated movement" to ratify ERA or run the risk of facing "another twenty years of not being a part of the Constitution of the United States," Bergen called it "one of the most wonderful moments of my life" when the League contacted her to ask for her help in forming the N.B.C. She sees the League's new national ERA strategy as "probably the single most viable project that has been undertaken to ratify the Equal Rights Amendment."

Copies of Miss Bergen's remarks at convention can be obtained through the LWVUS Publication Sales Department (#687, 30¢).

League members are reminded that they can help to enlarge the Council's membership and effectiveness by suggesting names of top corporate leaders for the N.B.C. to the LWVUS ERA Department.

ERA Support Position Expanded Under HR Program

Delegates to the May 1980 LWVUS convention expanded the League's ERA position to encompass not only ratification efforts but also "action to bring laws into compliance with the ERA:

a) to eliminate or amend those laws that have the effect of discriminating on the basis of sex;

b) to promote laws that support the goal of ERA;

c) to strengthen the enforcement of such existing laws."

The LWVUS ERA Department will continue to back ratification efforts with technical and financial assistance to state Leagues and to ERA coalitions where there is major state League involvement. This separately funded office, which is supported by contributions from Leagues and others, also finances and staffs the National Business Council for ERA.

There is widespread recognition that the League's determination and its contribution to the final ratification push--both through its grassroots activities and through the National Business Council for ERA--are crucial to the success of the campaign to get ERA ratified in three more states.

Briefing on ERA for Business Executives

On Tuesday, May 15, the White House, with the cooperation of the League's National Business Council for ERA (N.B.C.), hosted an "ERA Briefing for Business Executives." The purpose of the event was to discuss the need for business involvement in the ERA campaign and to urge businesspeople to use their influence on behalf of ERA.

When President Carter addressed the group, he said that the main obstacle to the proposed amendment is "the allegation that it is only supported by radical kinds of people."

Earle K. Angstadt, president of the McCall Pattern Company, represented the N.B.C. and spoke on the role business can and should play in gaining
ratification. He pointed out that "despite all the recent laws now on the books aimed at eliminating sex-based discrimination, there are still 800 federal laws alone that treat women differently from men in key areas, to say nothing of state and municipal laws."

"Our experience with another form of discrimination, race discrimination, has given us some insight into ourselves," Angstadt continued. "We know that we cannot eliminate deeply entrenched prejudices of this kind without making a national commitment to do so. Any way you want to slice it, it seems to come out this way: in the states, the courts, in interpretation of existing laws, in large segments of our society, women are still sitting below the salt as second-class citizens," and it is because of this that "we so desperately need the Equal Rights Amendment."

Angstadt went on to highlight some of the major reasons why ERA will be beneficial for business, and invited his listeners to consider the growth potential in some already known facts: 25 percent of American households are run by a single woman.

"Imagine what will happen when it becomes impossible to deny a single woman credit just because a woman is a woman; when it becomes impossible for banks to deny a single woman a mortgage just because she's a woman." Two-income families buy more--half of the new houses and half of the new cars, eat 25% more often in restaurants and take more vacations. "Imagine what will happen when it becomes impossible to pay a woman less than a man for comparable skills."

Participants at the briefing were encouraged by Angstadt to make a commitment to ERA and to join the N.B.C. and recruit their business associates to do the same...to take advantage of the opportunity the council provides for business leaders to come together to work for ERA ratification.

Following Angstadt, a panel consisting of former LWVUS ERA chair Madeleine Appel, who helped to organize the N.B.C.; council members Alan Tripp, president, Product Resources International; and Jack T. Conway, senior fellow at the Aspen Institute, discussed strategies for business leaders to use in promoting the amendment and responded to questions from the floor.

The growth of the N.B.C. is a concrete indication that the business community increasingly recognizes that equal rights for all is a major human rights issue. The LWWUS is pleased with its role in bringing out this new support and partnership. In the words of N.B.C. co-chair Polly Bergen, "With all of us working together I am certain that we can make a difference in the upcoming state ERA campaigns."

N.B.C. FOR ERA GROWING STRONGER

The National Business Council for the Equal Rights Amendment has more than doubled its membership since the February 12 press announcement of its inception. Current figures indicate a total of 132 corporate executives from around the country who have taken a public stance in support of ERA with new members coming in regularly.


ERA GALA FUNDRAISER IN NATION'S CAPITAL

The National Women's Political Caucus ERA Fund and ERAmerica cosponsored "A National ERA Evening," June 18 in Washington, D.C. President and Mrs. Carter hosted a reception at the White House for the 450 people attending the event, then joined the group in attending an ERA fundraising Dinner at the local Mazza Gallerie.

Presidential candidates Carter and Kennedy and a spokesperson for John Anderson spoke briefly on their support for the ERA. The League joined several other major national organizations as a patron of the event.

ERA SUFFERS SETBACK IN ILLINOIS

In spite of the diligent efforts of proponent groups, the Illinois House defeated ERA June 18 by a vote of 102 yeas, 71 noes--not enough to meet the three-fifths requirement in the Illinois legislature for passage of a constitutional amendment.

The LWVIL, spearheaded by ERA chair Gretta Tameling, was in the heat of the battle to gain ratification. Many members of the National Business Council for ERA were active during the Illinois vote and, despite the final tally, they demon-
strated their ability to sway legislators.

League members formed a major contingent in the May 10 ERA March in Chicago, an event which drew over 90,000 persons from across Illinois and the country to demonstrate their enthusiastic support for ERA. LWVUS President Ruth J. Hinerfeld was among the roster of guest speakers who addressed the crowd. Mrs. Hinerfeld is seen here on the left, accompanied by Pauline Pantsios, president of LWV Chicago.

LEAGUE ERA CHAIRS IN UNRATIFIED STATES REPORT ON ACTIVITIES

Leagues in the unratified states are continuing to fight for ratification both through their Leagues and in their respective state ERA coalitions.

SOUTH CAROLINA (Sandra Watts): ERA remains top priority for LWVSC. League members are part of coalition task forces on involving the business community for ERA; speakers bureau; membership development and fundraising.

GEORGIA (Alice Steinmann): LWGGA has been active in maintaining the momentum of the ERA campaign. The statewide network it helped to develop organized a caravan that crossed the state for ERA and raised funds for a media blitz prior to the most recent ERA vote in the Georgia Senate, January 21; held a moving worship service with many faiths represented and generated thousands of mailgrams to the legislature sent in over the crucial weekend leading up to the vote. (Among the signatures were 500 from students at the University of GA expressing their ERA support.) Despite these efforts, the GA Senate failed once again to support equal rights for all. LWGGA is currently raising money for other unratified states and striving to remove the discriminatory laws from the Georgia books.

OKLAHOMA (Sandra Rose): In coalition with OK-ERA, LWVOK is moving forward in its efforts to ratify. Throughout the past year, the OK-ERA field committee has sent circuit-riding teams to key districts in the state to organize, maintain and develop local ERA coalitions. Field packets prepared for these local coalitions, serve as an excellent resource for ERA supporters, offering tips on how to identify and gain additional supporters...raise money...speak for ERA...work in campaigns...lobby...write pro-ERA letters to the editor.

UTAH (Nanette Benowitz): The LWVUT frequently speaks on behalf of the amendment through its speakers bureau as well as joining with the Utah ERA coalition in writing pro-ERA letters and raising money to support other states' ERA campaigns.

FLORIDA (Wilma Felder): The major thrust of the LWFL ERA effort is to develop business connections that can make an impact on Florida legislators. League members research major national corporations to identify those that have companies, property interests or branches in Florida then, collaborating with LWVUS, ask top executives to join the National Business Council for ERA. On May 12, Raymond K. Mason, Florida businessman and N.B.C. member, cohosted a luncheon with Governor Bob Graham for Florida business executives to discuss ERA and the N.B.C.

LOUISIANA (Dorothy Dahlberg): The state coalition, ERA United, was reorganized this year with new officeholders and a board of directors comprised of top leaders of the most active organizations that support ERA in Louisiana. This reorganization will facilitate two main goals: It will allow each member organization to specialize, taking over whatever specific phase of the ERA effort it is best suited to execute, and it will avoid duplication and cross-purposes by coordinating efforts.

ALABAMA (Betty Thompson): Ms. Thompson has been very active in implementing "ERA Letters to the Editors of Alabama Newspapers" campaign, as part of the LWVAL's involvement in the Alabama Citizens for ERA coalition. She has divided the state into 10 sections with a local League assigned to each section and responsible for submitting pro-ERA letters to the editor on a regular basis.

MISSOURI (Roseanne Newcomb): ERA supporters approached the 1980 legislative session with higher expectations than in the past. After January hearings, the Missouri Senate's Constitutional Amendments Committee reported the ERA bill out favorably. But because of a change in the legislative strategy, proponents decided to get the bill pulled from this session's calendar. After the November election, ERA supporters will assess the legislative situation to determine an ERA campaign strategy for the upcoming year.

ARIZONA (Maureen Murphy): The Phoenix LWV serves as an information and referral service for that metro area and does educational speeches on the amendment at the rate of two to three a week. The Phoenix League work includes: testimony at Arizona Senate hearings in February 1979; participating in the state's ERA coalition press conferences and rallies; speech training and information sharing with AAUW; cooperating with the Arizona Women's Political Caucus in providing political directories, deputy registrars and the "Step by Step to Register and Vote" brochure.

VIRGINIA (Jean Franklin): The Virginia ERA Rati-
some 30 organizations including LWVVA, has been monitoring legislative activity, conducting public education programs on ERA, and raising funds to continue efforts on behalf of the amendment. In January, the League, as part of the coalition, participated in a pro-ERA March sponsored by Labor for ERA, NOW and the Virginia Education Association.

NORTH CAROLINA (Bonnie Medinger): The LWVNC will provide office space for the North Carolinians United for ERA coalition as its contribution to the coalition's program. At a recent coalition meeting, representatives from the member organizations discussed the national ERA effort with ERAmerica political strategist Jane Campbell and adopted a strategy for their 1981 legislative session.

NEVADA (Cynthia Cunningham): While centering mainly on statewide ERA public education activities, League and ERA coalition activity in Nevada includes raising monies for ERA efforts in other unratified states.

ARKANSAS (Emily Barrier): Public education on ERA is also the chief focus of the current LWVAR campaign, with some local Leagues producing general information packets and a slide show on ERA.

MISSISSIPPI (Jan Davis): The LWVMS is determined that their legislators will not be able to give their usual reason for opposing ERA: "We never hear from those persons favoring ERA, and we believe that women in Mississippi are satisfied with things as they are." This League has organized read-and-write coffees throughout the state to make sure members of both houses know there are ERA supporters in the state. Mississippi is the only state where ERA has never reached the floor of either house.

STATUS OF ERA PUBLICATION

Due to rising costs for reprinting and the fact that some of the information included in the booklet is now out-of-date, the LWVUS ERA publication, In Pursuit of Equal Rights: Women in the Seventies, will not be reprinted.

ERA STATUS REPORT

- 35 states have already ratified.
- Three more states must ratify ERA before June 30, 1982 for it to become a part of the United States Constitution.
- The 15 states that have yet to ratify ERA: Alabama, Arizona, Arkansas, Florida, Georgia, Illinois, Louisiana, Mississippi, Missouri, Nevada, North Carolina, Oklahoma, South Carolina, Utah, and Virginia.
- Legislatures in Idaho (2/9/77), Tennessee (4/23/74), and Nebraska (3/15/73) have voted to rescind their earlier ratification of ERA. Because legal authorities contend that such action is invalid, these states are counted in the column of ratified states. A fourth state, Kentucky, voted to rescind (3/16/78), but the vote was vetoed by Lt. Gov. Thelma Stovall acting in the place of the governor. In the 1979 legislative session, rescission was defeated in Wyoming, Jan. 17, by a vote of 13-16. Rescission bills have been introduced in Delaware, Kansas, New Hampshire, Massachusetts, North Dakota, Rhode Island, Texas and West Virginia.
- On March 1, 1979 South Dakota voted their ratification automatically to expire on March 23, 1979. Similar attempts were defeated in Montana, Indiana and North Dakota.

(Excerpted from the July 1979 ALERT, published by the Federation of Organizations for Professional Women)

Edited by Madelyn Bonsignore and Elloise Schoettler. Researched and written by Rebecca Miller.
ERAmerica and NOW called a joint press conference on November 6, 1980 to lay to rest the rumor that ERA died November 4 as a result of the general election. RUTH J. HINERFELD, president LWVUS, was one of 12 leaders who assembled to reaffirm their organizations' commitment to ERA ratification.

MARY FUTURELL, president of ERAmerica's Board of Directors, confirmed what most people involved with ERA had already determined: "The issue (in this election) was not equality between the sexes. It was jobs, inflation, the economy. The people -- the men and women -- of this country were seeking redress for their economic adversity... The women's movement is far too vast, far too (closely woven) into the fabric of American life to be defeated by an outcry on the state of the economy."

ELEANOR SMEAL, president of NOW, echoed Ms. Futrell's comments, pointing out that "women's issues simply never came into focus." She went on to say, "The idealogues of the right wing will try to interpret the elections as a mandate for their reactionary social views. That is not the case."

Hinerfeld reaffirmed the League's determination "to stand firm in its commitment to achieve equal rights for all citizens." She emphasized that "we must not only reaffirm our personal commitments to seeing ERA ratified, we must also stand together in solidarity and cooperation to achieve our goal."

WHAT HAPPENED IN THE ELECTION AND HOW WILL IT AFFECT ERA? These two questions were put to people who are directly involved in managing the national ERA campaign. We spoke first to SUONE COTNER, executive director of ERAmerica who sketched the role of the organization. "Founded in 1976, ERAmerica is an umbrella organization with a single purpose --- to get the Equal Rights Amendment ratified. The coalition now includes more than 200 organizations. ERAmerica sets strategies and plans actions in Washington, DC and is guided by a steering committee composed of representatives from national organizations working actively on ERA."

JANE CAMPBELL, field coordinator of ERAmerica, has been working with ERA coalitions in unratified states for the past year. We asked Jane for her reactions, as an on-the-scene observer, to the election and the job ahead in 1981.

ERA REPORT: HAVE INDIVIDUALS IN UNRATIFIED STATES BECOME DISCOURAGED SINCE THE ELECTION? CAMPBELL: No. People are angry and even more committed to ERA. People working for ERA in unratified states lost elections through no fault of their own. They did everything right, and in any other year we would have made gains. As it was, they held their ground, and that is remarkable considering the conservative Republican sweep.

ERA REPORT: DID ANYTHING POSITIVE COME OUT OF THE ELECTIONS? CAMPBELL: Yes, I think so, even though it's hard at first to see the long view after a disappointing setback. In the unratified states, women organized as a political force, making women's participation in politics real. Many legislators may eventually be sorry they made us work so hard because large numbers of women have now become involved in politics. Many individuals in organizations have become involved politically by working on specific issues. I think they have gained a broader understanding of the problem. We must be involved in the campaigns of people who support our issues; we can't just lobby them after they are elected.
ERA REPORT: HOW DO YOU ANSWER PEOPLE WHO SAY A CONSTITUTIONAL AMENDMENT IS UNNECESSARY?

CAMPBELL: The Equal Rights Amendment is the only way to guarantee equality for women. The 14th Amendment isn't adequate. If it were, the 19th Amendment giving women the right to vote wouldn't have been necessary. Statute-by-statute revision would never be able to take the place of a constitutional amendment. Besides, statutes can be undone. The rights we have gained, such as the Equal Employment Law and the Equal Pay Act, were passed by very small margins in Congress. With a change in political climate, those acts can be repealed. With a change in the Supreme Court, women's rights may not be upheld unless we have a constitutional amendment with the same stature as the 14th Amendment, which guarantees equal participation in society to women. We will settle for nothing less than a constitutional amendment, no matter how long it takes.

ERA REPORT: DO ETHNIC AND MINORITY GROUPS SUPPORT ERA? ARE THOSE GROUPS PART OF ERAMERICA COALITIONS?

CAMPBELL: Yes, minority organizations and civil rights organizations have supported ERA since its introduction in 1972, because it is a part of the overall civil rights struggle. However, the visibility of the participants in these groups has not been as high as it must be. ERAmerica formed a multi-cultural task force in January 1980 to identify members of ethnic groups who support the amendment, so that they in turn can identify other members of their communities who would be willing to work with coalition groups in the unratified states. ERAmerica has hired a multi-cultural outreach coordinator to enlist the active support of people within minority communities and to build the connections within these communities.

ERA REPORT: HAVE NATIONAL POLLS INDICATED A DECLINE IN THE NUMBER OF AMERICANS WHO SUPPORT ERA?

CAMPBELL: No. In a Harris poll conducted in January 1980, between 56% and 60% of Americans continue to support ERA, the same percentage of Americans who have consistently supported ERA.

ERA REPORT: WHY HAS THE STRUGGLE FOR ERA BEEN SO LONG AND DIFFICULT IF IT WILL BENEFIT SO MANY AMERICANS?

CAMPBELL: There's no question that the struggle for equality is long and hard. It took a revolution for Americans to gain their liberty from England. It took a civil war to free blacks from slavery. The people in this country who have power are never going to give it up without a struggle.

ERA REPORT: WHAT CAN INDIVIDUALS DO TO SHOW THEIR SUPPORT FOR THE ERA?

CAMPBELL: People in every state can write to their state legislators, members of Congress and governors indicating the depth of their commitment to the Equal Rights Amendment. They can give money to organizations such as the League. They can talk to friends and co-workers explaining why ERA is needed.

The National Organization for Women (NOW) grew out of the movement inspired by Betty Friedan's book The Feminine Mystique. The first conference was held in 1968 with Ms. Friedan elected president of the organization. Molly Yard, a spokeswoman for NOW, discusses the impact of the election and some strategies now in the planning stages.

ERA REPORT: WHAT DO STUDIES REVEAL ABOUT THE WAY PEOPLE VOTED IN THE 1980 ELECTION? DID MEN AND WOMEN VOTE DIFFERENTLY IN THIS ELECTION?

YARD: Yes, for the first time there was a significant difference in the way men and women voted. Ronald Reagan received 7 out of 10 votes from men but only 5 out of 10 votes from women, according to CBS exit polls. This difference in actual votes amounts to a net loss of 3.3 million feminine votes for Reagan. For the first time in a decade fewer women than men voted. We theorize that the low female turnout was due to a lack of enthusiasm about voting for Carter, while many women simply could not bring themselves to vote for Reagan. A pro-women's rights bloc emerged in this election. If Republicans continue to act on their platform concerning women's issues, this bloc is large enough to cost them future elections.

ERA REPORT: CRITICISM HAS BEEN AIMED AT THE DEMOCRATS WHO HAVE, UNTIL THIS ELECTION, CONTROLLED THE CONGRESS AND MANY STATE LEGISLATURES, FOR FAILING TO RATIFY ERA. CAN THE DEMOCRATS BE HELD ACCOUNTABLE?

YARD: Looking at the states which have the strongest support for ratification, we have learned that 77% of Republican state legislators oppose ERA, whereas 55% of the Democratic legislators support ERA. If as many Republican legislators supported ERA as Democratic legislators, there would be no problem in ratifying the ERA. Because the Republican legislators are so predominantly opposed to the passage of ERA, we are going to hold the Republican Party accountable for the failure, if there is indeed a failure, to ratify the ERA.

ERA REPORT: WHAT STRATEGIES IS NOW CONSIDERING FOR 1981?

YARD: Many of our activities are still in the planning stages. We are currently working with ERAmerica on a petition campaign which will involve all proponent organizations. We also plan to be visible during inauguration activities to remind the nation that support for ERA has not
dissipated since the election; it has increased.

ERA REPORT: SINCE NOW HAS WON ITS BOYCOTT CASE, IS THE ORGANIZATION PLANNING TO EXTEND THE BOYCOTT?

YARD: Yes, 300 organizations now support the boycott, and we plan to increase that number. We are also investigating the possibility of extending the boycott to include products manufactured by the Mormon Church. As you know, the Mormon Church has successfully prevented ratification in three states, Nevada, Utah, and Arizona. Civil rights groups were successful in their attempt to change the Church's position on allowing Blacks to become priests, and we feel that if enough pressure is applied, they may change their position on ERA to a more favorable one.

ERA REPORT: SINCE FEWER WOMEN VOTED IN THIS ELECTION, DO YOU FEEL WOMEN ARE BECOMING APA-THEtic ABOUT POLITICS IN GENERAL, AND WOMEN'S ISSUES IN PARTICULAR?

YARD: Just the opposite. Following the election, we were deluged with calls from people asking "what can we do?" There is a very heightened sense on the part of concerned women that in the 18 months remaining, everyone has to do far more than they were willing to do previously. Women cannot take their gains for granted.

LINDA TARR-WHELAN has viewed the ERA campaign from two perspectives, first as deputy assistant to President Carter under Sarah Weddington, and currently as the ERA coordinator at the National Education Association. (Photo by Carolyn Salisbury, NEA)

ERA REPORT: WHAT ROLE HAS NEA PLAYED IN THE RATIFICATION EFFORT?

TARR-WHELAN: NEA was one of the first national organizations to support the Equal Rights Amendment by a resolution at its convention in 1969. It was also one of the first organizations to support the boycott of unratified states; no major meetings are held in unratified states. In 1978 the national convention made passage of the amendment one of its major priorities by providing technical assistance and staff to unratified states. NEA raised $93,000 to support legislative activities in unratified states for the 1980 elections.

ERA REPORT: HAS NEA BEEN SUCCESSFUL IN THE ELECTION CAMPAIGNS WHERE THEIR RESOURCES HAVE BEEN CONCENTRATED?

TARR-WHELAN: We feel that our campaigns were successful in two aspects. We succeeded in involving members of our organization at both the state and national levels, an NEA priority. Secondly, NEA was able to provide new funds to candidates who were targeted because of their pro-ERA stands. NEA worked with coalitions in unratified states to determine which candidates would receive funds for their campaigns. Without these funds, we would have lost many pro-ERA legislators.

ERA REPORT: HOW DOES NEA VIEW ITS FUTURE ROLE IN THE RATIFICATION PROCESS?

TARR-WHELAN: We expect our efforts to be long-term. We have hired a field coordinator in Oklahoma. We are still evaluating in other states to determine where we can best commit staff and other resources. We hope to participate in a full-scale media campaign.

ERA REPORT: HASN'T A MEDIA CAMPAIGN BEEN USED BEFORE?

TARR-WHELAN: Yes. In Iowa, TV ads were run that had a very "soft" message: boys and girls walking through fields picking daisies, with a discussion of equal rights for boys and girls. I think that's very important, but I also think the message has to be more direct in terms of where women are today----their economic plight. A lot of advertising needs to be directed to making people understand that we don't already have equality for women today. The biggest problem is that a media campaign will be costly. We need to convince groups and individuals that this is worth the financial commitment. If we can raise enough money to start a media campaign, it would revitalize the issue and give it a national focus.

ERA REPORT: DOES NEA WORK CLOSELY WITH OTHER LABOR ORGANIZATIONS WHO SUPPORT ERA?

TARR-WHELAN: NEA works closely with other labor groups, all of whom have favorable positions on ERA. Some groups have not applied as much pressure at the national level as they could. I personally feel the effort could be better coordinated, which is what we are working on now. I think the same thing can be said for the churches, civil rights organizations and other proponent groups. After all, civil rights battles were not won by civil rights groups alone, and I think they would be the first to admit this. It took a broad coalition of groups of every sort, and that's what we have to do. I might add that the League's involvement with the business community is critical to our success because the business community has enormous sway in state legislatures. What business lobbyists say and do is very important.

ERA REPORT: FOR THE FIRST TIME SINCE ERA WAS INTRODUCED WE WILL HAVE A PRESIDENT WHO DOES NOT SUPPORT THE EQUAL RIGHTS AMENDMENT. HOW DO YOU THINK THAT WILL AFFECT CAMPAIGN EFFORTS?

TARR-WHELAN: Because we have lost Democratic support in both the White House and Congress, a new coalition of liberals, moderates and progressives will have to join together to push
for passage of the amendment. Many constitu-
encies will be left out of a very narrow Rep-
ublican administration. Reagan may be boxed 
into a right-wing attitude because of the lead-
ership in the Senate, which is in the hands of 
some of the most conservative Republicans, and 
because right-wing groups supported his cam-
paign. In the long term, the Democratic Party 
may benefit from this situation, but it will 
have to be built from the ground up. We should 
embrace the platform of the Republican Party 
where it offers to pass legislation for women. 
President-elect Reagan can hardly get away wi.
th ignoring women in his administration, and it's 
our job to see that he doesn't.

The Business and Professional 
Women's Clubs, with 165,000 
members, named ERA ratifica-
tion as its number one legis-
lative priority in 1937 and 
their efforts have not dimin-
ished in 43 years. In 1975 
BPW incorporated into its 
dues structure $225,000 a 
year, earmarked for ERA sup-
port. No meetings are held in unratified states. 
Support for ERA in unratified states has been 
aimed at coordinating BPW efforts with statewide 
campaigns and conducting educational programs. 
In addition, BPW has supported such national pro-
jects as media research, polling and political 
campaign consultants. 
We talked with MARIWYN HEATH, ERA Corrdinator 
for BPW and long-time Republican, for her im-
pressions of what lies ahead for the Republican 
Party and BPW's future strategy for ERA.

ERA REPORT: HOW DID THE MANY BPW MEMBERS WHO 
ARE REPUBLICANS FEEL WHEN THE REPUBLICAN PARTY 
WITHDREW ERA FROM THE PLATFORM AT THE GOP CON-
VENTION?

HEATH: They felt deserted, "put in their place." 
Republicans Martha Griffiths and Gerald Ford 
spearheaded the movement for passage of the amend-
ment in Congress. ERA has always had wide sup-
port from the Republican Party. I think the 
Republican Party is making a big mistake if it 
continues to narrow its base of support, relying 
only on conservative elements.

ERA REPORT: WHAT CHOICES DO REPUBLICAN WOMEN 
WHO SUPPORT PASSAGE OF THE AMENDMENT HAVE?

HEATH: First, they can swallow their principles 
and support their party's President. Second, 
they can leave the Republican Party and become 
Democrats, something many GOP women have already 
done. Third, they can work within the party, 
keeping Ronald Reagan on the defensive.

ERA REPORT: WHAT WILL THE ROLE OF BPW BE 
BETWEEN NOW AND JUNE 1982?

HEATH: We have at least one local club in every 
congressional district, and our members must

simply redouble their efforts in the unratified 
states. As for the Reagan Administration, we 
must keep the pressure on Mr. Reagan to include 
capable women as decision-making participants, 
not just figurehead appointees.

Many religious groups are ac-
tively working for the passage 
of ERA as part of a coalition, 
the Religious Committee for 
ERA. Catholics Act for ERA, 
founded and led by Sister 
MAUREEN FIEDLER, is one of the 
more vocal religious groups 
working within the coalition. 
Ms. Fiedler founded Catholics 
Act in 1978 because we felt an informed Catholic 
group could best answer the questions raised by 
other Catholics. Ms. Fiedler made a campaign 
speaking tour through Iowa before the election. 
Anti-ERA forces, including the Moral Majority, con-
ducted a particularly virulent and visible campaign 
in Iowa against the addition of an equal rights 
amendment to the state constitution. We asked Ms. 
Fiedler to comment on her experiences in Iowa.

ERA REPORT: THE MORAL MAJORITY HAS BEEN CRIT-
ICIZED FOR ITS INVOLVEMENT IN POLITICS. DO YOU 
FEEL THAT RELIGIOUS GROUPS SHOULD BECOME INVOLV-
ED IN POLITICAL ISSUES?

FIEDLER: I believe that people of faith have a 
right and an obligation to speak out on politi-
cal issues. What worries me is the particular 
agenda of issues and the set of positions that 
the Moral Majority defines as "Christian." 
Their list is deficient. You never see them 
working on programs that further racial equal-
ity; you never see them working on world hunger; 
you never see them working for peace or disarm-
ament. In fact, when it comes to peace and dis-
armament, they're on the opposite side. They 
are either opposed to, or have no position on, 
many issues that religious people have valued 
for many centuries.

ERA REPORT: WHY IS THE MORAL MAJORITY OPPOSED 
TO ERA?

FIEDLER: They're scared to death of changes in 
sex roles between men and women. They don't 
recognize that there is a cultural process we're 
struggling through, gradually changing tradi-
tional roles for the better--towards equality. 
Their image of the family is a one-image reality: 
husband-breadwinner; wife-homemaker--a concept 
that actually represents only about 20 percent 
of American families today. They refuse to rec-
ognize families in which women are the head of 
the household or in which both adults work out-
side the home. They don't recognize any kind of 
family other than their preconceived idea of 
family, and they'd like to put every family into 
this kind of mold.

ERA REPORT: WHAT INFLUENCE HAS THE MORAL MAJOR-
ITY HAD ON CATHOLIC GROUPS?
FIELDER: As you know, the Moral Majority is opposed to abortion, and they use this stand to appeal to "right to life" Catholics. By coalescing with right-wing groups such as the Moral Majority, Catholics who oppose abortion are being manipulated into opposing a lot of other issues that have nothing to do with abortion.

ERA REPORT: WHAT METHODS HAS YOUR GROUP, CATHOLICS ACT FOR ERA, USED TO CONVINCE CATHOLICS THAT ERA AND ABORTION ARE UNRELATED?

FIELDER: By encouraging prominent members of the Catholic Church to endorse ERA, we hope that Catholics will realize that ERA and abortion are separate issues. In Iowa I was in constant dialogue with Bishop Dingman, one of four bishops in the state, encouraging him to endorse the state ERA. His endorsement was released in the Catholic Mirror in the form of a pastoral letter the Thursday before the election. In the letter Bishop Dingman pointed out that "as a member of the Church and as a citizen, I believe I can help to further the movement toward fuller recognition of women by my support of the Equal Rights Amendment. It's an interesting historical note that the Bishops of the United States opposed women's suffrage when it was debated. Could it be, that we will be in a similar position when the history of our time is written and the subject is ERA?"

He went on to reiterate the fact that there is no connection between the Equal Rights Amendment and abortion.

ERA REPORT: DO YOU THINK THAT BISHOP DINGMAN'S ENDORSEMENT HAD AN IMPACT ON CATHOLIC VOTERS?

FIELDER: His reasons for supporting the amendment were widely reported in the press. I personally talked with many Catholics who changed their minds about ERA because of his endorsement. However, only 17 percent of the population of Iowa is Catholic.

ERA REPORT: AS THE REPRESENTATIVE FOR "CATHOLICS ACT" TO THE RELIGIOUS COMMITTEE FOR ERA, CAN YOU TELL US WHAT THAT COALITION IS PLANNING?

FIELDER: We are now setting up meetings to strengthen our contacts within the religious community. Many religious groups which have not been very active in the struggle for ERA, are concerned about right-wing religious groups. Members of traditional religions are beginning to realize that if they don't voice their concerns, groups such as the Moral Majority will step in to fill the vacuum.

HARRISON: Strategists identified business as the missing link in the existing lobbying campaign. The League developed the plan for the National Business Council for ERA because we had a long-standing, good relationship with business. We based the plan partly on the example of Charles Curry, a Missouri businessman who had gone on the line for ERA. We put our energies and money into bringing the NBC together, and we now sponsor, coordinate, and monitor it and its activities. Thanks to the active partnership of Polly Bergen and Coy Eklund, we put the council together in only six months. While the League has been the prime mover, the council has flourished because other organizations and influential individuals have used their personal contacts on behalf of the council and have, in turn, used the help of NBC members. The initial press conference announced 50 members---today the Council membership numbers 155 and is growing.

ERA REPORT: WHAT ROLE HAS THE COUNCIL PLAYED FOR ERA?

HARRISON: Council members are asked to lend their names, reach out to their peers to join the National Business Council for ERA, and bring the pressure of their personal influence to bear in support of ERA when it's being voted on in state legislatures. They have also contributed dollars to the LWVUS ERA fund, which pays for council expenses. During the Illinois campaign, LWVUS/ERA asked NBC members to make targeted calls to specific legislators, then relay their reports to Gretta Tameling, the Illinois League's ERA lobbyist. She followed up by contacting each legislator who had received an NBC call—a tightly coordinated effort for maximum effect! This kind of coordination of council member's lobbying activities ensures that the NBC operates within both the League's national and state strategy.

ERA REPORT: WHAT ROLE DO YOU SEE FOR THE LEAGUE IN PARTNERSHIP WITH BUSINESS IN FUTURE CAMPAIGNS?

HARRISON: Leagues in all the states are reaching out for additional National Business Council members to build a strong public image—and the reality of support for ERA from top levels of business. We are also building the national support networks for these contacts. In most of the states where ERA votes will occur, business is a major source of influence. We expect a strong business lobbying effort to be a critical part of the state strategy.

ERA REPORT: IS THIS ALL THE LEAGUE IS DOING?

HARRISON: No. You can't let down on any front! Leagues are part of coalition efforts at the national level through ERAMerica, and in each un-
ratified state, working to build the climate and carrying out their part of the lobbying efforts. The NBC is one essential element in the lobbying force--one we're pleased to have brought into the coalition. At the 1980 convention only last May 2,000 League delegates reaffirmed their commitment to ERA as a primary issue. We're here to stay---in force---on ratification of the Equal Rights Amendment.

What do these post-election evaluations add up to? Certain notes do come through strongly. The job ahead will be tough. Proponent groups remain strongly committed to seeing ERA ratified by June 1982. National organizations must rebuild support among their constituencies. They must renew their educational efforts, to make clear that all the rights that women have gained in the last eight years can be lost if the Equal Rights Amendment is not ratified. We must help people separate ERA from other issues. Proponent organizations must work together, on a unified education and lobbying strategy, at every level. Proponents must reach out to uninvolved sectors of the community and encourage "lukewarm" ERA backers to step up their efforts and visibility.

Perhaps Mary Crisp summed up what is at stake, when she wrote in the October 1980 issue of the Women's Political Times, "Ratification of the ERA is the most important issue for women today. It is the foundation on which all of our issues rest. It would end discrimination against women in employment, health, education---and other aspects of life. It should and must be established, as a national priority in order to guarantee full equality under the law for all Americans."

"Corporate America Stands Up to Be Counted for ERA", was the theme which brought Polly Bergen, co-chair of the National Business Council for ERA, and Earle Angstadt, Jr., president of the McCall Pattern Company, together as speakers for a luncheon held by Advertising Women of New York, Inc. (AWNY). (top) A $1,000 contribution was presented to the LWVUS ERA fund by AWNY president Carol Finn Meyer. (bottom)
Waffling on ERA

IT IS — and has been for nearly a decade — the No. 1 topic of discussion whenever three or more women hold a meeting to exchange information about the condition of the American female.

It came up again last weekend when 100 or so women gathered at the University of Southern Maine’s Portland campus to discuss women in politics.

The Maine Legislature has taken up the topic more times than you can count. Although the lawmakers seemingly settled the issue in 1974, they keep picking it back up periodically to gnaw over like a dog worrying an old bone long after the last juices have been extracted.

It has inspired vigils in Augusta, marches in Bangor, fundraisers in Portland and letter-writing campaigns without end.

And the National Organization for Women — so named for the demanding acronym it produces — has made it an organizational obsession.

"IT," OF COURSE, is the Equal Rights Amendment, a mild-mannered affirmation of sexual equality which, public opinion surveys indicate, most Americans would gladly see granted to the U.S. Constitution.

I list myself with the majority. As an editorial writer, I have churned out pro-ERA exhortations over the years with Pavlovian regularity.

But, frankly, here’s one old dog grown weary of the gnawing. Let’s face it, the ERA is a bone that perhaps would be better off buried under a tree somewhere and forgotten.

Heresy, I know, but it’s a backslide grounded in political reality. Even Ms. magazine is moved to contemplate the unthinkable; its November issue carried an article entitled "'ERA: What if it fails?'" for several years now, just three short of the number needed to make it part of the Constitution. Even with the ratification deadline extended by three years, there is nothing in the wind to suggest the elusive three will come through before the sands finally run out of the glass in 1982.

SO, WHAT IF IT fails? Well, so what if it fails.

Will women, as Ms. magazine suggests, suddenly be re-plunged into the Dark Ages? Will the states start passing a lot of new laws re-affirming male supremacy? Will the girls be tossed out of McSorley’s Bar?

No. Times — and, more important — attitudes have changed. We can never go back to the bad old days. Only the ERA combatants are still touchy about sexual equality. The rest of us have adapted.

Several years ago I wrote what was intended as an amusing piece about my inability to come to grips with some of the more trivial aspects of the Women’s Liberation Movement, as it was then called.

I conceded total appreciation and respect for the salutatory "Ms." but confessed difficulty in actually pronouncing the term without giggling. I felt like a southern gentleman speaking fondly of the plantation mistress. To me, Ms. Steinem and Ms. Scarlet were interchangeable in the saying.

Anyway, no sooner had my admittedly thin sporting effort appeared in print than a female colleague in the paper’s Women’s Department (now known as the Family Section) responded with a piece of her own denouncing my patently chauvinist insensitivity.

But that was many lawsuits and several crusades ago. The lady in question is today a good friend and, I believe, the

THE POINT is we are all a lot more relaxed and comfortable today about the idea of sexual equality. The militants on both sides would have us believe otherwise, but it’s true.

Sure, the arguments of the anti-ERA zealots — waving their red flags about integrated urinals, homosexual marriages and military conscription of mothers — are ludicrous.

But are they any more a departure from reality than the arguments that women are forever frozen in a condition of involuntary servitude so long as the ERA remains unratified?

A couple summers ago, during a pro-ERA march on Washington, NOW president Eleanor Smeal passionately assured the crowd that “the condition of society has not changed in any way to decrease the need or importance” of ERA.

Well, the condition of American society has actually changed dramatically with respect to sexual equality, which is undoubtedly why Ms. Smeal felt compelled to raise the point in the first place.

Ten years ago the idea of women on highway crews or husbands as homemakers was virtually unthinkable. Today no one bats an eye at the thought.

It’s not the norm, of course, but would ERA make all-female highway crews and a nation of “househusbands” the norm? Don’t be silly.

"What is at stake," claimed Ms. Smeal, "is constitutional equality for women in this century...whether women will continue to earn only 57 percent of what men earn or whether women will be forever relegated to the dependence which low wages and low status impose."

But constitutional equality will not assure wage parity for women any more than constitutional equality now effects wage parity for blacks. As a practical matter, that is much more a function of labor laws, affirmative action and political activism than of constitutional imperative.

SPEAKING OF the Constitution, the idea of "equality for women in this century" happens already to be a fact. It’s all there in the Fourteenth Amendment, adopted by Congress in 1866 and ratified by the states within a couple of years (no extensions necessary):

"All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

"In no case where a question of citizenship is involved shall it be necessary to prove or show any other fact than that the person is born in the United States of American parents."

"No State shall require any qualification of any person as a citizen of that State who is a citizen of the United States by birth."

The 19th Amendment, adding women to the electoral rolls, is not the same as the 14th Amendment. It is a separately worded constitutional addendum. It is a separate question. It is a separate matter. It is not the same question. It is not the same matter. It is not the same question.
make or enforce any law which shall abridge the privilege or immunities of citizens of the United States...nor deny to any person within its jurisdiction the equal protection of the laws."

The key words here are "person" and "equal protection." If we concede that women are "persons" under the Constitution, doesn't it follow that women are already guaranteed equal rights that the pro-ERA forces insist are not there? I'm no lawyer, but that's the way I read it.

The Equal Rights Amendment appears to be more symbolic than substantive, and it has become a tarnished symbol. With all the red flags flapping in the wind, the pro-ERA people have been diverted from the politics of persuasion to the politics of pressure, always an unseemly arena in which to debate lofty democratic ideals.

The Cup of Tantalus has re-arranged their concentration from ends to means. The executive board of NOW provided a neat example recently when it voted to oppose President Carter's renomination and re-election, regardless of who runs against him, because of his ERA record.

Actually, Carter has been an ERA supporter, an active one. But NOW believes he has not been active enough. Carter, said a NOW spokesman, should be using federal grants and patronage to pressure officials in holdout states to ratify the amendment, just as he is using them to promote his renomination.

THERE ARE any number of legitimate reasons for opposing Carter's re-election, but it doesn't strike me that his failure to bribe and blackmail sexual equality into the Constitution is among the better ones.

It's not only a barren approach to amending the Constitution, it's also a fruitless one. Pressure politics, in this case, has merely hardened the holdouts.

Time has just about run out, and Ms. magazine's plaintive question deserves a better answer than it gave itself. The ERA is (a) dead in the water, (b) probably meaningless and (c) draining of political energies and resources which might now be more constructively diverted to other goals.

Specifically, it's about time that all of us who are genuinely devoted to the cause of social justice give up on ERA as hopeless and concentrate on the local, social and political...
6,000 Rally at the Virginia Capitol
In Drive for Equal Rights Measure

By LESLIE BENNETTS
Special to The New York Times

RICHMOND, Jan. 13 — More than 6,000 representatives of labor, civil rights and women's groups from 29 states marched on the Virginia state capitol today, cheering, singing and chanting in the year's first major rally in support of the proposed equal rights amendment.

The demonstrators carried banners recognizing themselves as pipefitters and boilermakers, steelworkers and miners, electrical workers and meatcutters, railway and airline clerks, automobile and construction workers, hospital and postal employees, teachers and telephone workers. Blacks and whites, the young and the old, men, women and children marched under a leaden sky, bundled against the cold in ski parkas, fur coats and jackets with union insignia.

"We don't see it as a women's issue," said Eleanor Smeal, president of the National Organization for Women, at a rally on the capitol grounds.

Other speakers included Sonia Johnson, a pro-amendment activist recently excommunicated by the Mormon church; Dr. Joseph Lowery, president of the Southern Christian Leadership Conference, and representatives of the United Steel Workers, the United Mine Workers, the Virginia Education Association, the Virginia state A.F.L.-C.I.O. and various other unions.

Growing Labor Support

The Richmond rally reflected growing labor support for the national drive to ratify the amendment, which would outlaw discrimination on the basis of sex.

"We don't see it as a women's issue," said Russ Axsom, head of the political action committee of the steelworkers' Local 8888 in Newport News, Va. "We look at it as a labor issue. Opposition to the E.R.A. is a force companies can use to divide a union and use the sexes against each other, as long as they're not paid equal wages and don't have equal rights and opportunities."

"Until women are free, our men — our husbands, our brothers, our sons — are not really free," said Addie Wyatt, vice president of the United Food and Commercial Workers.

Chris Ferrand, a warehouseman and member of the International Brotherhood of Teamsters' Local 507 in Cleveland, said, "If women don't get paid the same as we do, they're going to undermine our wages."
The proposed amendment, which has been ratified by 33 states, must be ratified by three more before the deadline of June 30, 1982, if it is to succeed.

A ratification measure has been in committee in the Virginia General Assembly for seven years and has never reached the floor of the House for a vote. This year's legislative session began last week, and supporters of the amendment hope its fate will be different because of changes in Assembly membership.

"We feel the time has come when the legislators should stand up and be counted," said Rosalind Exum, head of the Executive Committee of the Virginia ERA Ratification Council.

Among groups represented at today's rally were Mormons for the ERA. "This is the year we're going to break the hammerlock the New Right has on the ERA," said Mrs. Johnson. "We are angry at supposedly Christian churches fighting against equal rights under the guise of morality. We believe the failure of the ERA would be a moral disaster."

Support Among Mormons Gauged

Marjory Hunt, a Mormon from Arlington marching today, said she knew many Mormons who quietly supported the proposed amendment despite their church's opposition. "There are a lot more Mormons for the ERA than dare to say so," she said.

"I think everyone benefits from equal rights," said Al Wicklund, who had come with a group from the Industrial Union Council of New Jersey and was carrying a placard that read, "Husbands For ERA."

"I'd like to see my wife earning the money that a man does," Mr. Wicklund said.

Many marchers acknowledged that winning approval of the amendment in Virginia would be difficult.

"I'm afraid it doesn't have much of a
NOW Suit: A Constitutional Threat?

By LEONARD ORLAND

The attorneys general of Missouri and Nevada filed an unprecedented antitrust suit in Federal court early this month. The action challenged a campaign of economic pressure by the National Organization for Women against the 15 states that have not ratified the equal rights amendment to the Constitution. While the majority of the nonratifying states are in the Deep South, those states have not thus far filed suit, permitting Missouri and Nevada to act as stalking horses.

The organization's strategy to exert pressure to ratify the equal rights amendment is simple and direct: it derives from Martin Luther King's successful bus boycott. Its announced purpose is to "convince organizations to pass resolutions stating they will not hold meetings, conferences or conventions in states which have not ratified the E.R.A." Local chapters have used mailings and personal contacts with teachers and nurses associations and service clubs.

The Missouri and Nevada attorneys general contend that the campaign constitutes a boycott — a restraint of trade in violation of the Sherman Act. They purport to bring their law suits as "parens patriae, trustee, guardian and representative of its citizens and the economy of the state." Justice Douglas has explained that royal parens patriae power stems from the early English "royal prerogative," exercised by the "King in his capacity as 'father of the country,'" and derived from the King's power " 'as the general guardian of all infants, idiots and lunatics.' " It is ironic that the women's organization has been sued by attorneys general acting as "fathers" on behalf of "infant" citizens to strike down concerted efforts by women to achieve equality.

It may well be that, as a matter of technical antitrust law, a state may properly act as parens patriae against purely commercial conduct, such as price-fixing or monopolization. It does not follow, however, that a state attorney general may invoke the awesome Federal injunctive power against one class of citizens, those seeking to effect legislative and constitutional process, in order to protect the economic interests of another class of citizens.

The suits recall the early history of the Sherman Act. Some of the most significant initial Sherman Act cases involved efforts by government, in the first decade of the 20th Century, to "protect" one "segment" of the economy, corporations, against another segment, "organized labor." The first Sherman Act injunctions were designed to break strikes; one of the first of the relatively few persons ever to be incarcerated in an antitrust case was Eugene Victor Debs, who defied a Sherman Act injunction designed to break Debs's National Railway Union strike.

More serious than the attorney generals' judgment that protection of convention business is more important than the protection of women's rights is the question of whether the suit has as its purpose and effect the destruction of constitutional rights. A cluster of fundamental rights is at stake, including not only First Amendment freedoms of speech and association, but the right to petition the government for redress of grievances.

There can be no question that the explicit purpose of the campaign is to influence legislative action. Indeed, documents of the women's organization have been attached by the Missouri Attorney General's complaint explicitly state that the "campaign of economic pressure on influential groups in the business community" is designed to have those groups, in turn, "call upon their legislators to vote for the ratification of the E.R.A."

That conduct is and rightly should be protected by the Constitution and sheltered from antitrust attack. The Supreme Court made the point more than a decade ago in the 1961 Noerr case. Justice Black, writing for the unanimous Supreme Court, considered it "conclusively settled" that the Sherman Act does not forbid "associations for the purpose of influencing the passage or enforcement of law."

Justice Black was eloquent in explaining the theory behind the conclusion. In a "representative democracy," he declared, "the whole concept of representation depends upon the ability of the people to make their wishes known to their representatives."

To rule that government "retains the power in this representative capacity and yet hold, at the same time, that the people cannot freely inform the government of their wishes would impute to the Sherman Act a purpose to regulate not business activity, but political activity."

Reasonable persons may differ as to the wisdom of utilizing particular forms

An antitrust move against the women's group and its pressure tactics in behalf of E.R.A., the author says, could destroy one of the few means of effective protest.

of economic pressure to achieve legislative change. There can be no question that corporate America has not hesitated to use economic pressure to influence legislative change, and that citizens' groups, in contrast, lack the financial ability and lobbying power to influence legislation as effectively. The suits against the women's group present the risk that a Sherman Act injunction may become the instrument for destruction of one of the few constitutionally protected avenues for effective citizen acción — economic pressure to influence the government.

Leonard Orland is a professor of law at the University of Connecticut Law School, West Hartford.

Georgia Senate Defeats Equal Rights Proposal

ATLANTA, Jan. 21 (AP) — The Georgia Senate voted 32 to 23 today to defeat a proposal to ratify the proposed equal rights amendment, giving the controversial measure its second defeat in Georgia five years.
The vote came after four hours of debate in the Senate, where the amendment was hailed by supporters as “the heart of democracy” and criticized by opponents as legally unnecessary. It needed 29 votes for ratification in the Senate.
The proposal, which would outlaw discrimination based on sex, must be ratified by 38 states by June 30, 1982, to become part of the Constitution. The original deadline of March 22, 1979, was extended by Congress.
It has been approved by 35 states, but some have rescinded approval. The validity of that move still is in question and the Justice Department has said it is up to Congress to decide. In Missouri, which has not approved the amendment, the state Senate Constitutional Amendments Committee voted for the plan last week, and it is expected to be taken up in the Senate late this week or next week.
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The national campaign to ratify the Equal Rights Amendment is marshalling its forces for the fight to secure passage in the three remaining states needed to guarantee women their rightful place in the U.S. Constitution. The final three will be the hardest to win.

After the ERA was sent to the states for ratification in 1972, 22 states ratified the amendment that year, eight states ratified in 1973, three states in 1974 and two states followed in 1975 and 1977. No state has ratified since, so the total remains three shy of the necessary 38, or three-quarters of the states.

Proponents of the ERA received a boost in 1978 when Congress passed legislation extending the deadline for ratification until 1982. With the increasingly conservative tone of Congress and the state legislatures and the strength of organized opposition to the ERA, that deadline now looms closer than ever.

**Presidential Politics**

Recent events have drawn national attention to the Equal Rights Amendment. The 1980 presidential campaign has already generated heated exchanges by candidates who feel that Carter has not used his influence sufficiently to ratify the amendment.

The ERA and women's issues will continue to be debated as Republican and Democratic platforms emerge. The debate will be more heated among Democrats because party rules dictate that 50 percent of the delegates to the Democratic National Convention must be women.

**Recision Challenge**

Of great concern to ERA proponents is a lawsuit by Idaho challenging the constitutionality of the extension and seeking validation of a state's right to rescind its prior ratification. The ACLU's Women's Rights Project is amicus in the case. An issue in the lawsuit is whether the federal district court judge, Marion J. Callister, should be disqualified because of his (now former) high status as a priest in the Mormon Church and his refusal to allow major proponents of the ERA to intervene. The ACLU has taken no position on the question of disqualification.

Given the publicity already generated around this case, a negative decision will weaken the tenuous support the ERA has in the remaining state legislatures. In addition, several other ratified states have passed recision resolutions. They are Kentucky, Nebraska, and Tennessee.

Six states, Florida, Illinois, Missouri, North Carolina, Oklahoma, and Virginia, could ratify the ERA within the next two years. The other nine unratted states are considered nearly impossible. They are Alabama, Arizona, Arkansas, Georgia, Louisiana, Mississippi, Nevada, South Carolina, and Utah.

The ACLU, which sends a representative to the board of ERAmerica, the national coalition coordinating ratification efforts, is planning to target three of the six states for a concentrated public education and lobbying action. *Civil Liberties* will inform ACLU members about the target states in upcoming issues, and about what you can do to help in the final drive toward ratification of the ERA.

Ratification is still possible, if we get behind it and push the last mile. If ratification is lost, we stand to lose many of the gains made by women in recent years. These gains are mostly based upon statutes and decisions which could easily be reversed in the absence of a constitutional amendment.

**For more information** about the ratification campaign, write to Laura Murphy, Legislative Representative, ACLU Washington Office, 600 Pennsylvania Avenue, SE, Washington DC 20003.
WASHINGTON, Jan. 8 (AP) — President Carter pledged today to “heighten and intensify” his effort to help ratify the proposed Federal equal rights amendment.

He made the promise to the President’s Advisory Committee for Women in a 70-minute meeting at the White House, according to Lynda Johnson Robb, chairman of the group. She told reporters after the meeting that Mr. Carter said he would heighten and intensify his efforts in this area.

At the meeting, the group formally presented Mr. Carter with a report identifying specific actions that he and Administration officials should take to help secure ratification. He received a draft copy several ago and said today that he had read it cover to cover. The report was not released publicly.

Mr. Robb said that the President approved the committee’s idea of distributing speech packets to Cabinet members so that they can speak about the amendment in the addresses to various groups. Ann Ramsey, a committee member, said Mr. Carter had promised that he and his Cabinet members would mention the amendment whenever they visited the 15 states that have not ratified it.

The amendment has been approved by 35 states, but five have since rescinded their approval. The validity of that move is in question. For a proposed amendment to become part of the Constitution, 38 states must approve it.
Your money's worth

By Sylvia Porter

A full five years after the Equal Rights Amendment was passed by Congress and recommended to the states for ratification, it is still three states short of becoming a part of our Constitution. Why has so reasonable a measure been so long delayed?

Because of a deliberately waged campaign — characterized by scare tactics and misinformation — to create confusion and misunderstanding. Thus, below are six myths (some really ludicrous) that have been circulated about the ERA, along with the facts.

MYTH NO. 1: If the ERA is ratified, husbands will pay Social Security taxes twice, once on their own earnings and again on the value of their wives' services as homemakers.

FACTS: This is simply not true! Some changes in Social Security law would be required, but they would be in the direction of recent Supreme Court decisions, giving husbands and fathers of women workers the same rights as female spouses now enjoy.

The rumor that ERA would double a husband's Social Security tax liability is a vicious lie.

There is great merit in the concept of giving a homemaker credit for the work she does in the home. But it would require enactment of a separate law — possibly permitting couples to share their family earnings, just as they now file tax returns.

MYTH NO. 2: Under ERA, a husband would no longer be obliged to support his wife. This, says Phyllis Schlafly, vehement opponent of ERA, "would take away the most basic and precious legal right every wife now enjoys." A wife also would have to "provide half the family income," adds Schlafly.

FACTS: The ERA would not require any mathematically equal contribution to family support from husband and wife, an analysis of ERA in the Yale Law Journal of April 1971 states. Instead, the decision would be based on such matters as the current resources of husband and wife, their earning power, the non-monetary contribution each makes to the family. If one of the couple was a wage-earner and the other worked in the home, the wage-earner, regardless of sex, would have the duty of supporting the other spouse.

MYTH NO. 3: The ERA is an anti-male measure.

FACTS: The title of this proposed 27th Amendment to the U.S. Constitution is "Equal Rights for Men and Women." Its purpose, says Mary A. Warnock, a lawyer who 'wants You to Know About ERA,' (Meranza Press, $4.50 paperback), is to declare that "men and women have equal legal standing and that individuals should be treated as individuals, not all one way because they are all one sex." The ERA allows for legal distinctions between the sexes when the subject concerns physical or functional differences unique to one sex. And that leads into the next myth, refuted again and again.

MYTH NO. 4: According to this absolutely silly rumor, there would be no separate bathrooms for men and women and the sexes would not be segregated in living quarters in dormitories, prisons, etc.

FACTS: Of course, this is not true. The ERA deals only with public legal relationships. And even in the legal area, sex classifications based on physical or functional differences would continue.

MYTH NO. 5: Women would be drafted and assigned to combat duty.

FACTS: Young women would be subject to the draft (if we had one) but not be required to perform military duties for which they were not qualified. Some might be assigned to combat duty, many would not be. (Nurses have been in combat zones in all our wars.)

Just as in the past, the single would be drafted first; childless, married persons, second; and then the situation in each family would have to be weighed to decide whether husband or wife, or neither, or both, were to be called up.

MYTH NO. 6: Upon ratification of ERA, states would be required to validate homosexual marriages.

FACTS: Bunk. All that ERA proposes to do is to give males and females equal rights. By definition, a marriage is the union of a man and a woman. ERA will not change that definition.

In the above myths lie the reasons legislatures have voted against ERA, despite the attitudes of most of a state's residents.

In North Carolina, a poll showed less than 13 percent against ERA but the legislature defeated the measure. In Florida, where ERA will come up for legislative action after April 6, polls show 67 percent favoring ratification, but the lawmakers are being hit by an anti-ERA barrage — not valid arguments but fictitious, venomous propaganda, most from out of state.

Sylvia Porter is a columnist for Field Newspaper Syndicate.
Women's Equality Day is almost here, but there is no cause for celebration. Though Aug. 26 was set aside to honor the memory of the suffragists, it has become just another reminder for contemporary women that the struggle for equality started so long ago is still dragging on. This past year's fight to get the Equal Rights Amendment ratified is only one example of how hard it is for women to strike down sex discrimination.

The federal government itself is currently abdicating its responsibility to take action on important national problems that are closely linked to women's striving for equality – welfare reform, comprehensive day-care services, and enforcement of Title IX of the education amendments of 1972, to name but three.

Welfare reform. Just over a year ago, the administration announced that this would be the year of welfare reform. Instead – as this session of Congress draws to a close – it has turned out to be just another year of frustration for the 26 million people including 11 million children living below the poverty level.

Welfare reform is emphatically a women's issue, because poverty is predominantly a women's problem. Of the 3.4 million families receiving Aid to Families with Dependent Children (AFDC), three-fourths are headed by women. This is but the latest count in a prolonged trend. In the past ten years, the number of female-headed families with children has grown almost ten times as fast as those with two parents. One child in seven now is living in a fatherless family. According to a study conducted for the International Women's Year Commission, only 44 percent of divorced women get child support (and only 14 percent receive alimony).

Going to work doesn't necessarily solve women's financial problems, and won't, as long as their earning power remains approximately 60 percent of the median income for men. The effects of sex discrimination will continue to leave their mark on women and children until positive action is taken to eliminate it.

Without strong administration support for comprehensive reform and strong congressional leadership in this area, welfare reform will remain on the shelf in Congress and continue to loom as a major barrier in the achievement of women's equality.

Federal day-care programs. Despite the pressing need for federal support, legislative action to provide comprehensive day care for the nation's children has also gone nowhere. Women are entering the labor force in increasing numbers out of necessity as well as choice. For an increasing number of families, the mother's income is the only source of support. Yet there are only 1.6 million licensed day-care slots available for the 6.5 million children under six with working mothers.

Furthermore, the existing patchwork of day-care services presents almost insurmountable problems for many working parents who must use makeshift arrangements for the care of their children, who pay thousands of dollars annually for care that is at best custodial, often worse, who must spend several hours a week transporting children to inconveniently located centers, and who must quit their jobs because adequate dependable day care is not available.

Where has the federal commitment to an adequate day-care program gone? While congressional hearings on the issue have been held, and a few legislators on the campaign
Title IX of the education amendments of 72. Six years ago Congress enacted Title IX prohibit sex discrimination in federally funded educational programs and activities. The law affects over 16,000 public school systems (elementary and secondary) and thousands of at-secondary institutions. Title IX forbids discrimination in a wide range of areas including financial aid, counseling, courses, extracurricular activities, health care, and employment. Its passage, moreover, was considered a giant legislative step forward. But the Department of Health, Education, and Welfare (HEW) has failed.

Scores of sex discrimination complaints remain bottled up in HEW. Over a thousand discrimination cases remain pending in HEW courts. And in all the years since Title IX became law, HEW has never stopped the flow of federal dollars to those educational institutions at publicly refuse to observe the law.

Recently on the sixth anniversary of the passage of Title IX, the League of Women Voters and a number of other organizations led a strong public protest over HEW's failure to enforce Title IX. Is it any wonder that women are concerned that in the halls of Congress and federal agencies like Health, Education, and Welfare women's rights are being ignored?

If legislators and other government officials were to set themselves these four targets -- ratifying the ERA, ratifying our welfare system, and assuring comprehensive day-care service -- by next Aug. 26 women would have ample justification for a victory party. At long last the federal government would be coming to grips with the real needs of women everywhere rather than citing lame excuses each Aug. 26 for why women haven't achieved the equal rights their forebears ancestors suffered so much to ensure.

Ruth J. Hinerfeld is the president of the League of Women Voters of the United States.
CONGRESSIONAL VOTING RECORD: 98th Congress, 1st Session

This year National has compiled the CONGRESSIONAL VOTING RECORD (CVR) instead of the POLITICAL ACTION REPORT (PAR). While structurally similar in that selected issues and votes are compared, it is hoped that the CVR will be used solely for informational purposes by our League members and not viewed as endorsement or opposition to any member of Congress.

While most years the votes of greatest interest would be those of our members of Congress, in a presidential election year, when we become more aware of our entire legislative body, how they all stand on these issues becomes of greater interest. The entire CVR is therefore included in this Bulletin. What seems most fascinating is that the votes are all over the place, with VERY FEW members of Congress from either party in agreement with the League positions.

HOUSE VOTE EXPLANATIONS/ISSUES

VOTE #1: THE EQUAL RIGHTS AMENDMENT, H.J. RES. 1
Representative Rodino’s (D NJ) motion to suspend the rules and pass the Equal Rights Amendment, H.J. Res. 1, was defeated. The ERA is a proposed constitutional amendment stating, “Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.” The League supported the motion. The League has a long-standing commitment to equal rights for all citizens and to the ERA as a necessary and fundamental guarantee of equal rights for women and men. A two-thirds vote of members present and voting is required for passage under the rules of suspension (284 in this case). The motion was rejected November 15, 1983, by a vote of 278-147. A YES vote supported the League position.

VOTE #2: JOBS CREATION, H.R. 1036
Representative Hawkins’s (D CA) Community Renewal Employment Act, H.R. 1036, to authorize $3.5 billion in Fiscal Year (FY) 1984 to provide employment opportunities to the unemployed through grants to state and local governments for the repair and rehabilitation of public facilities and for essential social service activities, was passed. The League strongly supported this bill because of its emphasis on the employment needs of women and minorities and the needs of the long-term unemployed. The League supports job creation legislation that directs money toward the creation of “soft” public works and service jobs that women and minorities currently are more qualified to fill. The bill was passed September 21, 1983, by a vote of 246-178. A YES vote supported the League position.

VOTE #3: FIRST BUDGET RESOLUTION, FEDERAL BUDGET FOR FY 1984, H. CON. RES. 91
Representative Jones’s (D OK) motion to approve the substitute budget resolution, H. Con. Res. 91, agreed to by House and Senate conferees, to set budget targets for the fiscal year ending September 30, 1984, was passed. The League supported the congressional substitute, which increased funding levels for domestic social programs above those proposed by President Reagan. The League supports adequate spending levels for social programs necessary to meet the basic human needs of America’s poor, minorities and women. The motion was passed June 23, 1983, by a vote of 239-186. A YES vote supported the League position.

VOTE #4: U.S. CIVIL RIGHTS COMMISSION, H.R. 2230
Representative Edwards’s (D CA) amendment to a bill reauthorizing the U.S. Civil Rights Commission, H.R. 2230, to permit removal of members of the commission only for neglect of duty or malfeasance in office, was passed. The League supported this amendment as essential to maintaining the integrity and independence of the U.S. Civil Rights Commission. The League has a long-standing commitment to the cause of equal rights for all Americans and supports an independent Civil Rights Commission. The amendment was passed August 4, 1983, by a vote of 286-128. A YES vote supported the League position.

VOTE #5: HOUSING AND URBAN-RURAL RECOVERY ACT, H.R. 1
The FY 1984 housing authorization bill, H.R. 1, to authorize $15.6 billion for federal housing programs, was passed. The League supported this housing reauthorization, the first to pass Congress in three years, because it ensured the continuation of a number of housing assistance programs, such as Section 8 housing rental subsidies and construction of Section 202 housing for the elderly and handicapped. The League supports legislation to expand the housing supply for lower-income families and to achieve adequate funding for equal opportunity in housing. The bill was passed July 13, 1983, by a vote of 263-138. A YES vote supported the League position.

VOTE #6: INTERNATIONAL MONETARY FUND, H.R. 2957
The International Recovery and Financial Stability Act, H.R.
2957, to authorize an $8.4 billion increase in U.S. participation in the International Monetary Fund (IMF) and provide funds for multilateral development banks (including the Inter-American Development Bank, the Asian Development Bank and the African Development Fund), was passed. The League supported passage of the bill. The League supports the continuing participation of the United States in the IMF because of its important role in promoting world economic stability by sustaining growth in world trade, alleviating potential debt crises in Third World nations and improving balance of payments problems. The League also supports replenishment of the multilateral development banks, which have proven to be effective instruments for distributing economic assistance in developing countries. The League opposes any attempts to impose conditions on U.S. contributions to the multilateral development banks and supports channeling a higher proportion of U.S. assistance through these institutions. The bill was passed August 3, 1983, by a vote of 217-211. A YES vote supported the League position.

VOTE #7: AUTO DOMESTIC CONTENT REQUIREMENTS, H.R. 1234

Representative Coats's (R IN) amendment to prohibit automobile domestic content requirements contained in H.R. 1234 from being enforced if they violate U.S. trade obligations under the General Agreement on Tariffs and Trade (GATT) and if they would lead to retaliation by other countries, was rejected. The Coats amendment would have negated the effects of H.R. 1234, the Fair Practices in Automotive Products Act, to a bill to mandate a certain percentage of American parts and labor in foreign and domestically produced automobiles. The League supported the amendment because domestic content requirements would express violate U.S. international trade obligations, would impose tremendous costs on the American economy and on consumers, and would not be effective in preserving jobs or in helping the auto industry become more competitive. The amendment was rejected November 3, 1983, by a vote of 178-232. A YES vote supported the League position.

VOTE #8: HAZARDOUS WASTES, H.R. 2867

Representative Florio's (D NJ) amendment to Representative Shelby's (D AL) amendment to H.R. 2867, the Hazardous Waste Control and Enforcement Act of 1983, to require generators of 25 or more kilograms per month of hazardous wastes to notify transporters that the wastes are hazardous, was passed. The Shelby amendment would have set the notification threshold at 100 or more kilograms per month. The League supported the Florio amendment because notification to transporters by small-quantity generators, which together produce large total quantities of hazardous wastes, is necessary to ensure safe handling and disposal of hazardous wastes to protect public health and the environment. The amendment was passed August 4, 1983, by a vote of 236-180. A YES vote supported the League position.

VOTE #9: HAZARDOUS WASTES, H.R. 2867

Representative Levin's (D GA) amendment to H.R. 2867, the Hazardous Waste Control and Enforcement Act, to require approval through a joint resolution by Congress and the President before final rules by the Environmental Protection Agency (EPA) could take effect to regulate the disposal of hazardous wastes produced by small-quantity generators, was defeated. The League opposed the Levin's amendment because by requiring prior congressional and presidential approval it provided an escape hatch whereby the provisions of the bill requiring EPA to protect public health and the environment from hazardous wastes produced by small-quantity generators might never be implemented. The League believes that small-quantity generators, which together produce large total quantities of hazardous wastes, should not continue to be exempt from hazardous wastes controls. The amendment was rejected November 3, 1983, by a vote of 189-204. A NO vote supported the League position.
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<td>3 Bartlett</td>
<td>N Y N N N N Y</td>
<td>2 Philip Burton died in office April 10, 1983.</td>
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<td>4 Hall, R.</td>
<td>Y Y Y Y Y Y Y</td>
<td>3 Lehman voted present on Vote #7 to avoid possible conflict of interest. This vote is not counted against him.</td>
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<td>5 Bryant</td>
<td>Y Y Y Y Y Y Y</td>
<td>4 Darin was elected in a special election to replace McDonald. Darin was sworn in November 10, 1983.</td>
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<td>6 Grammar</td>
<td>N N N N N N N</td>
<td>5 McDonald died in office September 1, 1983.</td>
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<td>7 Archer</td>
<td>N N N N N N N</td>
<td>6 Hayes was elected in a special election to replace Washington. Hayes was sworn in September 12, 1983.</td>
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<td>8 Fields</td>
<td>N N N N N N N</td>
<td>7 Washington resigned April 29, 1983 to become mayor of Chicago.</td>
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<td>9 Brooks</td>
<td>Y Y Y Y Y N Y</td>
<td>8 The Speaker votes only in case of a tie or in close votes on issues of importance to him.</td>
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<td>10 Pickle</td>
<td>Y Y Y Y Y Y Y</td>
<td>9 Ackerman was elected in a special election to replace Rosenthal. Ackerman was sworn in March 2, 1983.</td>
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<td>11 Leach</td>
<td>N N N N N N N</td>
<td>10 Rosenthal died in office January 4, 1983.</td>
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<td>12 Wright</td>
<td>Y Y Y Y Y Y Y</td>
<td>11 Zablocki died in office December 3, 1983.</td>
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| 13 Hightower | N N N N N N N | *A special election was held April 3, 1984 to fill the seat of Zablocki.
VOTE #1: HUMAN LIFE FEDERALISM AMENDMENT, S.J. RES. 3

Senator Hatch's (R UT) joint resolution proposing a constitutional amendment stating, "A right to abortion is not secured by this Constitution," was defeated. The intent of the amendment was to overturn the existing constitutional doctrine upholding a woman's right to privacy in making reproductive choices. The League opposed the resolution. In January 1983 the League adopted a position, based on strong member agreement, in support of the right of privacy in reproductive choices. The League believes that public policy must affirm the constitutional right of the individual to make reproductive choices. A two-thirds majority is required for passage of a proposed constitutional amendment (67 in this case). The resolution was rejected June 28, 1983, by a vote of 49-50. A NO vote supported the League position.

VOTE #2: TUITION TAX CREDITS, H.J. RES. 290

Senator Boren's (D OK) procedural motion to kill Senator Dole's (R KS) amendment to provide tax credits for tuition payments to private elementary and secondary schools as part of H.J. Res. 290, Olympic Duty Suspension/Tuition Tax Credits, was passed. The League opposed the Dole amendment based on the League's long-standing commitment to equal access to education. The League believed that the antidiscrimination provisions in the tax credits legislation were inadequate to prevent schools with racially discriminatory practices from receiving federal monies and that tuition tax credits would undermine this nation's system of public education. The motion was passed November 16, 1983, by a vote of 59-38. A YES vote supported the League position.

VOTE #3: FIRST BUDGET RESOLUTION, FEDERAL BUDGET FOR FY 1984, H. CON. RES. 91

Senator Baker's (R TN) motion to approve the substitute budget resolution, H. Con. Res. 91, agreed to by House and Senate conferees, to set budget targets for the fiscal year (FY) ending September 30, 1984, was passed. The League supported the congressional substitute, which increased funding levels for domestic social programs above those proposed by President Reagan. The League supports adequate spending levels for social programs necessary to meet the basic human needs of America's poor, minorities and women. The motion was passed on June 23, 1983, by a vote of 51-43. A YES vote supported the League position.

VOTE #4: CIVIL RIGHTS COMMISSION ACT, H.R. 2230

Senator Specter's (R PA) amendment to H.R. 2230, to reauthorize the Civil Rights Commission for six years and change it from a presidentially appointed six-member panel to an eight-member panel to which the President and Congress each would make four appointments, was passed. Based on the League's strong support for the civil rights of all Americans, the League supported the Specter compromise because it would continue the life of the commission and provide a structural framework to maintain the independence and integrity of the commission. The amendment was passed November 10, 1983, by a vote of 79-5. A YES vote supported the League position.

VOTE #5: UNITED NATIONS FUNDING, S. 1342

Senator Kaskebaum's (R KS) amendment to the State Department authorization bill, S. 1342, was passed. The League opposed the Kaskebaum amendment because it would have reduced, over the four-year period from 1984 to 1987, total U.S. contributions to the United Nations and four of its affiliates by approximately one-half billion dollars. The League strongly supports U.S. participation in the United Nations and its specialized agencies. The League supports U.S. financial contributions commensurate with the United States's ability to pay. The amendment was passed September 22, 1983, by a vote of 66-23. A NO vote supported the League position.

VOTE #6: INTERNATIONAL MONETARY FUND

Senator Gann's (R UT) procedural motion to kill Senator Humphrey's (R NH) amendment to the FY 1984 Supplemental Appropriations bill, H.R. 3959, was passed. The League opposed the Humphrey amendment because it would have reduced the U.S. contribution to the International Monetary Fund (IMF) by $584 million. The League supports the continuing participation of the United States in the IMF. The IMF, which acts as an international credit union by borrowing from some members to lend to others, plays a vital role in promoting worldwide financial stability and contributes to economic progress in the developing world. The motion was passed November 17, 1983, by a vote of 52-45. A YES vote supported the League position.

VOTE #7: CLINCH RIVER BREEDER REACTOR

Senator Humphrey's (R NH) procedural motion to kill the Senate Appropriations Committee amendment to the FY 1984 Supplemental Appropriations bill, H.R. 3959, was passed. The League opposed the committee amendment because it would have added $1.5 billion to the bill to complete the Clinch River plutonium breeder reactor in Tennessee. The League opposes construction of the project because it uses scarce resources that would be better employed in developing solar and conservation energy. The League gives low priority to development of plutonium breeder technologies and high priority to conservation, renewable resources and the environmentally sound use of coal. The procedural motion was agreed to October 26, 1983, by a vote of 56-40. A YES vote supported the League position.
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Note: Votes are not in chronological order.

**VOTE KEY**

- Kentucky
- Ford
- Huddleston
- Louisiana
- Johnston
- Long
- Maine
- Cohen
- Mitchell
- Maryland
- Mathias
- Sarbanes
- Massachusetts
- Kennedy
- Tongas
- Michigan
- Levin
- Riegel
- Minnesota
- Boschwitz
- Durenberger
- Mississippi
- Cochran
- Stennis
- Missouri
- Danforth
- Eagleton
- Montana
- Bacus
- Melcher
- Nebraska
- Exxon
- Zorinsky
- Nevada
- Hecht
- Laxalt
- New Hampshire
- Humphrey
- Rudman
- New Jersey
- Bradley
- Lautenberg
- New Mexico
- Domenici
- Bingaman
- New York
- D’Amato
- Moynihan
- North Carolina
- East
- Helms
- North Dakota
- Anderson
- Burdick
- Ohio
- Glenn
- Metzenbaum
- Oklahoma
- Nickles
- Boren
- Oregon
- Hatfield
- Packwood
- Pennsylvania
- Heinz
- Specter
- Rhode Island
- Chafee
- Pell
- South Carolina
- Thurmond
- Hollings
- South Dakota
- Abdnor
- Pressler
- Tennessee
- Baker
- Sasser
- Texas
- Tower
- Bentsen
- Utah
- Garn
- Hatch
- Vermont
- Stafford
- Leach
- Virginia
- Tribe
- Warner
- Washington
- Evans
- Jackson
- Gorton
- West Virginia
- Byrd
- Randolph
- Wisconsin
- Kosien
- Proxmire
- Wyoming
- Simpson
- Willop

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1 Evans was appointed to replace Jackson and sworn in on September 12, 1983. Evans was elected in a special election and sworn in for the second time on January 23, 1984.

2 Jackson died in office September 1, 1983.
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The League of Women Voters:
We put laws on the books . . .
turn rights into realities . . .
register millions to vote . . .
and keep politics a process for the people.