

MEMORANDUM

Government Relations Board Report

To: National NOW Board of Directors

From: Jan Erickson, NOW Government Relations Director

Date: May 27, 2020

House Passes \$4 Trillion Heroes Act, Phase Four Responding to Pandemic

(For detailed information on the historic HEROES Act, go to, <https://appropriations.house.gov/sites/democrats.appropriations.house.gov/files/documents/Heroes%20Act%20Summary.pdf>)

(What follows is a concise summary of some of the important provisions of the recently adopted HEROES Act, a massive package of relief measures that addresses a myriad of critical needs as the COVID-19 pandemic continues. Due to the press of time, we have included this summary from the AARP, followed by excerpts from other organizations with differing concerns.)

With millions of American households struggling to stay afloat financially [due to the pandemic](#), the U.S. House of Representatives passed a \$3 trillion economic package Friday as lawmakers start to tackle what a new round of stimulus measures might include if enacted.

The 208-199 vote in the House (May 15) on the **Health and Economic Recovery Omnibus Emergency Solutions (HEROES)** Act took place as federal lawmakers debate whether another round of stimulus legislation is necessary to spur the nation's economy. The bill should be seen as the House of Representatives' opening bid in negotiations on the next round of legislation and almost certainly won't become law as is. Leaders in the Senate have said that the chamber will not vote on the bill and that they prefer to wait to see if previous rounds of stimulus measures are working. The White House has suggested it would veto the HEROES bill, though President Donald Trump has said his administration is exploring the possibility of additional stimulus payments to individuals.

More than [36 million people have filed new claims for unemployment benefits](#) in the eight weeks since the coronavirus pandemic caused widespread shutdowns of businesses. Under the CARES Act, people who lost their jobs during the pandemic are eligible to receive \$600 per week from the federal government, on top of what they normally would receive in state unemployment benefits. That enhanced benefit is scheduled to end on July 30, 2020, but the HEROES bill would allow it to continue through January 2021. The CARES Act also made it possible for the first time for gig workers, freelancers, independent contractors and others to receive unemployment benefits through the end of this year. The HEROES legislation would extend their eligibility through March 2021.

Stimulus Checks - More than 130 million Americans have already received the economic impact payments the [CARES Act called for in March](#). If the HEROES Act were passed, a second round of stimulus payments would be distributed in a similar fashion, but with a few important changes. Individuals would once again be eligible for checks of up to \$1,200 per person (or \$2,400 for married couples filing taxes jointly). But under the HEROES Act guidelines

for stimulus payments, dependents would be eligible for payments of \$1,200 apiece. Under the first round of stimulus payments, children under 17 qualified for only \$500 each. The new legislation also would make adult dependents eligible for payments of \$1,200 apiece, which could make a big difference for caregivers of older adults and parents of college-age students. One household could only receive payments for three dependents. (Also, the Act clarifies that the Treasury Department must use information provided by the Social Security Administration, the Railroad Retirement Board, and the Veterans Administration to **make payments to beneficiaries who did not file tax returns** for 2018 or 2019, taking the onus off of these beneficiaries to provide information to the IRS in order to receive payment.)

Hazard pay for essential workers - The HEROES Act would provide \$200 billion in funding for “pandemic premium pay” that employers could use to pay essential workers an additional \$13 per hour for the time they have worked from Jan. 27, 2020, until 60 days after the last day of the COVID-19 public health emergency. Employers would have to apply for grants from the government to pass that pay premium on to their employees.

“Strike Teams” for nursing homes - The HEROES Act would provide \$500 million in funding so states could create “strike teams” that they could send to skilled nursing facilities where residents have been diagnosed with COVID-19.

SNAP Benefits - According to the advocacy group Feeding America, food banks across the nation are seeing an average increase in demand of 60 percent as people who have lost their jobs look for ways to feed their families. The HEROES Act proposes a 15 percent increase to the maximum Supplemental Nutrition Assistance Program (SNAP) benefit that individual cal households could receive. The bill also would increase the minimum SNAP benefit to \$30. (SNAP was previously known as the food stamp program.)

Money for state and local governments - The leaders of the bipartisan National Governors Association recently urged Congress to provide more money to states that have lost revenue due to temporary shutdowns at the same time they have seen the demands for many public services rise unexpectedly. The HEROES Act would provide nearly \$1 trillion to state, local, territorial and tribal governments.

Testing and Tracing for COVID 19 - Public health officials have said that managing the outbreak will require performing more tests to determine who has been infected with the coronavirus, increasing efforts to identify and notify individuals who have come in contact with someone who has the coronavirus, and producing new treatments for people who have COVID-19. The HEROES Act would provide an additional \$75 billion for such efforts. (Thanks to the AARP for this summary.)

Additional provisions in the HEROES Act:

- A 14% increase in federal matching funds to states (FMAP) for their Medicaid programs, an additional 10% in federal matching **funds for home- and community-based services**, and hazard pay and paid leave for direct care workers.
- **Expansion of paid sick days & paid leave**, including to allow leave for self-isolation under public order and to care for adult disabled family members.
- A **new Medicare Part A & B special enrollment period** to enable immediate access to coverage during the health emergency.

- Elimination of cost-sharing for Medicare coverage of **COVID treatment**, including medications.

Only \$7 Billion Provided for Child Care, \$50 Billion Needed

On May 15, the House of Representatives passed the Health and Economic Recovery Omnibus Emergency Solutions Act, known as the HEROES Act. A number of senators have already announced that they will not support the bill, and negotiations between Senate and House leaders continue to unfold. However, **the HEROES Act includes only \$7 billion in additional funding for child care**, allocated through CCDBG. This funding will not be enough to stabilize the child care industry for one month. As Congress continues its negotiations, please continue to reach out to your congressional delegations and Hill contacts to demand *at least* \$50 billion in immediate relief for child care so the industry can survive the COVID-19 pandemic.

On Thursday, NWLC released its new report, [*Child Care's Struggle to Survive COVID-19: State Impacts and Responses*](#). The report examines how the pandemic and recession are affecting state child care systems, how states are responding to the impacts on their child care systems, and what gaps remain in efforts to sustain these symptoms. In a recent interview with ABC News, longtime child care advocate Senator Patty Murray highlights that the child care sector needs at least \$50 billion in dedicated funding in order to survive the pandemic. She also emphasizes that child care is an essential part of our economic recovery and ability to reopen. To read the full article, click [here](#).

LGBTQIA+ Groups Win Important Protection in HEROES Act

THANK YOU! Recently, the House added the nondiscrimination provisions we asked for to the HEROES Act! This is a huge success and sets out a marker saying that when you fund trillions of dollars in services, you cannot turn people away due to their sexual orientation, gender identity, age, disability, sex, race, color, national origin, immigration status, religion, or pregnancy, childbirth or related medical condition. It's so exciting to include protections for the enumerated groups and those in our country with intersectional identities in this legislation. The House voted on the rules for passage of the HEROES Act, which included adoption of [this amendment](#).

HEROES Act Closes Loophole that Sent Billions to Millionaires

In passing the **HEROES Act**—the latest round of COVID-19 response legislation—the U.S. House voted to repeal the #MillionairesGiveaway. Originally estimated to lose \$135 billion, the closing of this loophole and making it permanent will now raise about \$250 billion from wealthy business owners to help families and communities during these desperate times.[1] Mitch McConnell and Senate Republicans snuck the loophole into previous pandemic response legislation, which resulted in an average \$1.6 million tax handout to 43,000 millionaire business owners this year. The rest of us got up to \$1,200 per adult.

Americans for Tax Fairness advises, “At a time when so many people and families are hurting, it’s unconscionable that the GOP would engage in pandemic profiteering to pad the pockets of

the rich and corporations. Now, with this legislation moving to the U.S. Senate, let's raise our voices once again!"

NOW Consultant Provides Update on VAWA Reauthorization

Submitted by Pat Reuss

NOW works closely with the National Task Force to End Sexual and Domestic Violence. Along with NOWLDEF, NOW was a founder of this coalition and was in on the first early efforts to get sponsors for and then pass VAWA in 1994. Alerts and updates from the NTF about VAWA and the Family Violence Prevention and Services Act (which funds shelters) are available at www.4vawa.org and <https://nnedv.org/content/family-violence-prevention-services-act/>. NOW is represented on NTF by Pat Reuss, who formed NTF in 1991 and worked with then Senator Biden to pass the first bill. She is currently retired as the NOW lobbyist and is currently a policy advisor to NOW. She sends out VAWA and related materials and alerts, developed by the advocates and experts who are members of NTF, to the NOW leaders on a regular basis.

Right now, the reauthorization is on hold. The House passed a "real" VAWA bill last year and Senator Feinstein (D-Calif) introduced that version earlier this year, without bipartisan support. Senate Republicans know they should address this issue, but are incapable of bringing the House passed bill to the floor.

The **funding** is in place and current discussions and bills re funding for FY 20/21 include VAWA funding, so right now all that we can do is work with our Repub Senator(s) trying to convince them to sponsor the "real" version, not the Ernst (R-IA) watered down version. The best thing right now is IF your Senator is up for reelection, try to get into virtual town hall meetings and ask them if they support VAWA, the version that makes important improvements to the original bill. OR just keep calling and make friends with their staff person, sending them fact sheets or clips from the news that detail tragic events in your state involving DV and/or rape.

Advocates are working to get provisions in the latest covid19 relief bill. Senators are balking at spending any more money but they might be amenable to the provisions in the house-passed bill that deal with helping survivors – feel free to include support for provisions that the house left out (see bottom):

The National Coalition Against Domestic Violence (NCADV) applauds the House of Representatives for including important provisions to address the needs of survivors of domestic violence in H.R.6800, the Health and Economic Recovery Omnibus Emergency Solutions Act (HEROES Act). The HEROES Act builds on the CARES Act and makes important investments and policy changes to provide critical services and to support survivors.

Among other important provisions, the HEROES Act:

- *Ensures the Crime Victims Fund will remain solvent and waives matching requirements for Victims of Crime Act victim assistance grants*
- *Provides \$48 million for the Family Violence Prevention and Services Act (FVPSA) and waives matching requirements*

- *Appropriates \$200 billion for hazard pay for employees doing essential work, including domestic violence and sexual assault advocates*
- *Protects immigrant survivors by ensuring all immigrants have access to COVID-19 testing and treatment covered by Medicaid, including non-citizen taxpayers in stimulus direct payments, and temporarily extending immigration status and work authorization for people whose statuses have recently or will soon expire*
- *Includes \$100 million in additional funding to Violence Against Women Act (VAWA) grant programs and waives matching requirements*
- *Appropriates \$1 billion for incremental housing vouchers for which survivors of domestic and sexual violence are eligible*
- *Allocates \$2 million to the National Domestic Violence Hotline*
- *Provides direct stimulus payments to households meeting certain income requirements*
- *Supports state and local governments*
- *Includes \$100 million to help survivors of domestic violence and low-income women obtain qualified domestic relations orders*
- *Increases funding for nutritional programs and increases maximum SNAP benefits*
- *Equips the Legal Services Corporation with an additional \$50 million*
- *Improves paid leave (eliminates employer exemptions, expands usages and access and increases wage replacement)*

We are disappointed that the HEROES Act does not:

- *Provide sufficient funding for VAWA programs, including formula grants that can get out to the field quickly, grants for Tribal victims services, grants for culturally-specific organizations, and grants for Outreach and Services to Underserved Populations*
- *Provide access to paid safe leave for survivors and to unemployment insurance for survivors who have to leave their jobs due to domestic or sexual violence*
- *Prohibit immigration enforcement at sensitive locations and prohibit the detention and removal of people with pending humanitarian immigration applications.*

Equal Rights Amendment on Hold, Case Goes Forward – A Recap

Final Ratification Steps on Hold - For the moment, the process of determining the legal sufficiency of the vote by the 38th and final state, Virginia, to ratify the Equal Rights Amendment and then to certify that the ERA is part of the Constitution is on hold. The **Equal Rights Amendment**, written by **Alice Paul** in 1923, would ban discrimination on the basis of sex and guarantee equality for women under the Constitution, The archivist of the of the United States,

David S. Ferriero whose authority it is to carry out those actions, wrote the **Department of Justice, Office of Legal Counsel**, in early January, asking for guidance in anticipation of Virginia's likely vote to ratify. Virginia would pass the ERA ratification measure on January 15. Ferriero pointed to issues raised in the lawsuit filed by Alabama, Louisiana, and North Dakota in mid-December.

Ferriero released a statement at the time indicating that, "NARA does not intend to take any action regarding the ERA until, at a minimum, it receives the guidance it previously requested and in no event before February 15, 2020." Ferriero heads the National Archives and Records Administration (NARA).

The Office of Legal Counsel responded,

"We conclude that Congress had the constitutional authority to impose a deadline on the ratification of the Amendment and, because that deadline has expired, the ERA Resolution is no longer pending before the States," the OLC said in an [opinion](#) released Wednesday (1/8/20).

The opinion, issued in response to a lawsuit filed by three conservative-leaning states effectively prevents the archivist of the United States, who administers the ratification process, from verifying that the amendment is valid and part of the Constitution after the necessary number of states approve it," according to a report by CNN.com.

OLC Contradicts Itself - The OLC also said that Congress cannot revive a proposed amendment after it has exceeded its deadline for ratification, suggesting instead that Congress restart the ratification process from scratch. However, one legal analyst noted for CNN.com that the OLC opinion contradicted its own 1977 opinion that concluded Congress *could extend a ratification deadline* on an amendment pending before the states.

Deadline Removal Legislation Passes House

On February 13, the U.S. House of Representatives passed **H.J. Res 79**, (sponsored by **Rep. Jackie Speier**, D-CA) removing the (arbitrarily set) deadline from the proposing clause of the Equal Rights Amendment. The vote was 232, all Democrats and five Republicans. The House measure is pending in the Senate, having been read twice and is assigned to the Judiciary Committee. **Sen. Ben Cardin** (D-MD) is the sponsor of the Senate bill, S. J. Res. 6, which has 48 cosponsors, including two Republicans, Sens. Cardin and Republican **Sen. Lisa Murkowski** (D-AK) have led the effort to gather sponsors. Sen. Cardin has spearheaded the effort in Congress over the last 10 years, working closely with women's groups including NOW. Republican **Sen. Susan Collins** and the two Independents, **Sens. Angus King** of Maine and **Bernie Sanders** of Vermont are co-sponsoring.

At least 51 votes are needed. Insider information suggests that the Senate will take up this legislation (even though the Senate has not considered hundreds of bills that House has passed). NOW activists are encouraged to communicate the importance of the deadline removal with their more moderate Republican senators, such as **Rob Portman** of Ohio, **Cory Gardner** of Colorado and **Mitt Romney** of Utah. But, really, all 22 Republican senators running for re-election should be hesitant to vote against women's

equal rights. Senators are in their home states now with the COVID 19 pandemic, so it is an excellent opportunity to pressure them for this legislation and other priority bills.

A word about the deadlines on constitutional amendment processes; a limit on the amount of time that is allowed for states to consider and vote on ratification has been applied for most amendments offered since 1917. Reportedly, when Alice Paul, the author of the ERA language, heard in 1972 that a deadline of seven years had been adopted she wept. Some legal scholars argue that Article V of the U.S. Constitution which lays out the amending process does not provide for any time limits to be set. The 27th Amendment, known as the **Madison Amendment**, was ratified by states over more than 202 years, finally added to the Constitution in 1992. The amendment prohibits any law that increases or decreases the salary of members of Congress from taking effect until the start of the next set of terms of office for representatives

Lawsuit by AGs of Alabama, Louisiana and North Dakota

The case, filed in a U.S. District Court on Dec. 17, argues that the archivist of the United States should not count any new states that ratify the Equal Rights Amendment to the U.S. Constitution, as the deadline established by Congress for the amendment has expired. The AGs contend that the Archivist is "acting illegally" by continuing "to hold open the ratification process" and refusing to recognize some states' rescissions of the amendment, according to independent.com.

Attorneys General **Steve Marshall** (R-AL), **Jeff Landry** (R-LA), and **Jason Ravnsborg** (R-SD) — all men — also warned that ratification would "not promote true equality, but rather a far-left agenda" and would undermine "the progress women have made."

Lawsuit Makes Outrageous Claims - The AGs argued "if the ERA were ratified today, activists would urge courts to use the amendment to overturn legitimate regulations of abortion and to mandate state funding of abortions." What's more, they claim, judges might overturn prisons that separate inmates based on their sex, separate sports teams for women, and other sex-specific segregation. These would only be impacted by the amendment if they were deemed to be a denial of equal rights.

The **ERA Coalition**, of which NOW is a member organization, issued a statement calling the **lawsuit** "a disgraceful exercise in fear mongering."

Since then, the lawsuit has been withdrawn and the three AGs have petitioned to intervene in the lawsuit of the attorneys general suing on behalf of final adoption of the ERA in the **U.S. District Court in the District of Columbia** – which is where ERA advocates want to see the case adjudicated.

Lawsuit Brought by Attorneys General of Nevada, Illinois and Virginia - On January 30, the attorneys general of Virginia, Illinois and Nevada sued U.S. archivist David Ferriero in U.S. District Court in Washington, DC, to force him to "carry out his statutory duty of recognizing the complete and final adoption" of the ERA as the 28th Amendment to the Constitution.

NOW President, Toni Van Pelt applauded the move on the part of the three attorneys general to have the amendment become the 28th Amendment to the U.S. Constitution, noting many decades of advocacy for the ERA by NOW activists.

A CNN.com article reported that, "In a [complaint](#) filed Thursday, the attorneys general of Virginia, Illinois and Nevada are asking the US District Court in Washington, DC, to force the archivist of the United States, who administers the ratification process, to "carry out his statutory duty of recognizing the complete and final adoption" of the ERA as the 28th Amendment to the Constitution. The ERA would ban discrimination on the basis of sex and guarantee equality for women under the Constitution.

"Unfortunately, the forces that have tried to deny women equal protection under the law for centuries have not yet been fully vanquished," Virginia Attorney General **Mark Herring** said in a conference call with reporters. "But this movement and the women in America have shown time and again, if you throw up roadblocks, they'll go over them, they'll go around them, they'll go straight through them."

The suit is the first legal response by liberal-leaning states to force ERA's passage following [Virginia's ratification earlier this week](#), which supporters say is the final step toward the 38-state threshold necessary to enshrine an amendment in the US Constitution. Opponents argue the deadline to pass the amendment expired decades ago, and point to several states that are among the 38 that rescinded their support before the deadline.

The three Democratic attorneys general -- Herring, **Kwame Raoul** of Illinois and **Aaron Ford** of Nevada -- argue that the amendment is valid under Article V of the Constitution, which lays out the amendment process, and that the archivist does not have the authority over which amendments are added.

They argue that the deadline has not lapsed for the amendment, because the **time frame is not included in the amendment's body text**, and that states' rescinded ratifications are "constitutionally unauthorized and without legal effect."

Next Moves by Trump Administration

On May 9, the **Trump administration** asked a federal court to throw out a [lawsuit from three attorneys general](#) that seeks to add the Equal Rights Amendment to the U.S. Constitution, according to an article on CNN.com

In January, the attorneys general of Virginia, Illinois and Nevada sued U.S. archivist David Ferriero in U.S. District Court in Washington, DC, to force him to "carry out his statutory duty of recognizing the complete and final adoption" of the ERA as the 28th Amendment to the Constitution.

On Thursday (5/7/20), Department of Justice officials with the civil division filed a [motion to dismiss](#) the case -- an expected move that follows a [January opinion](#) from the department's Office of Legal Counsel that the deadline to ratify the ERA has expired.

In a court document, the officials argued that the plaintiffs lack standing because they haven't alleged a "concrete injury" linked to the actions of the U.S. archivist and **that the complaint should be dismissed "for failure to state a claim."**

The DOJ motions also states that the three AGs lawsuit makes a request that is contrary to the Supreme Court precedent prohibiting courts from second-guessing the legislature's inclusion of a deadline for ratification.

Equal Means Equal Files Suit in Support of ERA

The Associated Press on January 7 reported that supporters of the Equal Rights Amendment had filed a federal lawsuit in [Massachusetts](#) aimed at clearing a legal path for adoption of the long-delayed constitutional amendment.

Equal Means Equal issued a statement from lawyer **Wendy Murphy** which reads, "Our lawsuit filed in January in **U.S. District Court in Boston** argues that congressionally-imposed deadlines for states to ratify the ERA are unconstitutional and called on the court to compel the Archivist of the United States to officially record ERA as the 28th amendment to the Constitution. The complaint also calls on the court to reject any attempts by states to rescind their prior ratifications of the ERA. **It is the only ERA lawsuit brought entirely by women.'**

The lawsuit filed Tuesday (1/7/20) in U.S. District Court in Boston argues, in part, that the deadline imposed by Congress was not included in the text of the three-sentence amendment — and therefore not constitutionally binding.

Nonetheless, the Trump administration filed a motion to dismiss their case. On April 16th, Equal Means Equal rejected the Trump administration's attempt to block their lawsuit that seeks to ensure the Equal Rights Amendment takes its lawful place in the United States Constitution.

Rescissions Not Recognized under Article V

At the height of the anti-ERA campaign conducted by **Phyllis Schlafly** and her followers, five states rescinded (withdrew) their prior ratifications of the ERA. Those states were **Idaho, Kentucky, South Dakota, Tennessee and Nebraska.** Nebraska more recently has said that there was no rescission, just an administrative mistake.

In any event, regarding those few states that passed rescission measures before the 1982 extended deadline, Ferriero has written that Article V of the Constitution has no provision for states to rescind. **Once the affirmative vote has been taken, that's it.**

The Archivist maintains the official documentation of the passage of [amendments](#) to the [U.S. Constitution](#) by state legislatures, and has the authority to declare when the constitutional threshold for passage has been reached, and therefore when an act has become an amendment. The Archivist directs that National Archives and Records Administration (NARA).

Some legal experts have noted that the question about whether states can rescind their ratification votes on constitutional amendments has never been tried in court.

Women's Community Amicus Brief Prepared

Currently, preparations are underway for the U.S. District Court in the District of Columbia's consideration of the case. A brief from the women's community is being drafted by the law firm, **Winston & Strawn LLP**, who has so generously provided **pro bono legal counsel services to the ERA Coalition**. Linda Coberly, a partner in the firm, is overseeing preparation of the brief which will focus on the history of the proposed amendment, rather than a discussion of how the amendment would protect women's equal rights. Other briefs are expected to take up that discussion.

Already, the **Eagle Forum** – the late Phyllis Schlafly's right-wing organization – has filed its' brief. Many more briefs are expected in this high-profile case.

Future Actions for State Equal Rights Amendments Considered

A number of leaders have advocated that grassroots activists continue their efforts to pass equal rights amendments to their state constitutions. Progress towards that end has been made in a few states; most notably, **North Carolina and Arizona**, which have seen increased support in their state legislatures. There are groups working in at least another half dozen states.

Some activists may want to consider offering the amendment language introduced by longtime ERA advocate Rep. Carolyn Maloney (D-NY) which states, " **SECTION 1. *Women shall have equal rights in the United States and every place subject to its jurisdiction. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.*** (H.J. Res. 35) The difference from the traditional ERA language is that women are identified as the sex that is being discriminated against.

Currently, twenty-six states have equal rights amendments in their state constitutions, but an analysis published in 2005 by Linda Wharton found that few legal cases had been brought under state ERAs.

Two states, **Maine and Minnesota**, have state ERAs pending, having seen measures adopted by their lower houses, but still pending in their Senates. New York has adopted S. 517B that would amend the state's 1938's equal protection law covering public or private discrimination on the basis of race, color, and creed. The new state Equal Rights Amendment would expand classifications under sex to include **pregnancy, sexual orientation, gender identity or expression, national origin, ethnicity, age and disability**. The measure will appear on the general election ballot this fall.

A very good discussion of the state equal rights amendments can be found at, https://en.wikipedia.org/wiki/State_equal_rights_amendments

Twenty-four states, including the deep south states of **Alabama, Louisiana, Mississippi, South Carolina, North Carolina, Georgia, Arkansas, Florida**, plus **Oklahoma, Missouri and Utah** do not have equal rights amendments in their state

constitutions. Some of these states may prove unresponsive to pressure from ERA advocates as their state legislatures are controlled by very conservative Republican legislators.

But what might be considered as well by NOW's grassroots is to work for legislation that may have a better chance for passage in the states, such as stronger equal pay laws, paid family and sick leave laws, expanding child care programs, seeking more state funding for domestic violence programs and expansion of Medicaid under the Affordable Care Act.

Hopefully, the federal Equal Rights Amendment will be **a part of the U.S. Constitution and the law of the land in 2021** and can be an important tool to press for women's equal rights in every state.

Future of the Equal Rights Amendment

Whatever happens with the case in D.C.'s federal District Court or further actions taken by the Trump administration, if Democrats retain their control of the U.S. House and take back control of the U.S. Senate AND the White House, these questions with regard to the federal ERA could become moot.

Coming Soon: A detailed analysis on the new and harmful Trump-DeVos Title IX Rule.