

National Organization for Women

Government Relations Report

To: National Organization for Women Board Members

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Date: July 8, 2022

LEGISLATIVE NEWS

Filibuster Threat Prevents Vote on Right to Contraception Act

In early June, Senate Democrats attempted to pass a bill that would have made access to contraceptives a federal right. The vote on the **Right to Contraception Act** was 51-39 – nine votes shy of the 60 votes needed to overcome a filibuster and move to a vote on the bill itself. However, **Senate Majority Leader Chuck Schumer** (D-NY) switched his vote so that the bill could be brought up again this term. Republicans apparently did not want to be put on record as opposing contraceptives, claiming that use of birth control is already covered under Supreme Court precedent (and we all know how important precedent is to the conservative justices).

Justice Clarence Thomas wrote in *Dobbs* that the Court “should reconsider” other precedents like *Griswold v. Connecticut*, the 1965 ruling that protected the use of contraception.

Sen. Elizabeth Warren (D-MA) voiced a concern that many people have is that the Supremes may try to limit contraceptive access at some point. The vast majority of Americans support birth control; 80 percent say that access to contraceptives should be made easier, according to Navigator polling.

The Right to Contraception Act, S. 1999, sponsored by **Sen. Ed Markey** (D-MA), with 43 co-sponsors, is one of those election-year “messaging” bills believed to be winning issues with independents and swing voters this fall. Plenty of Republican women may take note as well.

Rep. Mazie Hirono (D-HI) is the House sponsor. The bill would set nationwide rights for individuals to “obtain contraceptives and to voluntarily engage in contraception” and would protect health care providers who offer it. The bill would prohibit the federal government or states from enforcing laws or standards that impede that right. The Department of Justice and affected private entities could sue to protect the new right.

The Right to Contraception Act is one of a number of messaging bills that Senate Democrats may bring up during this election season. One of those may be the **Women’s Health Protection Act** that would codify the right to abortion in federal statutes. Another may be the **Equality Act** that

would prohibit discrimination against LGBTQIA+ persons in public accommodations. And we are also hoping that a floor vote on the **Equal Rights Amendment** joint resolutions will be held.

Advocates Strategize for Equal Rights Amendment Passage

Much emphasis is being placed on passing legislation [this Congress](#) that would ensure that the **Equal Rights Amendment** is finally part of the U. S. Constitution. Two joint resolutions, **S. J. Res. 4, Cardin** with 53 co-sponsors and **H.J. Res. 25, Pressley** with 214 co-sponsors (218 needed to pass). A **Discharge Petition** has been filed with the Judiciary Committee to force it to a floor vote. NOW New York State President and former member of the U.S. House, **Carolyn Maloney**, was instrumental in persuading several of the last few supporters in the House to sign the Discharge Petition. The legislation may soon go to a floor vote.

We are so close. But all NOW members and their allies must get in touch with members of their Congressional delegation to urge that they support these resolutions when they come up in the respective houses. The language of the resolution:

This joint resolution provides that the Equal Rights Amendment, which prohibits discrimination on the basis of sex, was ratified by three-fourths of the states and is therefore a valid constitutional amendment, regardless of any time limit that was in the original proposal.

Sign 4 ERA

As part of the overall effort to get the ERA in the Constitution, there is an ongoing signature-gathering movement that aims to collect one million signatures. Already, more than 100,000 people have signed this important petition. We will need an all-out effort to reach our goal. Here's more information, [Equal Rights Amendment Petition | Sign4ERA](#) – a website that contains resources, ERA history, the petition form, and an explanation of why we need the Equal Rights Amendment now more than ever.

Women lost coverage of **Equal Protection** and **Due Process** provisions of the 14th Amendment when right-wing justices on the U.S. Supreme Court declared in *Dobbs v. Jackson Women's Health Organization* that the 14th Amendment did not apply to sex discrimination.

It's important to remember that the House Joint Resolution was passed by the House of Representatives when the Democrats were in control in 2022. We can do it again!\

FEW LEGISLATIVE GAINS – Thwarting the Extremists

It's a sad fact that because the U.S. **House of Representatives** is controlled by conservative Republicans, with a majority who are anti-government MAGA adherents, there is little chance that legislation which Democrats have prioritized will be brought up for consideration. Often Democrats are required to try to amend or stop extremist bills and ideological riders relating to reproductive rights or transgender healthcare in must-pass bills. The challenge occurs every year during the appropriations process when Republican bills contain these extremist riders as well as deep cuts to human needs programs.

We've learned that nearly all of the fiscal year 2025 appropriations measures contain what can be described as dangerous and discriminatory riders that would **ban access to gender-affirming care** for both transgender youth and adults. Additionally, almost every appropriations bill has harmful **anti-abortion provisions**. Both of these types of riders are a political intrusion into the sound practice of medicine that would disproportionately harm many women and LGBTQIA+ persons as well as people of color, people with disabilities, young people, people living in rural areas and people living in poverty-impacted areas.

Fortunately, the Senate's leverage with a simple majority of Democrats and sometimes a few Republican votes has been enough to defeat those extreme measures. However, in the 2024 spending bills a rider allowing students to openly discriminate based on their religious beliefs and another that permitted a ban on Pride flags somehow snuck into federal law.

NOW signs on to numerous joint letters to Congress letting them know we oppose deep cuts in programs that millions of women and their families depend upon. We signed a letter with 1,100 other organizations to be sent to House members concerning these harmful funding cuts.

An example of serious funding cuts vital programs from the Coalition on Human Needs:

So there are cuts – a 25 percent reduction in federal aid to K-12 schools serving children in low-income communities, a 7 percent cut in public housing funding expected to result in tens of thousands of evictions, total elimination of a youth job training program and dramatic reductions in other job training, and elimination of these key programs and many others: the Department of Education's English Language Acquisition program, the Labor Department's Women's Bureau, and Title X family planning services, and the Ending the HIV Epidemic initiative. This is just a small sample.

Project 2025 – This Conservative Wishlist Threatens Our Nation as We Know It

Project 2025 aims to fundamentally and irrevocably reshape the federal government following a Republican presidential victory in 2024. Created by the conservative think tank the Heritage Foundation, Project 2025 has four key goals - "Restore the family as the centerpiece of American life and protect our children, dismantle the administrative state and return self-governance to the American people, defend our nation's sovereignty, borders, and bounty against global threats, [and] secure our God-given individual rights to live freely—what our Constitution calls 'the Blessings of Liberty.'" Alongside its four goals, it has four "pillars" - an 887-page policy agenda, a personnel database aiming to identify conservatives for the next administration, a conservative training academy, and the 180-day playbook, which outlines goals for the first 180 days of a Republican administration. Project 2025 operates under the Philosophy that the President has absolute power over the executive branch. It calls for shocking policy action, including the firing of thousands of federal employees and replacing them with those loyal to conservative ideals, dismantling the Department of Education and other crucial federal agencies, cutting taxes, and reducing climate regulations.

Project 2025 is an expressly authoritarian and Christian nationalist movement that aims to shift the United States into autocracy, undermine the separation of powers, and infringe on

individual rights. Project 2025 attacks constitutional and legal equality for women and other marginalized groups. It will aim to dismantle government agencies that enforce laws regarding equality like Title IX and the Civil Rights Act. The writers of the project intended to “[delete] the terms sexual orientation and gender identity (‘SOGI’), diversity, equity, and inclusion (‘DEI’), gender, gender equality, gender equity, gender awareness, gender-sensitive, abortion, reproductive health, reproductive rights, and any other term used to deprive Americans of their First Amendment rights out of every federal rule, agency regulation, contract, grant, regulation, and piece of legislation that exists.” This terrifying promise would essentially remove and attack most legal protections for women, LGBTQ+ individuals, minority groups, and other marginalized people.

The outlined policy represents a distinct threat to LGBTQ+ individuals. It aims to prevent and outlaw gender-affirming healthcare. Conservatives also plan to halt the CDC’s data collection on gender identity and prevent the National Institute of Health from researching trans healthcare and gender identity. Republicans instead hope to fund studies regarding the “long-term negative effects of ‘cross-sex’ interventions.” A Republican administration would redefine “sex” to include gender identity, sexual orientation, and pregnancy status.

Project 2025 poses a distinct threat to reproductive healthcare. It would require states to report statistics on abortion, “abortion survivors,” abortion-related maternal deaths, and abortion demographic information. Furthermore, Project 2025 promotes requiring treatment of “fetuses born alive” after abortion. It would withdraw Medicaid funds for states that require abortion insurance or that discriminate against pro-life health entities or insurers. The outlined policy threatens to reverse the Biden interpretation of EMTALA and affirm the “rights of conscience” for medical providers to deny care to patients. Under a Republican administration, they would withdraw support for travel to receive abortions and reverse the FDA’s approval of mifepristone, limiting the distribution of abortion pills.

Project 2025 serves as a Republican and Trump administration “wish list” - a list of goals that would irrevocably alter the nation. It is a dystopian plan to undermine democracy, dismantle the separation of church and state, alter the fundamental structure of our government, and implant a conservative agenda that will take decades to uproot. Project 2025 is a looming threat to reproductive rights and justice, racial equality, economic justice, the prevention of violence against women, LGBTQ+ rights, and constitutional equality. [Project 2025 | The Heritage Foundation](#)