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Greetings:

I send my regards and greetings to you on Women's Equality Day. I regret I could not attend today's rally due to the Congressional schedule. I introduced S.J. Res. 15 in the Senate, a bipartisan joint resolution with 28 co-sponsors which would remove the deadline for the ratification by the states of the Equal Rights Amendment (ERA) to the Constitution. The ERA gives Congress the power to enforce its provisions and reads simply: "Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex."


In the year 2015 women are still discriminated against when it comes to equal pay, health care, insurance, and a host of other issues. We should be working to ensure that all women realize the promise of equal protection of the laws and have equal justice under law, as etched above the entrance to the Supreme Court just a few blocks away from where we stand today.

We cannot allow an arbitrary deadline to stand in the way of equal rights for our mothers and daughters, wives and sisters, aunts and grandmothers. Congress has the authority to give the states another chance to guarantee women equality under the law, and should do so. Article V of the Constitution contains no time limits for ratification of constitutional amendments, and Congress has already voted to extend the deadline once before for the ERA. 35 of the needed 38 states have already ratified the ERA, and almost half the states, including my own state of Maryland, now have ERA protections written into their State constitutions.

The Fourteenth Amendment of the Constitution guarantees "equal protection of the laws," and the Supreme Court has so far held that most sex or gender classifications are subject to only "intermediate scrutiny" when analyzing laws that may have a discriminatory impact. In 2011, Supreme Court Justice Antonin Scalia stated: "Certainly the Constitution does not require discrimination on the basis of sex. The only issue is whether it prohibits it. It doesn't." Ratification of the ERA by state legislatures would provide the courts with clearer guidance in holding gender or sex classifications to the "strict scrutiny" standard.

I particularly want to commend the many civil rights groups and organizations that have spent countless hours advocating for full equality and citizenship for women. Your advocacy has made all the difference in terms of building support for ERA ratification both in Congress and in the states. Best wishes for a successful rally and day of advocacy for women's equality.

Sincerely,


Benjamin L. Cardin
United States Senator