

September 7, 2023

Dr. Jill Stein  
Interim Campaign Manager  
Dr. Cornel West Presidential Campaign



Dear Jill,

RE: EQUAL RIGHTS AMENDMENT

We have previously contacted Dr. West over a month ago, and yourself subsequently, regarding the Equal Rights Amendment being obstructed by the Biden Administration (and prior to that the Trump Administration) despite its having been ratified by the 38<sup>th</sup> state in 2020. We wish to acknowledge you for shouldering what must be an enormous task as Interim Campaign Manager for Dr. West, and understand that both you and Dr. West must be inundated with requests and emails to pore through, as well as countless other duties, and that you may not actually have been able to review them yet.

As this matter is of such immense importance and is central to the Green Party platform on women's rights, we decided to also hand deliver the documentation we provided before, in addition to our recent press releases, which offer background on the issue. We also wish to put Dr. West in touch with constitutional scholars and subject matter experts who can brief him on the sometimes complex legal and historical context of the efforts to gain recognition of the ERA, and who can assist him in answering the most vexing questions he will encounter on the topic, should he agree to lead on this issue.

Please ensure that Dr. West is made aware of our request that he review these documents, the importance of educating the electorate on the obfuscation by the Biden Administration and the mainstream media's near-total blackout of the issue, and our request that he publicize his pledge to honor the Constitution and see that the Archivist perform her statutory duty to publish the ERA.

In the weeks since we first emailed Dr. West about the ERA, Marianne Williamson became the first presidential candidate in the 2024 cycle to pledge day-one action to instruct the Archivist to publish the ERA. Dr. West missed that opportunity, but he can still be the next candidate to do so. We are counting on you to impress upon him the importance of his leadership in this struggle.

Thank you so much for your attention to this matter.

Sincerely,

Carol, Romi, Hugh, and Wendy  
The ERA Now! Working group of  
The Green Alliance for Sex-Based Rights



## **FOR IMMEDIATE RELEASE**

Friday, July 21th, 2023

For further information, please contact:

gasbr-media-queries@sexbasedrights.org

### **Democrats duplicitous in their support of Equal Rights Amendment Green Alliance for Sex-Based Rights demands action by Biden Administration Archivist to Publish the ERA**

This weekend, Democrats are gathering in Seneca Falls, New York, to virtue-signal to the U.S. electorate in its supposed support for the Equal Rights Amendment, while their President continues to fail to direct his Administration to publish the Amendment. The ERA achieved final ratification in January 2020 and enjoys the support of 75% to 94% of the public, while 80% would be surprised to learn it is not already enforceable. The inaction of the Biden Administration has created a Constitutional Crisis, and is evidence of President Biden's failure in his Constitutional duty to see that the laws of the nation are faithfully executed.

"The women of this nation do not need photo ops, electioneering, or grandstanding from Democrats," said Romi Elnagar of Louisiana, a co-chair of the Green Alliance for Sex-Based Rights. The Green Alliance last year published a petition urging President Biden to instruct the National Archivist to publish the ERA. "Women need urgent action to acknowledge that we have already amended the Constitution to guarantee us first class citizenship and the strict scrutiny of the Courts for the many *de jure* and *de facto* forms of discrimination which remain legally binding."

Meanwhile, U.S. Representative Corey Bush (D, MO) on July 14th introduced HJRes-82 which encouragingly acknowledges the history of the ERA's ratification, including addressing the legal nullity of a state's rescission of an action to ratify. Even so, her language backed off the statutory requirements that the Archivist 'shall' publish a ratified amendment (as the duty is framed in Title 1 US Code Section 106b). The Bush resolution uses the word 'should' in its operative language, encouraging rather than directing the National Archivist to do her job.

News this past week revealed the June 16th letter signed by 19 Attorneys General to demand the legal authority to obtain a woman's confidential health care records related to out-of-state abortions in violation of her privacy rights. The comments of the Republican AGs on the HHS rulemaking relied heavily on the decision in *Dobbs v Jackson Women's Health Organization*. "Lynn Fitch's letter highlights the risks posed to women's lives and liberties by the decades of inaction by Democrats who have treated women's rights and concerns as election issues for raising dollars and volunteers, rather than as a governing priority," said Ms. Elnagar. "Their actions are reminiscent of the Fugitive Slave Act and our nation's history of treating humans as chattel property. It is highly unlikely that the Supreme Court could have been so contemptuous and dismissive of women's bodily integrity had the ERA already been recognized as a part of the U.S. Constitution."

The Green Alliance for Sex-Based Rights is a pro-feminist, gender critical, women-led membership organization, independent of corporate parties and influence, seeking to engage in elections and other political activities.

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Green Alliance for Sex-Based Rights urges

President Biden to Instruct Archivist to Publish the ERA

[https://greenalliance.sexbasedrights.org/take\\_action/Tell\\_President\\_Biden--Pick\\_up\\_the\\_Phone--Publish\\_the\\_ERA](https://greenalliance.sexbasedrights.org/take_action/Tell_President_Biden--Pick_up_the_Phone--Publish_the_ERA)

H.J.Res 82, Expressing the sense of Congress that the article of amendment commonly known as the "Equal Rights Amendment" has been validly ratified and is enforceable as the Twenty-Eighth Amendment

<https://www.congress.gov/118/bills/hjres82/BILLS-118hjres82ih.pdf>

19 States Attorneys General. "Comments opposing the Department of Health and Human Services' proposed rule, HIPAA Privacy Rule To Support Reproductive Health Care Privacy." Letter to Xavier Becerra, Secretary of Health and Human Services, Re: RIN Number 0945-AA20, Notice of Proposed Rulemaking, HIPAA Privacy Rule To Support Reproductive Health Care Privacy, 88 Fed. Reg. 23506 (Apr. 17, 2023)

<https://www.mississippifreepress.org/wp-content/uploads/2023/07/657773029-Mississippi-AG-opposes-reproductive-care-privacy-rule.pdf>

Archived locally at:

[https://greenalliance.sexbasedrights.org/system/files/book/resources/2023-07/20230616--Comment\\_Letter\\_of\\_the\\_Mississippi\\_Attorney\\_General\\_et\\_al--as\\_filed.pdf](https://greenalliance.sexbasedrights.org/system/files/book/resources/2023-07/20230616--Comment_Letter_of_the_Mississippi_Attorney_General_et_al--as_filed.pdf)

Lynn Goldstein and Marty Abrams. "The Overturning of Roe v. Wade Undermines the Right to Privacy." [2022]

<https://informationaccountability.org/2022/06/the-overturning-of-roe-v-wade-undermines-the-right-to-privacy/>

## **FOR IMMEDIATE RELEASE**

Tuesday, August 29th, 2023

For further information, please contact:  
[gasbr-media-queries@sexbasedrights.org](mailto:gasbr-media-queries@sexbasedrights.org)

### ***Marianne Williamson Pledges Day-One Action To instruct Archivist to Publish the Equal Rights Amendment Green Alliance for Sex-Based Rights welcomes her leadership***

At the state conference of the Georgia Chapter of the National Organization for Women, held Friday, August 25th, 2023 in Stockbridge Georgia, Marianne Williamson, a candidate for the Democratic Party's 2024 Presidential nomination, told attendees: "On day one of my Presidency, I will call the archivist and command the publication of the Equal Rights Amendment." These remarks were made during a Q&A session following her lunchtime keynote address to the conference.

The ERA achieved final ratification in January 2020 and enjoys vast public support. The Biden Administration has created a constitutional crisis, by refusing to do what Marianne Williamson on Friday pledged to do: put women's equality in the Constitution once and for all.

Attorneys for the Biden Administration's Department of Justice even fought against the ERA in two federal lawsuits – in Massachusetts and Washington DC. The lawsuits were filed in January 2020 when Trump was in office. They were designed to compel the National Archivist to comply with federal law that mandates the Archivist to publish new constitutional amendments "forthwith," as soon as the last necessary state ratifies. (Title 1 US Code Section 106b).

This statute requires publication of the ERA because it has been ratified in accordance with the requirements of Article V, of the Constitution. Article V requires only two things: proposal by the Congress and ratification by three-fourths of the states. Congress passed the Equal Rights Amendment in 1972, submitting it to the states for ratification; and the last of the three-fourths of the states ratified it in 2020. Trump and then Biden blocked the ERA, and now Marianne Williamson has pledged to unblock it.

"The Green Alliance for Sex-Based Rights welcomes Ms. Williamson's promise," said Romi Elnagar of Louisiana, a co-chair of the two-year-old membership organization. The Green Alliance last year published a petition urging President Biden to instruct the National Archivist to publish the ERA. "Women need urgent action to acknowledge that we have already amended the Constitution to guarantee us first class citizenship. Biden panders to women for votes and contributions but refuses to use his authority to help establish women as equal persons under the law once and for all."

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## **FOR IMMEDIATE RELEASE**

Tuesday, August 30th, 2023

For further information, please contact:  
gasbr-media-queries@sexbasedrights.org

### **NOW-PAC Squanders Political Capital Undermines Own Mission, Opportunity to Demand Equality for Women *Green Alliance for Sex-Based Rights organizes for an independent politics***

As primary opponent Marianne Williamson used her keynote address on Friday to the Georgia chapter of NOW to pledge day one action to instruct the National Archivist to publish the Equal Rights Amendment, the “political action committee of the National Organization for Women (NOW), announced . . . it is endorsing President Joe Biden and Vice President Kamala Harris for reelection in 2024.”

In their announcement, NOW’s National President sought to deceive her own membership and the voting public, claiming “This is our earliest endorsement for a presidential re-election campaign because the Biden-Harris administration has and continues to place women’s issues at the forefront, not through words but through actions.”

Yet, the Green Alliance for Sex-Based Rights has repeatedly pointed out that both the actions and the inactions of the Biden Administration have created a Constitutional Crisis, and are evidence of President Biden’s failure in his Constitutional duty to see that the laws of the nation are faithfully executed.

“Women have been betrayed long enough by operatives in the non-profit sector who have prioritized their own partisan loyalties over their organization’s stated missions to work for the interests of women,” said Carol Bouldin of California, a co-chair of the Green Alliance for Sex-Based Rights. The Alliance exists to “organiz(e) political action independent of the corporate parties”.

Although he campaigned for women’s votes in 2020 promising to support the Equal Rights Amendment, which achieved final ratification in January of that year, President Biden has failed to instruct the National Archivists to fulfill their statutory obligation to “publish . . . forthwith” the duly ratified Equal Rights Amendment. Biden appointed Dr. Colleen Shogan as our eleventh National Archivist. Dr. Shogan at her Senate confirmation hearing, stated she would demur to judicial authorities over whether to fulfill her statutory duty to publish a finding that the Equal Rights Amendment has been ratified.

In oral arguments last fall before the DC Circuit Court of Appeals, attorneys for the Biden Administration’s Department of Justice opposed litigation seeking to compel the National Archivist to perform her duty (Title 1 US Code Section 106b) to “publish . . . forthwith” a Constitutional Amendment which has met the requirements of Article V., of the U.S. Constitution for the amendment of our nation’s governing charter. Those conditions have been met with the 1973 action by a two-thirds majority of each chamber

of the U.S. Congress to submit the Equal Rights Amendment to the states for ratification; and by the subsequent ratification between 1973 and 2020, by 38 states, constituting three-fourths of the states, to ratify the ERA.

At the state conference in Stockbridge Georgia of the Georgia Chapter of the National Organization for Women, held Friday, August 25th, 2023, the same date on which the NOW-PAC announced its “earliest endorsement for a presidential reelection campaign”, Marianne Williamson, a candidate for the Democratic Party’s 2024 Presidential nomination, told attendees: “I will say it directly. On day one of my Presidency, I will call the archivist and command the publication of the ***Equal Rights Amendment.***” We call on all the other 2024 presidential candidates, regardless of political affiliation, to follow her lead and pledge to fulfill their constitutional duty and direct the Archivist to publish the ERA.

The ERA achieved final ratification in January 2020 and enjoys the support of 75% to 94% of the public, while 80% would be surprised to learn it is not already enforceable.

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NOW PAC Endorses President Joe Biden and Vice President Kamala Harris for Re-election

<https://now.org/media-center/press-release/now-pac-endorses-president-joe-biden-and-vice-president-kamala-harris-for-re-election/>

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Biden Nominee for National Archivist Demurs to Courts on Publication of ERA

[https://greenalliance.sexbasedrights.org/news/equal-rights-amendment/National\\_Archivist\\_Confirmation\\_Hearing--Colleen\\_Shogan](https://greenalliance.sexbasedrights.org/news/equal-rights-amendment/National_Archivist_Confirmation_Hearing--Colleen_Shogan)

Oral Arguments Before US Court of Appeals for District of Columbia, in Illinois et al v David Fierro

[https://greenalliance.sexbasedrights.org/news/equal-rights-amendment/Illinois-v-Fierro--oral\\_arguments--us-court-of-appeals](https://greenalliance.sexbasedrights.org/news/equal-rights-amendment/Illinois-v-Fierro--oral_arguments--us-court-of-appeals)



**FOR IMMEDIATE RELEASE**

Wednesday, September 6th, 2023

**For further information, please contact:**

gasbr-media-queries@sexbasedrights.org

***Biden Continues to Dissemble on ERA  
as Administration Fails to Address Constitutional Crisis***

Pandering for women's votes, on August 26, President Biden published a two paragraph statement for Women's Equality Day, stating that he will "continue to urge Congress to act swiftly to recognize ratification of the ERA". Yet the Biden Administration's Department of Justice argued before the DC Court of Appeals last fall that there is no role left for Congress in the process.

Although he campaigned for women's votes in 2020, promising to support the Equal Rights Amendment that achieved final ratification in January of that year, President Biden has failed to instruct the National Archivist to fulfill their statutory obligation to "publish . . . forthwith" the duly ratified Equal Rights Amendment. Biden appointed Dr. Colleen Shogan as our eleventh National Archivist. Dr. Shogan at her Senate confirmation hearing said she would demur to judicial authorities over whether to fulfill her statutory duty to publish a finding that the Equal Rights Amendment has been ratified.

"If Biden has really 'supported the ERA since (he) first ran for public office', as he asserted in his statement last week, why hasn't he picked up the phone and instructed the National Archivist to do her job and publish it?" asked Carol Bouldin, a co-chair of the Green Alliance for Sex-Based Rights, a membership organization. "His behavior leaves us with only two viable options, either he does not understand the Constitution he swore an oath to defend; or he remains hostile to women's equality but is lying because his re-election is dependent on women's votes. Our members are asking, which is it?"

In oral arguments last fall before the DC Circuit Court of Appeals, attorneys for the Biden Administration's Department of Justice opposed litigation that would have compelled the National Archivist to perform her duty (Title 1 US Code Section 106b) to "publish . . . forthwith" a Constitutional Amendment which has met the requirements of Article V., of the U.S. Constitution for the amendment of our nation's governing charter.

Those conditions have been met with the 1972 action by a two-thirds majority of each chamber of the U.S. Congress to submit the Equal Rights Amendment to the states for ratification; and by the subsequent ratification between 1972 and 2020, by 38 states, constituting three-fourths of the states, to ratify the ERA.

"While we welcome the pledge by Biden's primary opponent, Marianne Williamson, for day one action to instruct Dr. Shogan to fulfill her statutory obligation as the Archivist to

publish the ERA, we need not wait for January 20th, 2025. We must see action from Biden," said Ms. Bouldin. "Biden is already the President. He already supervises the National Archivist. And if he were being honest with the American people, he'd stop blaming Congress for inaction and pick up the phone and get the job done."

The ERA achieved final ratification in January 2020 and enjoys the support of 75% to 94% of the public, while 80% would be surprised to learn it is not already enforceable.

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Statement from President Joe Biden on Equal Rights Amendment Centennial  
<https://www.whitehouse.gov/briefing-room/statements-releases/2023/08/26/statement-from-president-joe-biden-on-equal-rights-amendment-centennial/>

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