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READ & TOSS

MEMORANDUM

April 14, 1983

TO: AKS

FROM: Dick

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SUBJECT: ERA - Subcommittee Referral

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I heard from a member of the full Committee staff that Senator East is trying to get the ERA bill referred to the Separation of Powers Subcommittee, on which you serve. It would be appropriate to have it referred to the Constitution Subcommittee, but I suppose it would be possible to find jurisdiction over the subject for the Separation of Powers Subcommittee.

I gather that Senator East may be asking for the bill because Phyllis Schafly, or other opponents of the ERA, are concerned that the Constitution Subcommittee will not follow their (Schafly's) strategies. I believe Senator Hatch would rather not have a controversial issue like this mishandled in an election year and would probably take a more circumspect role in handling the bill than Schafly would prefer.

However, in Senator East's Subcommittee some believe the hearings would be less likely to be balanced and Ms. Schafly more likely to have her way and the ready ear of the Chairman on her strategies.

All that notwithstanding, given the makeup of the Separation of Powers Subcommittee -- East and Denton/Baucus and Metzenbaum, you would be the one in the middle and subject to all the pressure from the various groups interested in ERA. I don't see

why you would want that, particularly if you are quietly
reviewing ^(re-evaluating??) your position on the issue.

In any event, the purpose of the call from the full Committee
staffer was to let me know this was in the air, that Thurmond
would prefer to refer the bill to the Constitution Subcommittee,
but that he was getting pressure to refer it to Separation of
Powers. The staffer thought a word from ^{you} to the Chairman about
the desirability of referring it to the Constitution Subcommittee
might be useful.

By the way, my comment above does not ~~to~~ mean
I believe you should re-evaluate your position on this issue.