

B

REGARDING RATIFICATION OF THE EQUAL RIGHTS AMENDMENT (ERA)

**WHEREAS**, Article V of the Constitution sets forth a two-step amending procedure; and

**WHEREAS**, the first step of the Article V amending procedure is proposal of an amendment either by two-thirds vote of both houses of Congress or by a convention called by application of two-thirds of the States; and

**WHEREAS**, in 1972, the Ninety-second Congress, at its Second Session, in both houses, by a constitutional majority of two-thirds, adopted the ERA to amend the Constitution of the United States of America; and

**WHEREAS**, the second and final step of the Article V amending procedure is ratification of an amendment by three-fourths of the States; and

**WHEREAS**, on January 27, 2020, Virginia became the 38th state necessary to ratify the ERA; and

**WHEREAS**, the text of Article V of the Constitution references only ratification, not rescission; and various attempts to rescind the ratifications of the Fourteenth, Fifteenth, and Nineteenth Amendments, have never been honored; and

**WHEREAS**, the text of Article V of the Constitution does not limit the time for States to ratify an amendment nor does the Constitution grant Congress the authority to limit the time for States to ratify amendments; and

**WHEREAS**, the time limit on State ratifications of the ERA is not within the text of the amendment and is without legal effect; and

**WHEREAS**, the so-called Madison Amendment, relating to Compensation of Members of Congress, is the Twenty-Seventh Amendment to the Constitution of the United States; and

**WHEREAS**, in 1789, by two-thirds vote of each house of the First Congress, the Madison Amendment completed the proposal step of Article V; and

**WHEREAS**, approximately 203 years later, the Madison Amendment completed the ratification step of Article V through ratification by three-fourths of the States and was affirmed.

**THEREFORE BE IT RESOLVED** that the National Organization for Women (NOW) recognizes the ERA as our 28th Amendment to the U.S. Constitution; and

**BE IT FINALLY RESOLVED**, that NOW urges President Joseph R. Biden, Jr. to insist that the ERA be published without delay as the Twenty-Eighth Amendment to the Constitution of the United States.