

# **RESOLUTION #1**

## **RESOLUTION IN FAVOR OF SENATE BILL 1 REMOVING THE DEADLINE FOR RATIFICATION OF THE EQUAL RIGHTS AMENDMENT, AND PUBLISHING BY THE ARCHIVIST**

**WHEREAS**, BPW/Ohio's Legislation Platform has contained the Equal Rights Amendment in its Preamble since 1935 stating that Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex; and

**WHEREAS** The Equal Rights Amendment was passed by Congress in 1972 and ratified by Ohio on February 7, 1974, making it the 33<sup>rd</sup> state to ratify; and

**WHEREAS** Congress put an arbitrary deadline on ratification of 7 years and granted an additional 3 years expiring in 1982, and

**WHEREAS** the first 18 amendments to the U.S. Constitution had no deadline for ratification and the most recent 27<sup>th</sup> amendment was ratified after 203 years, and

**WHEREAS** Nevada ratified the ERA in 2017, Illinois ratified in 2018 and Virginia ratified in 2020 making the 38<sup>th</sup> state needed to meet the requirement of passing a constitutional amendment, and

**WHEREAS** the Archivist of the United States recorded both the ratification of Nevada and Illinois but did not record Virginia based on a Department of Justice Office of Legal Counsel Opinion that later issued another opinion indicating the previous opinion had no bearing, and

**WHEREAS** the Constitutional Amendment process says that a proposed Amendment becomes part of the Constitution as soon as three fourths of the states ratify it without further action by Congress, and

**WHEREAS** Senator Rob Portman of Ohio along with Senator Mitt Romney and Senator Ron Johnson wrote a letter requesting the Archivist to not certify the Equal Rights Amendment to the U.S. Constitution citing the opinion of the DOJ OLC and that the Archivist's office promised to give states opposing the ERA 45 days' notice before any certification giving them time to seek an injunction in federal court, and

**WHEREAS** the House passed HR 79 in 2020 to remove the time limit and the companion bill SJ 1 still awaits passage in the Senate, and

**WHEREAS** the BPW/Ohio President, Legislative Chair and Legislative Consultant wrote letters to Senator Portman stating the BPW/OHIO believes the ERA is ratified and asked him to co-sponsor SJ 1 that removes the arbitrary time limit, and

**BE IT RESOLVED** that BPW/OHIO supports passage of SJ 1, and that the Archivist of the United States should certify and publish the ERA.

**FURTHER BE IT RESOLVED** that the 2021-2022 Legislation Chair shall organize and implement a mechanism to assist the membership in a letter writing campaign to their Senators and Representatives to request passage of SJ 1 and letters to the Archivist or interim Archivist to publish the Equal Rights Amendment along with the certifications of the ratifications to make it the 28<sup>th</sup> Amendment to the U.S. Constitution.