



## **ERA Now Resolution**

*This resolution will direct the Archivist of the United States to certify and publish the Equal Rights Amendment as the 28<sup>th</sup> Amendment and declares the ERA as enforceable.*

The Equal Rights Amendment was first introduced in Congress 100 years ago to commemorate the struggle for constitutional gender equality and enshrine the principle of gender equality under the law. Article V of the U.S. Constitution has two requirements for amendments in the path every single amendment so far has taken:

1. Passage by 2/3rds of both houses of Congress
2. Ratification by 3/4ths of the states (38)

The Equal Rights Amendment (ERA) has met both of those requirements, and as such is the validly ratified 28th Amendment.

Under 1 U.S.C. § 106b, Congress has charged the Archivist of the United States with the responsibility to publish new constitutional amendments upon receiving official notice of ratification from the requisite number of states.

Senator Gillibrand's **ERA Now Resolution**:

- Makes a clear constitutional case for the ERA as properly ratified
- Directs the Archivist of the U.S. to perform her ministerial duty under 1 U.S.C. § 106b and certify and publish the ERA as the 28th Amendment to the U.S. Constitution
- Declares the ERA enforceable as the 28th Amendment, effectively ratified on January 27th, 2020, when Virginia became the final state to ratify it

Our ERA Now resolution urges today's Archivist, Colleen Shogan, to act upon this precedent and her statutory duty under 1 U.S.C. § 106b to certify and publish her certification of the ERA. The ERA Now resolution does not call to remove the deadline, but rather asserts that the requisite three fourths of the states have already ratified the ERA and deems the 28<sup>th</sup> amendment as enforceable.

Enshrining the principle of gender equality in our founding charter would help overcome many of the obstacles that kept women as second-class citizens. This resolution will empower Congress to enforce gender equity through legislation and guarantees that in our constitution, men and women are both equal under the law.