

**A RESOLUTION IN SUPPORT OF RATIFICATION BY VIRGINIA OF THE EQUAL RIGHTS AMENDMENT TO THE UNITED STATES CONSTITUTION.**

**WHEREAS**, equality under the law is a fundamental value of Americans and the people of Portsmouth; and

**WHEREAS**, legislation and court decisions have increased women's access to education, employment and public service; and

**WHEREAS**, that same legislation can be repealed and the Supreme Court may strike legislation or retreat from its own precedent, thereby eliminating or abridging legal rights currently enjoyed by women, girls, and their families; and

**WHEREAS**, Americans value the continued participation of women in education, the military, public service, and other spheres of our society; and

**WHEREAS**, inclusion of the Equal Rights Amendment in the Constitution would require courts to apply the same strict level of scrutiny applied to test the constitutionality of government action based on race, religion, or natural origin; and

**WHEREAS**, an overwhelming majority of Americans reported in a 2015 poll that they support an amendment to the United States Constitution to guarantee equal rights for both men and women; and

**WHEREAS**, the Equal Rights Amendment was passed in 1972 by Congress, which imposed a seven-year ratification deadline on states, later extended to ten years; and

**WHEREAS**, the Constitution does not expressly authorize Congress to impose ratification deadlines on the states, and, moreover, if Congress does have such power, then it also has the power to extend or eliminate its deadlines; and

**WHEREAS**, the American Bar Association reaffirmed its support for ratification of the Equal Rights Amendment in 2016; and

**WHEREAS**, well after the 1982 deadline set by Congress, Nevada in 2017 and Illinois in 2018 ratified the Equal Rights Amendment, bringing the total number of states that have ratified the amendment to 37, just one shy of the 38 needed to satisfy the Constitutional requirement that an amendment be ratified by three-fourths of the states to become valid; and

**WHEREAS**, the Equal Rights Amendment states:

Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification.

**NOW THEREFORE BE IT RESOLVED** by the Council of the City of Portsmouth, Virginia that it supports the ratification of the Equal Rights Amendment; and

**BE IT FURTHER RESOLVED** that the City Council urges the General Assembly of the Commonwealth of Virginia to ratify the Equal Rights Amendment to the U.S. Constitution, as proposed by Congress on March 22, 1972, during the 2019 legislative session; and

**BE IT FURTHER RESOLVED** that the City Manager is directed to deliver a copy of this Resolution to the members of the City's General Assembly delegation.

**ADOPTED** by the Council of the City of Portsmouth, Virginia at a meeting held on December 11, 2018.

Teste:

City Clerk