

For further information: (202) 626-8820

Effort to revive federal E.R.A. suffers stunning setback as Arkansas House committee kills ratification resolution

WASHINGTON (February 7, 2007) – Supporters of the so-called “three-state strategy” to revive the federal Equal Rights Amendment (ERA) – approved by Congress in 1972 – suffered a stunning setback today in the Arkansas legislature, as a House panel voted down a ratification resolution (HJR 1002) after 20 co-sponsors abandoned it.

HJR 1002 is part of the “three-state strategy,” which is based on the hotly debated premise that the 1972 ERA can be ratified if three new states join the 35 that ratified during the 1970s – even though the ratification deadline passed in 1979, and even though five states had rescinded their ratifications before the deadline. (Ratification of a constitutional amendment requires 38 states.) A national organizer for the “three-state” campaign was quoted in the *Kansas City Star* (February 7) explaining, “This is very much under the radar.”

Ratification resolutions have been introduced this year in a number of other states that never ratified the 1972 ERA, including Arizona, Florida, Illinois, Missouri, and Mississippi.

In Arkansas, “Many ERA supporters were not candid with the legislators, and that came back to bite them,” said Douglas Johnson, legislative director for the National Right to Life Committee (NRLC), which opposes the 1972 ERA language. “Some lawmakers changed their minds, once they learned how ERAs have been used to require tax funding of abortion in New Mexico and Connecticut. Some legislators also learned for the first time that the 1972 ERA contained a seven-year deadline and cannot be revived by any number of states. In fact, 26 of the 35 states that ratified during the 1970s explicitly mentioned the seven-year deadline in their ratification resolutions, and in 1982 the U.S. Supreme Court declared the ERA dead.”

Just a week ago (Jan. 31), the national pro-ERA newsletter “The ERA Campaigner” reported, “The hopes of ERA supporters all over the country are now high that the Arkansas legislature will ratify the ERA within the next few weeks.” On January 24, Gov. Mike Bebee, Lt. Gov. Bill Halter, and Attorney General Dustin McDaniel spoke to a pro-ERA rally at the state capitol. On the same day, supporters introduced HJR 1002 with 66 cosponsors – far more than the 50 votes needed to pass it. They anticipated no difficulty passing the measure in the House, and were hopeful about the Senate, which narrowly defeated a ratification resolution in 2005.

But today, after hearing from NRLC, Arkansas Right to Life, and other groups about both the irregularity of the process and the substantive legal implications of the proposed ERA, 20 cosponsors withdrew their support. The State Agencies & Governmental Affairs Committee then defeated HJR 1002 on a 10-10 vote, with two cosponsors voting against it.

For additional documentation on both the deadline issue and the ERA-abortion connection, please see the documents posted on the NRLC website here:
<http://www.nrlc.org/Federal/era/Index.html>