

Forces during World War II; to the Committee on Financial Services.

By Mrs. ROBY:

H.R. 1862. A bill to amend title 18, United States Code, to expand the scope of certain definitions pertaining to unlawful sexual conduct, and for other purposes; to the Committee on the Judiciary.

By Ms. ROS-LEHTINEN (for herself and Mr. ENGEL):

H.R. 1863. A bill to designate the area between the intersections of Wisconsin Avenue, Northwest and Davis Street, Northwest and Wisconsin Avenue, Northwest and Edmunds Street, Northwest in Washington, District of Columbia, as "Boris Nemtsov Plaza", and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. RYAN of Ohio (for himself and Ms. HERRERA BEUTLER):

H.R. 1864. A bill to amend the Elementary and Secondary Education Act of 1965 to allow local educational agencies to use Federal funds for programs and activities that address chronic absenteeism; to the Committee on Education and the Workforce.

By Mrs. WAGNER (for herself, Mrs. BEATTY, Mr. SMITH of New Jersey, Ms. CLARKE of New York, Mr. POE of Texas, Mrs. CAROLYN B. MALONEY of New York, Mr. ROYCE of California, Mrs. ROBY, Mr. KINZINGER, and Ms. JENKINS of Kansas):

H.R. 1865. A bill to amend the Communications Act of 1934 to clarify that section 230 of such Act does not prohibit the enforcement against providers and users of interactive computer services of Federal and State criminal and civil law relating to sexual exploitation of children or sex trafficking, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WEBER of Texas:

H.R. 1866. A bill to amend the Internal Revenue Code of 1986 to disallow certain biodiesel and alternative fuel tax credits for fuels derived from animal fats; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska:

H.R. 1867. A bill to amend the Alaska Native Claims Settlement Act to provide for equitable allotment of land to Alaska Native veterans; to the Committee on Natural Resources.

By Mr. FRANKS of Arizona (for himself and Mr. ROYCE of California):

H.J. Res. 93. A joint resolution proposing an amendment to the Constitution of the United States to protect the rights of crime victims; to the Committee on the Judiciary.

By Mr. ENGEL (for himself, Mr. SMITH of New Jersey, Ms. BASS, and Mr. ELLISON):

H. Res. 239. A resolution supporting ongoing efforts by the United States Government, in concert with the United Nations and the donor community, to respond to drought and food insecurity in the Horn of Africa; to the Committee on Foreign Affairs.

By Mrs. BEATTY (for herself and Mr. STIVERS):

H. Res. 243. A resolution supporting the goals and ideals of "Financial Literacy Month"; to the Committee on Oversight and Government Reform.

By Mr. GAETZ (for himself, Ms. WASSERMAN SCHULTZ, Mr. GRIJALVA, Ms. TENNEY, and Mr. HASTINGS):

H. Res. 244. A resolution expressing support for Japan to end its whaling in all forms and to strengthen measures to conserve whale populations; to the Committee on Foreign Affairs, and in addition to the Committee on

Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARRETT (for himself, Mr. SCOTT of Virginia, Mr. BRAT, and Mr. TAYLOR):

H. Res. 245. A resolution expressing support for designation of April 23 as "Barbara Johns Day" to highlight the important role Ms. Barbara Rose Johns (Powell) played in the Civil Rights Movement, in Brown v. Board of Education and the desegregation of schools, and her role in the history of the United States and the lives of United States citizens; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

16. The SPEAKER presented a memorial of the Legislature of the State of South Dakota, relative to House Concurrent Resolution No. 1014, expressing the strongest support for, and unity with, the State of Israel and recognizing Jerusalem, as Israel's undivided capital; to the Committee on Foreign Affairs.

17. Also, a memorial of the Senate of the State of Nevada, relative to Senate Joint Resolution No. 2, requesting the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; to the Committee on the Judiciary.

18. Also, a memorial of the Legislature of the State of Wyoming, relative to House Joint Resolution No. 2, requesting the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; to the Committee on the Judiciary.

19. Also, a memorial of the Legislature of the State of Wyoming, relative to Senate Joint Resolution No. 2, requesting the Congress to enact legislation requiring revenues received by the federal government from wind and solar energy developments on lands of the United States be shared equally with the state in which those developments are located; jointly to the Committees on Natural Resources and Agriculture.

20. Also, a memorial of the Legislature of the State of Wyoming, relative to House Joint Resolution No. 8, urging Congress to ensure that the federal government upholds the federal trust responsibility to provide for the health care needs of American Indians by continuing access to adequate Medicaid resources with one hundred percent (100%) federal coverage; jointly to the Committees on Natural Resources and Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ROE of Tennessee:

H.R. 1848.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. TROTT:

H.R. 1849.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. AMASH:

H.R. 1850.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 7 states: "The Congress shall have Power . . . To establish Post Offices and post Roads."

By Ms. BORDALLO:

H.R. 1851.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted Congress under Article IV, Section 3 of the United States Constitution.

By Mr. CORREA:

H.R. 1852.

Congress has the power to enact this legislation pursuant to the following:

(1) The U.S. Constitution including Article 1, Section 8.

By Mr. CROWLEY:

H.R. 1853.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. JENKINS of West Virginia:

H.R. 1854.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the United States Constitution.

By Mr. JONES:

H.R. 1855.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 5, and Article I, Section 8

By Mr. LYNCH:

H.R. 1856.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. LYNCH:

H.R. 1857.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. MARINO:

H.R. 1858.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7 "The Congress shall have Power to . . . establish Post Offices and Post Roads."

By Mr. MARINO:

H.R. 1859.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. MEEKS:

H.R. 1860.

Congress has the power to enact this legislation pursuant to the following:

Necessary and proper clause, Article 1, Section 8, Clause 18 of the Constitution

By Mr. RENACCI:

H.R. 1861.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18, to make all laws which shall be necessary and proper for carrying into execution the foregoing powers

By Mrs. ROBY:

H.R. 1862.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Ms. ROS-LEHTINEN:

H.R. 1863.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. RYAN of Ohio:

H.R. 1864.

SENATE JOINT RESOLUTION NO. 2—SENATORS SPEARMAN,
CANCELA, CANNIZZARO, RATTI, WOODHOUSE; ATKINSON,
DENIS, FARLEY, FORD, MANENDO, PARKS AND SEGERBLOM

PREFILED FEBRUARY 13, 2017

JOINT SPONSORS: ASSEMBLYMEN JOINER, MILLER AND SPRINKLE

Referred to Committee on Legislative Operations and Elections

SUMMARY—Ratifies the Equal Rights Amendment to the
Constitution of the United States. (BDR R-13)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

SENATE JOINT RESOLUTION—Ratifying the proposed
amendment to the Constitution of the United States
providing 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.

Legislative Counsel’s Digest:

1 Under Article V of the United States Constitution, Congress has the power to
2 propose an amendment to the federal Constitution and to determine the mode of
3 ratification. (U.S. Const. Art. V) In 1972, Congress passed the Equal Rights
4 Amendment and sent it to the states for ratification, imposing a 7-year time limit for
5 ratification in the resolving clause of the Amendment, but later extended this time
6 limit to June 30, 1982. The Equal Rights Amendment was ratified by 35 states
7 before the deadline. Under *Coleman v. Miller*, 307 U.S. 433, 450, 456 (1939), the
8 United States Supreme Court held that, as a political question, Congress may
9 determine whether an amendment is valid because ratifications of the amendment
10 are made within a reasonable period of time, even after the deadline. This
11 resolution ratifies the Equal Rights Amendment, which provides for equality of
12 rights under the law regardless of sex.



1 WHEREAS, Both houses of the 92nd Congress of the United
2 States of America, by a constitutional majority of two-thirds,
3 adopted the following resolution proposing to amend the United
4 States Constitution:

5
6 RESOLVED BY THE SENATE AND HOUSE OF
7 REPRESENTATIVES OF THE UNITED STATES OF
8 AMERICA IN CONGRESS ASSEMBLED (TWO-THIRDS
9 OF EACH HOUSE CONCURRING THEREIN), That the
10 following article is proposed as an amendment to the
11 Constitution of the United States, which shall be valid to all
12 intents and purposes as part of the Constitution when ratified
13 by the legislatures of three-fourths of the several States within
14 seven years from the date of its submission by the Congress:

15 ARTICLE.....

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

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

22 Section 3. This amendment shall take effect two years
23 after the date of ratification; and
24

25 WHEREAS, The 95th Congress of the United States amended the
26 resolution of the 92nd Congress to extend the time for ratification to
27 June 30, 1982, thereby indicating its continued support of the
28 amendment; and

29 WHEREAS, The Congress of the United States adopted the 27th
30 Amendment to the Constitution of the United States, which was
31 proposed in 1789 by our First Congress but not ratified by three-
32 fourths of the States until May 7, 1992, and, on May 18, 1992,
33 certified as the 27th Amendment; and

34 WHEREAS, The restricting time limit for ratification of the Equal
35 Rights Amendment is in the resolving clause and is not part of the
36 amendment which was proposed by Congress and which has already
37 been ratified by 35 states; and

38 WHEREAS, Having passed a time extension for the Equal Rights
39 Amendment on October 20, 1978, Congress demonstrated that a
40 time limit in a resolving clause may be disregarded if it is not part of
41 the proposed amendment; and

42 WHEREAS, The United States Supreme Court in *Coleman v.*
43 *Miller*, 307 U.S. 433 (1939), recognized that Congress is in a unique
44 position to judge the tenor of the nation, to be aware of the political,



1 social and economic factors affecting the nation and to be aware of
2 the importance to the nation of the proposed amendment; and

3 WHEREAS, If an amendment to the Constitution of the United
4 States has been proposed by two-thirds of both houses of Congress
5 and ratified by three-fourths of the state legislatures, it is for
6 Congress, under the principles of *Coleman v. Miller*, to determine
7 the validity of the state ratifications occurring after a time limit in
8 the resolving clause, but not in the amendment itself; and

9 WHEREAS, The Legislature of the State of Nevada finds that the
10 proposed amendment is meaningful and needed as part of the
11 Constitution of the United States and that the present political, social
12 and economic conditions demonstrate that constitutional equality for
13 women and men continues to be a timely issue in the United States;
14 now, therefore, be it

15 RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF
16 NEVADA, JOINTLY, That the proposed amendment to the
17 Constitution of the United States of America is hereby ratified by
18 the Legislature of the State of Nevada; and be it further

19 RESOLVED, That the Secretary of the Senate prepare and
20 transmit a copy of this resolution to the Secretary of State for her
21 certification and transmittal to the Archivist of the United States
22 pursuant to 1 U.S.C. §§ 106b and 112; and be it further

23 RESOLVED, That the Secretary of the Senate prepare and
24 transmit a copy of this resolution to the Vice President of the United
25 States as the presiding officer of the United States Senate, the
26 Speaker of the House of Representatives and each member of the
27 Nevada Congressional Delegation; and be it further

28 RESOLVED, That this resolution becomes effective upon
29 passage.



