

Senate Judiciary Committee Hearing
“The Equal Rights Amendment: How Congress Can Recognize Ratification and Enshrine
Equality in Our Constitution”
Tuesday, February 28, 2023
Questions for the Record
for Thursday Williams

QUESTIONS FROM SENATOR JOHN N. KENNEDY

1. **The text of the ERA reads, in part, 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.”**
 - a. **Title IX provides men and women with equal opportunity in academics and athletics. It makes a distinction between biological men and biological women when providing this opportunity. If ratified, do you believe the ERA would erode protections provided by Title IX?**

As a college student, I support the ERA because it will protect **everyone** from being discriminated against on the basis of sex and ensures that they will be given an equal opportunity in academics and athletics. Specific questions on the legal impacts of the ERA, however, would be best directed to my fellow witness and constitutional scholar, Kathleen Sullivan.

- b. **If the ERA is ratified, would a biological male identifying as a transgender woman have a constitutional right to participate in women’s collegiate athletics?**

I strongly value the effort and commitment required to participate in college sports. However, I personally do not think that this is a major concern when weighed against the protections the ERA could provide against the epidemic of gender-based violence, workplace discrimination, and threats of roll backs to previously guaranteed rights.

- c. **If the ERA is ratified, would a public school be permitted to separate students on the basis of biological sex via bathrooms, locker rooms, or otherwise?**

I am not a lawyer, and questions on the legal impacts of the ERA would be best directed to my fellow witness and constitutional scholar, Kathleen Sullivan.

- d. If the ERA is ratified, would women be required to register for Selective Service with the U.S. military?**

I am not a lawyer, and questions on the legal impacts of the ERA would be best directed to my fellow witness and constitutional scholar, Kathleen Sullivan.

- e. If the ERA is ratified, would a public health care facility owned or funded by the government be required to perform sex reassignment surgeries?**

I am not a lawyer, and questions on the legal impacts of the ERA would be best directed to my fellow witness and constitutional scholar, Kathleen Sullivan.

- 2. If the ERA is ratified, do you believe that the recent Supreme Court decision in *Dobbs v. Jackson Women's Health Organization* remains good law?**

- a. Could the ERA, if ratified, be a constitutional source of the right to abortion?**

I am not a lawyer, and questions on the legal impacts of the ERA would be best directed to my fellow witness and constitutional scholar, Kathleen Sullivan.

- b. Would any law that places restrictions on abortion survive scrutiny under the ERA?**

I am not a lawyer, and questions on the legal impacts of the ERA would be best directed to my fellow witness and constitutional scholar, Kathleen Sullivan.

- c. If the ERA is ratified, would it constitutionally impact the viability of the Hyde Amendment?**

I am not a lawyer, and questions on the legal impacts of the ERA would be best directed to my fellow witness and constitutional scholar, Kathleen Sullivan.