

Testimony on SCR 4010
Brandi Hardy
February 5th, 2021

RE: In Opposition of SCR 4010

Greetings Chairman Vedaa and Members of the Committee,

I am Brandi Hardy and I am the Legislative Coordinator for the North Dakota Human Rights Coalition. Founded in 2002, we are a statewide, membership-based organization established to increase the visibility of human right needs and violations and barriers to residents within North Dakota. Our membership base is state-wide with people who are of different races, religions, gender identities, socio-economic class status, sexual orientation, from rural communities, and larger cities. The core of our mission is to champion policies that allow all North Dakotans to enjoy a free and safe existence in our state.

I am also a veteran. Something I will speak to more in a moment.

Today, I am here to urge the committee members to vote DO NOT PASS on SCR 4010. This resolution is a clear sign that those who want to rescind this 46 year old ratification, are those who still want to discriminate against others. Since 1975, we have evolved as a state. We have adapted changes to support agriculture and energy industries. We have evolved with the rapid changes of technology, this session proving this point. And forty-six years ago, the leaders of North Dakota evolved with our equal rights for all.

History tells us that once a state ratifies, it can't take the ratification back. Making these attempts to "rescind" or limit a ratification ineffective. This is non-issue for the state of North Dakota This is an issue for Congress.

There is the question, "would the ERA make it impossible to have an all-male draft?" Yes, most likely. The argument that by nulling this 1975 ERA ratification, we would be protecting our women from the draft doesn't make sense, now that women serve in all aspects of the military—including in combat. In fact, the Senate passed a bill in 2016 that would have required women to register. The bill had the support of the late Senator John McCain, who noted that women already serve with great distinction in our armed forces. Congress and the Pentagon have already taken steps in this direction anyway. There is currently nothing that prevents the draft from being extended to women. According to the The Selective Service System website it states, "if given the mission and modest additional resources, it is capable of registering and drafting women with its existing infrastructure." Recently, a federal court in Texas held that a male-only draft would be unconstitutional even under the 14th Amendment.

As an Operations Iraqi Freedom veteran with the US Army, I find this resolution offensive. Protecting our country is a privilege NOT a punishment. There is honor, dignity, and integrity

serving in our Armed Forces. To suggest women are incapable or too fragile for service or a draft is demeaning to our long fight for true equality.

I joined the military at 17 years old in 2003, when women were still excluded from ground combat MOS's. Yet, I graduated Basic Training in the top five out of over 600 recruits in Ft. Jackson, SC, before I even graduated from Bismarck High School. I again graduated at the top of my class in AIT, in Ft. Lee, VA after graduating high school early. Two weeks after turning 19 years old, I was flying into Baghdad, Iraq with the 3rd Infantry Division. I went on multiple, dangerous missions, grieved the losses of comrades and commanders, and found forever friendships during my time downrange. I finished my time in the service with the 92nd MP unit in Baumholder, Germany. I share this experience with you today because as a soldier, I was taught to have courage and serve selflessly for the freedom of all citizens and to uphold our constitutional rights. I still hold these values true to this very day. And although I wasn't allowed to join as an 11B, like I had originally wanted, I believe there would've been far more barriers without the ERA.

There should never be an expiration date on equality. This resolution suggests otherwise. It aims to preserve the right to discriminate, NOT to protect the right to live free and equally in North Dakota. For those reasons, I strongly urge the committee to vote DO NOT PASS on SCR 4010.