

CONCERNED
WOMEN *for* AMERICA

Remarks by Doreen Denny, Senior Director of Government Relations

Fair Play? Women's Athletics in the Age of Gender Identity

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Thank you Emilie and Heritage Foundation for inviting Concerned Women for America to partner with you in today's very important discussion.

I'm the mother of two athletes, one currently playing college baseball. I've witnessed firsthand how athletics have shaped the character of my children – as hard workers, leaders, and teammates. My daughter's participation was defining. She wasn't the top athlete, but excelled with hard work and determination, a captain of her volleyball team and on elite club teams. Today, her leadership, work ethic and resiliency from sports is translating in her college endeavors, including Army ROTC.

Doors of opportunity open for female athletes through sports. A field hockey player at my son's university is the first in her family to go to college, thanks to an athletic scholarship.

We're all here today bringing a message to save women's sports. I am going to frame this message by reading an excerpt from legacy.com, meaning it's from an obituary:

Mar 15, 2019 - **Birch Bayh** was a democratic senator from Indiana who was the author of the groundbreaking Title IX amendment that banned discrimination against women in college sports. ...

I'll make this very simple and very clear: Senator Birch Bayh's crowning legacy achievement will follow him to the grave if his own party has it's way in passing the Equality Act.

Here's why: The Equality Act expands sex in federal civil rights laws to include "gender identity" which is not based on biology, but solely on perception, and (quote) "regardless of the individual's designated sex at birth." This identity claim would be legally protected and couldn't be challenged. At any time, males could claim they are female. Period.

This bill is a top ten priority for the Democrats. If it passes, Title IX protections would be erased for female athletes. In order to accommodate the "gender identity" claims of transathletes, opportunities for them would be elevated at the expense of female athletes.

That is why the Equality Act will kill Senator Bayh's Title IX legacy of banning discrimination against women in sports.

In addition to opening women's sports to males who think they are female, teams who overnight in hotel rooms would be required to house transgender athletes, meaning male students, with female athletes. This goes for bathrooms, showers, and locker rooms – as we're already seeing in too many schools today,

We all know that athletics is formative in developing strong character in girls and an avenue preparing women to break through glass ceilings. Title IX has been the foundation for much of this progress. But the errantly-named "Equality Act" will unravel the very foundation of equal opportunity for women and girls in sports.

SO, here's the message: if the Democrats in Congress get their way, resting next to Senator Birch Bayh will be a Title IX tombstone inscribed RIP – Rejected In Purpose.

We are having this conversation today to raise awareness and alarm about the "gender identity" agenda of the Equality Act, and to ask you to join the fight to protect a fair playing field for women and girls.

Concerned Women for America is the largest public policy women's organization in the country, founded 40 years ago on principles of faith and conservative values. We're joining hands with the Women's Liberation Front who proudly call themselves radical feminists. We disagree on many things, but we do agree on this: Making gender identity a protected characteristic under federal law would erase the protected category of sex, which is the foundation for Title IX opportunities for women and girls. Our unlikely alliance should be a wake-up call that the Equality Act is wrong for women.

The unfair playing field is happening – The International Olympic Committee, the NCAA, the National Scholastic Athletics Foundation and most USA sports associations have created one-sided policies favoring transathlete inclusion, fueling discrimination against female athletes.

If Congress throws off all restraints by affirming "gender identity" ideology in federal law, it will incentivize coaches to recruit and scholarship the "best" athletes to create the winning teams – these will be women's teams with biological men and boys on their rosters. They will be celebrated - just like Cece, formerly Craig, Telfer who, two weeks ago, was named Athlete of the Week by the US Track, Field and Cross Country Coaches Association after winning 3 titles in the Northeast 10 Conference.

Many parents and coaches fear they will be bullied into silence if they speak up against this. At a young age, their daughters and teammates are losing and learning a heartbreaking lesson: We can't win in unfair competition or in a culture that won't stand up to protect our rights.

CWA recently received a call from a public school mom in Georgia whose daughter, like Selina, faced a transgender in track competition -who won uncontested. Her concerns were dismissed by the National Organization for Women, and the Women's Sport's Foundation when she called them thinking they would be fighting for women's rights. Not so. Thankfully she found us. Here's what this mom had to say in a letter submitted to the Judiciary Committee last week:

“To say that my daughter, as well as the other female athletes, were humiliated and had a sense of defeatism is an understatement. In the words of my daughter, “What’s the point Mom, we can’t win.” Hearing this broke my heart, for my daughter and for all the female athletes, who train so hard, but no matter how hard they work and train they will never be able to beat a biological male...What are we doing to our girls by forcing them to race biological males?”

I agree with this mother - what ARE we doing?

Let’s review: The Equality Act would enshrine “gender identity” as a protected trait in federal civil rights law. This denies the biological, scientific fact that being male or female is inscribed in our DNA and determines our sex. Self-declared “gender identity” would be sufficient to claim protected legal status as either sex. Simply put, “whatever I claim to be, I am.” Such claims could be fluid because gender-related identity and characteristics could be changed at any time.

At a hearing last week, Congressman Gaetz of Florida asked, “if President Trump were to say ‘I am now the first female president,’ who would celebrate that? Would those who support this legislation think that’s a good thing?”

Advocates have no response to the legitimacy of that question. More importantly, they are denying the threat of this policy to women and girls. I was in the hearing room, and frankly was shocked to hear how women, who are 51 % of the US population, are now an afterthought for those promoting the trans agenda. They are not fighting for females anymore.

In 2016, Sports Illustrated showcased female candidates who were college athletes, including Illinois congresswoman Cheri Bustos, and New York senator Kirsten Gillibrand, both cosponsors of the Equality Act. They said how playing competitive sports prepared, and propelled, them into politics. “It took the fear out of losing,” said Gillibrand, now a presidential candidate.

The testimonies in this article make the case that reducing opportunities for female college athletes could reduce the number of women running for office. Is that what Democrats want?

Supporters have no way of defending the Equality Act against these threats to women, even though basic common sense makes it obvious to most people. Many proponents have blindly jumped on the bandwagon – it’s time they consider the impact. Women will lose. Which is why we need you to get active.

Here’s the ask: Use Your Voice – join forces through listserves, Facebook groups, your kids’ sports teams however you connect. Generate a local movement to save women’s sports. Confront your school boards and athletic associations. Write and tweet your congressmen and President Trump that the Equality Act will kill Title IX protections for women and erase fair play.

Second, consider carefully who you are supporting. With the intensity of the transactivist political campaign, candidates must take a side. You either favor gender identity enshrined in

civil rights law or you don't. Elections have consequences - if you care about this, vote that way in elections at every level.

We've produced an Equality Act impact statement with the Women's Liberation Front and Hands Across the Aisle that will give you a fuller picture of what this legislation would mean for women - I hope you pick one up on the way out and share this with your neighbors. And please reach out to us and get involved.

Thank you.