

CONCERNED  
WOMEN *for* AMERICA  
LEGISLATIVE ACTION COMMITTEE

February 8, 2021

The Honorable Mike Lee  
United States Senate  
361A Russell Senate Office Building  
Washington, D.C. 20510

The Honorable Greg Steube  
U.S. House of Representatives  
2457 Rayburn House Office Building  
Washington, D.C. 20515

Dear Senator Lee and Congressman Steube,

On behalf of the hundreds of thousands of women we represent across the country, Concerned Women for America Legislative Action Committee writes to enthusiastically endorse the “Protection of Women and Girls in Sports Act of 2021” (S.251, H.R. 426).

The Protection of Women and Girls in Sports Act will rightly clarify the responsibility of schools receiving federal funds to prohibit discrimination against female athletes based on biological sex. It recognizes that women and girls are denied their rights to equality in sports when Title IX is not used to defend them.

Women and girls deserve to have the civil rights laws passed to protect us respected and followed, guaranteeing equal opportunities and benefits for all athletes. That is what Title IX achieved for female student-athletes nearly 50 years ago.

It is unfortunate that this bill is even necessary, but what is happening in female athletics today makes it essential. Although no basis exists in federal law, middle and high schools, colleges, and the NCAA are twisting the intent of Title IX, the federal law which prohibits discrimination in educational programs on the basis of sex, by allowing men who claim to “identify as women” to compete on women’s teams and against female athletes.

Title IX’s purpose and benefit are negated for women whenever the playing field is accessible to male athletes claiming status as women. Title IX’s prohibition of sex discrimination is based on sex – male and female. It does not define sex based on “gender identity.” It does not sanction males, with distinct physiological advantages regardless of treatment, to compete in female sports.

Policies allowing for inclusion in sex-specific sports on the basis of “gender identity” have no substantiation in biological fact or valid medical research to defend males competing in female athletics. Studies attest to the reality that puberty, testosterone, and innate biological differences give physical advantages to males that cannot be mitigated and, therefore, disqualify female athletes from fair competition when males compete in women’s sports. To deny these facts is to deny science.

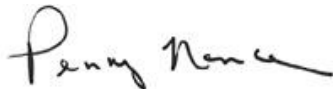
Researchers at the Karolinska Institute and University of Manchester concluded that after one year of treatment, “the physical advantage enjoyed by biological males over females is only minimally reduced when testosterone is suppressed ... Furthermore, the reductions observed in muscle mass, size, and strength are very small compared to the baseline differences between males and females in these variables.”<sup>1</sup>

Exercise physiology expert, Dr. Gregory A. Brown of the University of Nebraska, published an exhaustive review of existing research, concluding that “men and adolescent boys perform better in almost all sports than women and adolescent girls because of their inherent physiological advantages that develop during male puberty.”<sup>2</sup>

Concerned Women for America applauds you for introducing the Protection of Women and Girls in Sports Act in the 117<sup>th</sup> Congress. We thank you and all cosponsors working to advance support for this critical legislation for standing with us to defend the rights of women and girl athletes to fair and equal opportunities under federal law.

Protecting fairness and equality for women and girls in sports should not be a partisan issue. It should be an issue that unites all lawmakers to stand for women’s rights and the intent and purpose of Title IX for female student-athletes.

Sincerely,



Penny Young Nance  
CEO and President  
Concerned Women for America LAC

---

<sup>1</sup>Emma Hilton, Ph.D. and Tommy Lundberg, Ph.D. (13 May 2020). University of Manchester, UK. and Karolinska Institute. Department of Laboratory Medicine/ANA Futura. Division of Clinical Physiology. Huddinge, Sweden. Retrieved from: [https://img1.wsimg.com/blobby/go/a69528e3-c613-4bcc-9931-258260a4e77f/downloads/preprints202005.0226.v1%20\(1\).pdf](https://img1.wsimg.com/blobby/go/a69528e3-c613-4bcc-9931-258260a4e77f/downloads/preprints202005.0226.v1%20(1).pdf)

<sup>2</sup>Expert Declaration of Gregory A. Brown, Ph.D. (January 7, 2020). Filed in support of the U.S. Department of Education Complaint Nos. 01-19-4025 & 01-19-1252. Retrieved from: <https://img1.wsimg.com/blobby/go/a69528e3-c613-4bcc-9931-258260a4e77f/downloads/2020.01.07%20G%20Brown%20Report%20Executed.pdf?ver=1580495895886>