



United States Conference of Catholic Bishops

3211 FOURTH STREET NE • WASHINGTON DC 20017-1194 • 202-541-3000

WEBSITE: WWW.USCCB.ORG • FAX 202-541-3339

February 16, 2021

Senator Mike Lee
361A Russell Senate Office Building
Washington, DC 20510

Representative Greg Steube
2457 Rayburn House Office Building
Washington, DC 20515

Dear Senator Lee and Representative Steube,

As chairmen of the U.S. Conference of Catholic Bishops' Committee on Catholic Education and Subcommittee for the Promotion and Defense of Marriage, we write to support your bills, S. 251 and H.R. 426, the Protection of Women and Girls in Sports Act.

True education aims at the formation of the human person as a unity of body, soul and spirit, and the common good of society.¹ It therefore includes components beyond academics, such as the social and physical aspects of athletics. As Pope Francis has said, "The Church is interested in sport because the person is at her heart, the whole person, and she recognizes that sports activity affects the formation, relations and spirituality of a person."² In education and in sports, we must seek to avoid anything that debases human dignity, including rejection of a person's body or unequal treatment between men and women. Title IX of the Education Amendments of 1972 was a needed landmark to establish equal educational opportunities for women and girls. S. 251 and H.R. 426 would help ensure the continued viability of Title IX.

Youth who experience gender identity discordance should be assured the right to participate in, or try-out for, student athletics on the same terms as any of their peers, in co-educational activities or, where sexes are separated, in accord with their given sex. Harassment or unjust discrimination against them in this regard is unequivocally immoral. Conversely, a loving response which affirms the value of persons as fellow human beings helps them to develop a genuine peace with their mind and body, rather than facilitating drastic "transitions" in pursuit of an identity fully independent of their physical body.

This has particular relevance in athletics, where male competition in activities designated for women and girls can be both unfair and, especially in high-contact sports, unsafe. It is true that some women have excelled in these events with men. But any time a policy facilitating such male competition takes an athletic opportunity away from a female, it is a loss for basic fairness and the spirit of Title IX.

Such challenges will be increasingly common as the number of persons experiencing gender identity discordance rises steeply, especially among adolescents.³ In general, males possess distinct physical advantages in a number of sports, and this is already playing out in athletic events worldwide.⁴ Their stature can also pose physical safety concerns in high-contact sports. Neither of these concerns is remediated by cross-sex hormone procedures which are required by some athletic associations for participation in sports of the opposite sex, as they do not fully address disparities in average muscle mass, bone characteristics, and lung capacity once puberty is underway (which is typically the case for student athletes).⁵ Further, the safety of the students who undergo hormone treatments themselves is at risk when such procedures, with unproven long-term results in developing bodies, are the recommended means to participate in the sport they love.⁶ We

reiterate the need for these students to be welcomed without reservation into appropriate athletic opportunities.

The Protection of Women and Girls in Sports Act would address these increasing questions in the important context of education, from primary school through college, and reestablish a fair and safe playing field for all children and young adults. We can do better by all students, and should continue to uphold the progress made with Title IX in promoting the opportunities for women and girls. We appreciate the opportunity to support S. 251 and H.R. 426, and urge your respective colleagues to sign on as cosponsors of this important measure.

Sincerely,



Most Rev. Michael C. Barber, S.J.
Bishop of Oakland
Chairman, Committee on Catholic
Education



Most Rev. David A. Konderla
Bishop of Tulsa
Chairman, Subcommittee for the Promotion
and Defense of Marriage

¹ See "Giving the best of yourself: A document about the Christian perspective on sport and the human person," Dicastery for Laity, Family and Life, Rome, Jun. 1 2018 (available at <http://www.laityfamilylife.va/content/laityfamilylife/en/sezione-laici/i-papi-e-lo-sport/giving-the-best-of-yourself.html>).

² Pope Francis, Address to the Italian Tennis Federation, Rome, May 8, 2015.

³ Abigail Shrier, "How 'peer contagion' may play into the rise of teen girls transitioning," *New York Post* (Jun. 27, 2020); Samuel P. Veissière, "Why Is Transgender Identity on the Rise Among Teens?" *Psychology Today* (Nov. 28, 2018); Gordon Rayner, "Minister orders inquiry into 4,000 per cent rise in children wanting to change sex," *The Telegraph* (Sep. 16, 2018); Georgiann Davis, "More people are identifying as trans and gender nonconforming. Why?" *Houston Chronicle* (Jul. 9, 2018); Lindsey Tanner, "More U.S. teens identify as transgender, survey finds," *USA Today* (Feb. 5, 2018).

⁴ See, e.g., Karleigh Webb, "Italy's Valentina Petrillo takes a powerful step towards Tokyo," *MSN.com* (Sep. 18, 2020) (available at <https://www.msn.com/en-us/sports/more-sports/italys-valentina-petrillo-takes-a-powerful-step-towards-tokyo/ar-BB19b8zM>); "Transgender weightlifter continues Tokyo Olympics bid," *NBCNews.com* (Feb. 28, 2020) (available at <https://www.nbcnews.com/feature/nbc-out/transgender-weightlifter-continues-tokyo-olympics-bid-n1145121>); Victor Morton, "Transgender NCAA runner named conference's 'Women's Athlete of the Week,'" *The Washington Times* (Oct. 30, 2019) (available at <https://www.washingtontimes.com/news/2019/oct/30/june-eastwood-montana-transgender-runner-named-big/>); Rebecca Reza, "Transgender Cyclist Rachel McKinnon Wins Second-Straight World Masters Title," *Bicycling.com* (Oct. 24, 2019) (available at <https://www.bicycling.com/news/a29578581/rachel-mckinnon-world-championship-masters-win-transgender-sport-debate/>); V. Morton, "Transgender hurdler easily wins NCAA women's national championship," *The Washington Times* (Jun. 3, 2019) (available at <https://www.washingtontimes.com/news/2019/jun/3/cece-telfer-franklin-pierce-transgender-hurdler-wi/>); "Actually a male': Transgender weightlifter stripped of world records," *Yahoo Sports* (May 14, 2019) (available at <https://sports.yahoo.com/transgender-weightlifter-mary-gregory-raw-powerlifting-federation-094109354.html>); Pat Eaton-Robb, "Transgender sprinters finish 1st, 2nd at Connecticut girls indoor track championships," *The Washington Times* (Feb. 24, 2019) (available at <https://www.washingtontimes.com/news/2019/feb/24/terry-miller-andraya-yearwood-transgender-sprinter/>); Stephanie Kim, "First transgender woman finishes Jacksonville Marathon," *First Coast News* (Dec. 19, 2016) (available at <https://www.firstcoastnews.com/article/news/first-transgender-woman-finishes-jacksonville-marathon/372266597>); Jon Gold, "Transgender cyclist is top female finisher at El Tour de Tucson," *Tucson.com* (Dec. 19, 2016) (available at https://tucson.com/sports/local/transgender-cyclist-is-top-female-finisher-at-el-tour-de-tucson/article_2c7d291f-4376-57a6-9578-3831353032bc.html); Douglas Ernst, "Transgender student's all-state honors in girls' track and field ignites backlash," *The Washington Times* (Jun. 6, 2016) (available at <https://www.washingtontimes.com/news/2016/jun/6/nattaphon-wangyot-transgender-student-rites-critic/>); Dustin Siggins, "Transgender 'female' MMA fighter gives female opponent concussion, broken eye socket," *Life Site News* (Sep. 19, 2014) (available at <https://www.lifesitenews.com/news/transgender-female-boxer-gives-female-opponent-concussion-breaks-her-eye-so/>); Eric Prisbell, "Transsexual Gabrielle Ludwig returns to college court," *USA Today* (Dec. 12, 2012) (available at <https://www.usatoday.com/story/sports/ncaab/2012/12/04/college-basketball-transgender-player-gabrielle-ludwig-robert-ludwig-mission-college/1744703/>) (Ludwig's accomplishments in championship and rebounds available on biography page at https://www.missionsaints.com/sports/wbkb/coaches/Gabrielle_Ludwig?view=bio, accessed on Oct. 5, 2020).

⁵ Tommy Lundberg and Emma Hilton, "Transgender women in the female category of sport: is the male performance advantage removed by testosterone suppression?" (May 13, 2020) (available at [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), as pre-printed update of Lundberg 2019 study, *infra*); Expert Declaration of Gregory A. Brown, Ph.D., Filed in support of the U.S. Department of Education Complaint Nos. 01-19-4025 & 01-19-1252. (Jan. 7, 2020) (available at <https://img1.wsimg.com/blobby/go/a69528e3-c613-4bcc-9931-258260a4e77f/downloads/2020.01.07%20G%20Brown%20Report%20Executed.pdf?ver=1580495895886>); T. Lundberg, Ph.D. et al., "Muscle strength, size and composition following 12 months of gender-affirming treatment in transgender individuals: retained advantage for the transwomen," *Karolinska Institutet, Department of Laboratory Medicine/ANA Futura, Division of Clinical Physiology*. Huddinge, Sweden (Sep. 26, 2019) (available via *bioRxiv*, Cold Spring Harbor Laboratory, at <https://www.biorxiv.org/content/10.1101/782557v1>).

⁶ See D. Getahun et al., "Cross-Sex Hormones and Acute Cardiovascular Events in Transgender Persons: A Cohort Study," *Ann Intern Med* 169, no. 4 (2018); M.S. Irwig, "Cardiovascular Health in Transgender People," *Rev Endocr Metab Disord* 19, no. 3 (2018); P.W. Hruz, L.S. Mayer, and P.R. McHugh, "Growing Pains: Problems with Puberty Suppression in Treating Gender Dysphoria," *The New Atlantis*, 52 (2017); S. Maraka et al., "Sex Steroids and Cardiovascular Outcomes in Transgender Individuals: A Systematic Review and Meta-Analysis," *J Clin Endocrinol Metab* 102, no. 11 (2017); J. Feldman, G.R. Brown, M.B. Deutsch, et al., "Priorities for Transgender Medical and Healthcare Research," *Curr Opin Endocrinol Diabetes Obes* 23 (2016):180-87; D. Macut, I.B. Antić, and J. Bjekić-Macut, "Cardiovascular Risk Factors and Events in Women with Androgen Excess," *Journal of Endocrinological Investigation* 38, no. 3 (2015); E. Moore, A. Wisniewski, A. Dobs, "Endocrine Treatment of Transsexual People: A Review of Treatment Regimens, Outcomes, and Adverse Effects," *J Clin Endocrinol Metab* 88 (2003): 3467-73.