



Letter for the Congressional Record

U.S. House Committee on Oversight and Reform
Subcommittee on Health Care and Financial Services

December 5th, 2023

To Chairwoman McClain, Ranking Member Porter, and the Members of the Subcommittee:

Trans and intersex youth are treasured parts of our communities, and everyone deserves equal access to the opportunities and experiences that sports can provide. No athlete should ever be excluded just because of who they are – and everyone deserves the opportunity to play!

Banning transgender youth from sports is simply wrong. Excluding young people from participating in sports contradicts fundamental American values of inclusion and friendship. Like their peers, transgender youth participate in sports to build and nurture lifelong friendships, increase self-esteem, and develop crucial skills like teamwork and discipline.

You do not have to be an expert on what it means to be transgender or intersex to understand that singling out a group of youth who simply want to participate with their peers is not how elected officials should be spending their time. Trans youth already face stigma and bullying, and these attacks only exacerbate those challenges.

For years, states and schools have seen young trans people playing on teams, running on tracks, and swimming in pools without any widespread dominance by transgender athletes. Trans youth have won and lost just like everyone else, and politicians should never interfere in who gets to play and who is relegated to the sidelines. These decisions should be left to the youth athletes, parents, schools and leagues.

For young people, who are playing for fun, for community, and to challenge themselves, it's clear that there is no scientific reason to scrutinize their bodies or exclude them - they simply deserve equal opportunities to play. The latest scientific research^[REDACTED] is clear: trans women and girls do not show any 'advantage' over cisgender girls and women.

We also know that policing the bodies of girls and young women hurts everyone. Singling out any young person who doesn't conform to rigid gender expectations creates a chilling effect on the participation of all girls in sports, whether they're cisgender or transgender. No girl should be worried that her haircut (Myers, 2023) or her appearance could result in harassment, bullying, or even being excluded from the sport she loves.

These bans overlook the existence and experiences of intersex youth, disregarding their privacy and scrutinizing their bodies inappropriately. Intersex variations are present in around 2% of the population – which is roughly as common as individuals with red hair. Any legislation impacting trans and intersex people that aims to prevent children from playing with their friends based upon their perceived sex at birth is unjust.

Addressing fairness in sports means addressing the well-documented issues facing women's and girls' sports. Instead of targeting a small group of girls, let us focus on increasing sports funding for our schools, preventing and addressing sexual abuse from coaches and staff, and creating more opportunities to play – especially for women and girls of color (Clifton, 2021).

Andraya Yearwood, a young woman who is Black, transgender, and a talented athlete, has said “I have known two things for most of my life: I am a girl and I love to run. There is no shortage of discrimination that I face as a young Black woman who is transgender.” (ACLU, 2020) Black women and girls in sports — whether they are cis, trans, or intersex — are constantly scrutinized, criticized, and singled out by bans that try to force all young women into a narrow and restrictive standard of white femininity.

Young women deserve better. All girls and women deserve the chance to play — and to learn about sportsmanship, healthy competition, and collaboration.

Policies that seek to block trans and intersex athletes from joining sports teams are looking for a solution to a problem that doesn't exist. Anti-LGBTQI+ politicians are pushing this extremist anti-trans agenda to distract from Congressional dysfunction. Congress's time is better spent addressing pressing matters such as gun violence, climate crisis, and national security.

The National Center for Transgender Equality urges the Members of this Subcommittee to reject the discredited idea that inclusion for transgender and intersex youth in sports has any negative impact on cisgender athletes, to support the promulgation of regulations ensuring that the promise of inclusion and nondiscrimination made under Title IX is extended to all Americans, and to focus its attention on the real issues that affect Americans' lives.

Sincerely,

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