

No. 23-477

IN THE
Supreme Court of the United States

UNITED STATES,

Petitioner,

v.

JONATHAN SKRMETTI, ATTORNEY GENERAL AND
REPORTER FOR TENNESSEE, ET AL.,

Respondents.

**On Writ of Certiorari to the
United States Court of Appeals
for the Sixth Circuit**

**BRIEF OF *AMICUS CURIAE* INDEPENDENT
COUNCIL ON WOMEN'S SPORTS AND
135 FEMALE ATHLETES, COACHES, SPORTS
OFFICIALS, AND PARENTS OF FEMALE
ATHLETES IN SUPPORT OF RESPONDENTS**

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(1996) 1, 8

INTEREST OF AMICUS CURIAE¹

Amici are the Independent Council on Women's Sports (ICONS) and its members and 135 female² athletes, parents of female athletes, coaches and sports officials.³ **ICONS** is a network and advocacy group comprised of current and former collegiate and professional women athletes, their families and supporters who agree with former Justice Ginsberg that "[p]hysical differences between men and women . . . are enduring [that] the two sexes are not fungible [and that] [i]nherent differences between men and women . . . remain cause for celebration[.]" *United States v. Virginia*, 518 U.S. 515, 533, 116 S. Ct. 2264, 2276, 135 L. Ed. 2d 735 (1996) ("*VMP*") (cleaned up; citations omitted).

Individual *amici* hail from all levels of sport from high school to college and from professional to Olympic sport and include: **Martina Navratilova**, 59x Grand Slam Champion in Tennis; **Donna de Varona**, Olympic Gold Medalist in Swimming, world record holder, Olympic broadcaster and long-time

¹ Rule 37 statement: No party's counsel authored any of this brief; amici alone funded its preparation and submission. *See* Sup. Ct. R. 37.6.

² As used herein the terms "female" "male" "woman" "man" "women" "men" and "girls" and "boys" are used to refer to members of the female or male sex without regard to gender identification.

³ Individual athletes, coaches, and family members are identified in the **Appendix** to this Brief.

Title IX advocate; **Laura Wilkinson**, Olympic and World Champion in Diving and parent; **Summer Sanders**, Olympic Gold Medalist; **Jill Sterkel**, Olympic Swimmer, world record holder, and University of Texas head swim coach; **Kylee Alons**, 2-time NCAA national champion in Swimming, 31x All-American and competitor against a male athlete in a NCAA women's national championship; **Grace Countie**, 22x All-American in Swimming and competitor against a male athlete in a NCAA women's national championship; **Riley Gaines**, 12x All-American in Swimming and competitor against a male athlete in a NCAA women's national championship; **Reka Gyorgy**, Olympian and All-American in Swimming and competitor against a male athlete in a NCAA women's national championship; **Kaitlynn Wheeler**, All-American in Swimming and competitor against a male athlete in a NCAA women's national championship; **Brooke Slusser**, currently co-captain on NCAA Division I San Jose State University women's Volleyball team, on which a male is a team member; **Jennifer Sees**, NCAA Track & Field athlete, high school track coach, and parent of NCAA Soccer player; **Pam Etem**, Olympic Rower; **Madisan Debos**, NCAA Track & Field athlete; **Evie Edwards**, Cyclist, mother of an elementary-age female Cyclist; and numerous other NCAA, Olympic, and Paralympic female athletes, coaches, parents and sport officials.

Reflecting their experience, *amici* have an interest in the preservation of women's only sports teams and the female category in sport.

SUMMARY OF ARGUMENT

Recognizing biological differences between the sexes and protecting women's spaces from male intrusion are foundational for women to succeed in sports and in life.

However, in this case and in others like it, including *Little v. Hecox*, No. 24-38 and in *West Virginia v. B.P.J.*, No. 24-43 Vide 24-44, in which petitions for writs of certiorari are currently pending, as well as through the Department of Education's recently proposed Title IX regulations, the federal government seeks to constitutionalize gender identity by extending this Court's decision in *Bostock v. Clayton County*, 590 U.S. 644 (2020) to Equal Protection Clause analysis and to the application of Title IX of the Education Amendments of 1972. The Government's move would turn the Equal Protection Clause on its head, depriving women of equal rights and opportunities in comparison to men in sports and undermine the utility of Title IX by erasing legal recognition of biological differences between men and women that justify the protection of women and women's spaces.

The Government's position in this case, the decisions of the Ninth and Fourth Circuit Courts of Appeal in *Hecox* and *B.P.J.* and of the district courts which have overturned state laws which attempt to protect girls from sports competition from boys, the Biden Administration's Title IX regulations, and the transgender eligibility policies of the National Collegiate Athletic Association (NCAA) currently

roiling women’s collegiate sports, all begin from the same counterintuitive, unscientific and legally flawed premises: (1) that a man can be transformed into a woman for all relevant purposes simply by reducing the man’s testosterone level, and (2) that biological sex is irrelevant to Equal Protection analysis and the application of Title IX. Consequently, the Court’s decision in this case is integral to a proper resolution of all of these issues.

The Court’s recent rejection of the Biden Administration’s request for stay in *Dep’t of Educ. v. Louisiana*, finding 9-0 that the parties challenging the Administration’s Title IX regulations were likely to prevail on the merits of their claim that the newly adopted Title IX regulations’ premise that “sex” and “gender identity” are equivalent is not well founded, should guide the Court’s decision here. *Dep’t of Educ. v. Louisiana*, 144 S. Ct. 2507, 2509–10 (Aug. 16, 2024) (agreeing Louisiana was “entitled to preliminary injunctive relief as to three provisions of the rule, including the central provision that newly redefines sex discrimination to include discrimination on the basis of sexual orientation and gender identity”).

Harms brought about by the Government’s new interpretation of Equal Protection are (and will continue to be) dramatic and far reaching until finally rejected by this Court. The legal revolution pursued by the Government is upending protection for women in many spheres not just sports. But the focus of this brief is the impact on sport. *Amici* explain how the impact of constitutionalizing gender identity as an extension of *Bostock* is opening women’s sports and

safe spaces to biological males, and if accepted by this Court will end the Title IX debate and gut longstanding protections for women under both Equal Protection and Title IX.

It is the experience of *amici* that legal protections giving women the opportunity to take part in and succeed in sport are essential to the advancement of women and depend on the law's basic ability to distinguish between women and men and courts' capacity to evaluate, compare, and equalize the opportunities of the former in comparison to those of the latter. *Amici* urge the Court to uphold these longstanding protections now under relentless assault.

ARGUMENT

I. **Blind Spots in the Government's Analysis Impacting Women and Women's Sports**

A. **WPATH guidelines are not uniformly followed by medical practitioners**

The Government's argument starts and ends by reassuring the Court that doctors administering so called "gender affirming" interventions follow guidelines of the World Professional Association of Transgender Health (WPATH) that specify that treatment for gender dysphoria that is given before puberty "does not include any drug or surgical intervention." Pet. Brf. at 4. Indeed, the Government acknowledges that the "distinction between early

childhood and adolescence is critical,” and according to the Government, “[n]one of the relevant clinical guidelines recommend *any* medical intervention to treat gender dysphoria before the onset of puberty.” Pet. Brf. at 41 (emphasis original).

Thus, while conceding abundant evidence that many transitioners desist, the Government seeks to cabin the import of this evidence, asserting it is limited to individuals who have not yet reached puberty and that the WPATH recommendation not to treat pre-pubertal minors with puberty blockers, cross-sex hormones and/or surgery, supposedly means that, “the only patients eligible to receive the treatments that SB1 bans are highly likely to persist in their gender incongruence and gender dysphoria in adulthood.” Pet. Brf. at 41.

However, the Government’s unsubstantiated claim conflicts with *amici’s* real-world observation that many boys who seek to play on women’s sports teams begin the use of puberty blockers and/or cross-sex hormones before puberty. Indeed, sports cases filed in federal courts around the country have regularly been brought by parents of gender dysphoric children who *began treatment with puberty blockers before the onset of puberty*, i.e., prematurely and in conflict with the WPATH guidelines. *See, e.g., Tirrell v. Edelblut*, No. 24-CV-251-LM-TSM, 2024 WL 3898544, at *2 (D.N.H. Aug. 22, 2024) (“When a transgender girl and her parents seek treatment for gender dysphoria *prior to the onset of puberty*, providers may prescribe puberty-blocking medication to prevent the development of physical characteristics

that conflict with the child’s gender identity.”); *Doe v. Hanover Cnty. Sch. Bd.*, No. 3:24CV493, 2024 WL 3850810, at *2 (E.D. Va. Aug. 16, 2024) (“*when Janie was nine years old, she received a histrelin implant. . . Janie explains that the implant “stops [her] from going through puberty as a boy.” “Janie remains on puberty blockers today [at age 11].”*); *Doe v. Horne*, 683 F. Supp. 3d 950, 960 (D. Ariz. 2023), *aff’d*, 115 F.4th 1083 (9th Cir. 2024) (“Megan has been taking puberty blockers since she was 11 years old as part of her medical treatment for gender dysphoria. . . This prevented Megan from undergoing male puberty.”); *A.M. by E.M. v. Indianapolis Pub. Sch.*, 617 F. Supp. 3d 950, 954–55 (S.D. Ind. 2022), *appeal dismissed sub nom. A.M. by E.M. v. Indianapolis Pub. Sch. & Superintendent*, No. 22-2332, 2023 WL 371646 (7th Cir. Jan. 19, 2023), and vacated, No. 1:22-CV-01075-JMS-MKK, 2023 WL 11852464 (S.D. Ind. Jan. 19, 2023) (“Plaintiff A.M. is a ten-year-old . . . whose birth-assigned sex was male. . . and is currently taking a puberty blocker.”); *B. P. J. v. W. Virginia State Bd. of Educ.*, 550 F. Supp. 3d 347, 355 (S.D.W. Va. 2021) (“As part of treating her gender dysphoria, B.P.J. *has been on puberty delaying drugs* for over a year. As a result, B.P.J. has not undergone and *will not undergo endogenous puberty*, the process that most young boys undergo that creates the physical advantages warned about by the State.”).

These sports cases confirm that the WPATH guidelines do not in fact ensure that the powerful drugs addressed by Tennessee’s SB 1 are being used only by those who have begun puberty. Rather, just as the Tennessee legislature feared, sports cases which

have matriculated through the federal courts demonstrate that children are being locked into life altering interventions *before puberty* and without a reasonable opportunity to grow out of any “gender incongruence” they may have experienced.

B. The Government’s false premise that gender is immutable, and sex is malleable

The Government never explicitly states that gender is immutable, and sex is malleable, but that false premise shouts through its use of terminology and the construction of its arguments. For example, more than forty times in less than fifty pages the Government refers to “sex assigned at birth” or a similar linguistic construct, as if an individual’s sex were not a fact of biology but instead a choice to be made by a doctor, nurse or parent.

The Government’s interest in detaching from biological facts is also suggested by its focus upon “overbroad generalizations about the different talents, capacities or preferences of males and females,” that can arise from sex-based classifications, Pet. Brf. 20 (quoting *VMI*, 518 U.S. at 533), while disregarding the *VMI* Court’s recognition of “enduring” differences between men and women that are “cause for celebration.” *VMI*, 518 U.S. at 533.

And the Government quotes the Court *in Sessions v. Morales-Santana*, 582 U.S. 47, 57, (2017), for the proposition that “all gender-based classifications” must satisfy “heightened scrutiny,”

(Pet. Brf. at 21), though presumably aware that when using “gender” in *Morales-Santana*, Justice Ginsberg was using the term as a synonym for biological “sex” and not in the sense that the Government uses the terms “transgender” and “gender identity” early in its brief (*see* Pet. Brf. 3-6) as referring to a person’s subjective sense of their gender (i.e., what they would like their sex to be).

Most strikingly, in arguing for a quasi-suspect class, the Government contends “transgender individuals are a minority accounting for roughly one percent of the population that shares ‘obvious, immutable, or distinguishing characteristics that define them as a discrete group[.]’” Pet. Brf. at 29 (quoting *Bowen v. Gilliard*, 483 U.S. 587, 602 (1987)). Yet, the Government decidedly fails to identify the allegedly “obvious, immutable, or distinguishing characteristics” that define those with a “transgender identity.” The Government provides no means of identifying this supposed “class,” other than stating only that “*their gender identities do not align with their respective sexes at birth,*” Pet. Brf. 29, which is patently insufficient to define “obvious, immutable, or distinguishing characteristics” as sex/gender non-alignment is not accurately discernible via any outward characteristic(s). Perhaps a non-aligned individual may dress in a non-conforming way or perhaps not, but of course something as trivial as hairstyle or attire cannot ultimately be helpful in defining a quasi-suspect class.

Also, the Government earlier defines “gender dysphoria” as “distress resulting from incongruence

between a person's gender identity and sex assigned at birth that has persisted for at least six months." Pet. Brf. 3. Thus, the Government defines those with a transgender identity identically to those with a medical diagnosis of gender dysphoria, despite also taking the position that "[t]ransgender people *can* suffer from gender dysphoria," (Pet. Br. 3; emphasis added), meaning apparently that not all persons the Government calls "transgender" have gender dysphoria. Even more to the point, it is not, and cannot be, disputed that *not all persons experiencing gender dysphoria are transgender*. Thus, the Government's own definition of transgender status is plainly incoherent and unworkable to define a quasi-suspect class.

Furthermore, the Government acknowledges that transgender status can be transient. To be sure, it seeks to limit its confession of desistance to those experiencing gender dysphoria before puberty, *see* Pet. Brf. 41, but the inability to cite any evidence to counter Tennessee's contention that desistance also occurs after puberty and even after cross-sex hormones and surgery appears telling. For this reason as well, its quasi-suspect class description is unworkable.

All told, the Government does not rely upon biology or any metric other than self-reporting to define transgender status and has not even advanced a definition of transgender status distinct from a gender dysphoria, which cannot serve as an accurate surrogate for transgender status because not all persons with gender dysphoria self-report that they are "tranagender." Thus, the Government asks the

Court to declare transgender individuals a quasi-suspect class even though the Government cannot precisely and objectively identify the members of that class. This is an additional example of what the Respondent's brief calls "anti-science mendacity." Resp. Brf. 31. But there is more.

II. Sex is a Biological Fact and Athletic Performance is Tied Directly to Sex

Constitutionalizing the *Bostock* analysis and applying it to the Equal Protection Clause will prevent women from relying upon Equal Protection and Title IX to protect their safe spaces (such as locker rooms and showers) and opportunities for fair and safe competition in sport. This is so, because (1) the Government's approach requires that every time "sex" is used in a rule or statute the rule must be subjected to heightened scrutiny, and (2) because it will ultimately lead to the determination that biological males who identify as "women" are entitled to be treated as natal women under the law. Through this approach the Government seeks to untether Equal Protection law (and in other cases Title IX analysis) from biological facts, an approach, which if approved by this Court, is destined to cause misery for generations of women. Because biological sex is integral to fair competition in sport and to safety in contact sports and because equal opportunity and privacy concerns require separate locker rooms and showers for women such a development in the law will sound the death knell of women's sport and Title IX.

A. Biological Sex is the Dominant Factor Influencing Sport Performance

A recent peer reviewed study reports that post puberty “the performance gap between males and females . . . often amounts to 10–50% depending on sport.”⁴ “Sex is a major factor influencing best performances and world records”⁵ in Olympic sport. In a study of performance by some of the most highly trained athletes in the world, researchers evaluated 82 quantifiable events since the beginning of the Olympic era (*i.e.*, from 1896 to 2007). They found men outperformed women in all sports with a mean difference of $10.0\% \pm 2.94\%$ between them depending upon event.⁶

⁴ Hilton, E.N., Lundberg, T.R., “Transgender Women in the Female Category of Sport: Perspectives on Testosterone Suppression and Performance Advantage,” *Sports Medicine* (2021) 51:199-214, p. 199 (hereafter “Hilton & Lundberg, Female Category of Sport”).

⁵ Thibault, V., Guillaume, M., Berthelot, G., El Helou, N., Schaal, K., Quinquis, L., Nassif, H., Tafflet, M., Escolano, S., Herine, O., Toussaint, J.F., “Women and men in sport performance: The gender gap has not evolved since 1983,” *Journal of Sports Science and Medicine* (2010) 9, 214-223, p. 214, available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3761733/>

⁶ *Id.* They also observed many of these timed performances for women “coincided with later-

“There is a clear sex difference in both muscle mass and strength even adjusting for sex differences in height and weight. On average women have 50% to 60% of men’s upper arm muscle cross-sectional area and 65% to 75% of men’s thigh muscle cross-sectional area, and women have 50% to 60% of men’s upper limb strength and 60% to 80% of men’s leg strength. Young men have on average a skeletal muscle mass of >12 kg greater than age-matched women at any given body weight.”⁷ The impact is “an obvious performance enhancing effect[.]”⁸

“[O]n average men are 7% to 8% taller with longer, denser, and stronger bones, whereas women have shorter humerus and femur cross-sectional areas being 65% to 75% and 85%, respectively, those of men.”⁹ The athletic advantages conferred by men’s larger and stronger bones includes, “greater leverage for muscular limb power exerted in jumping, throwing, or other explosive power activities” and greater male protection from stress fractures.¹⁰

published evidence of state-institutionalized or individual doping,” suggesting the gender gap is actually even larger than the reported statistical differences. *Id.*

⁷ Handelsman, D.J., Hirschberg, A.L., Bermon, S., “Circulating Testosterone as the Hormonal Basis of Sex Differences in Athletic Performance,” *Endocr. Rev.* 2018 Oct; 39(5): 803-829 (hereafter, “Handelsman, et al., Sex Differences in Athletic Performance”).

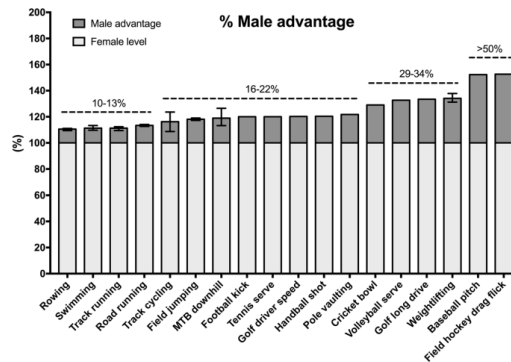
⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

The sex-based performance gap is not limited to certain sports but applies generally to most skills necessary for success in sport. The following chart illustrates male advantage across a wide group of discrete sport skills.

Fig. 1 The male performance advantage over females across various selected sporting disciplines. The female level is set to 100%. In sport events with multiple disciplines, the male value has been averaged across disciplines, and the error bars represent the range of the advantage. The metrics were compiled from publicly available sports federation databases and/or tournament/competition records. *MTB* mountain bike



Reproduced from: Hilton & Lundberg, *Female Category of Sport* p. 202, Fig. 1.

B. Male Sport Performance Advantage is Clearly Apparent at Every Age, Even Pre-Puberty

As the foregoing makes clear, the sex-based sport performance gap is not just real, it is massive. Furthermore, male-female performance differences exist from the earliest stages, including in youth sports. Study after peer-reviewed study has shown clear performance advantages for males in sport *pre-*

puberty.¹¹

For instance, a comprehensive review of fitness data from over 85,000 Australian children aged 9-17 years showed that compared to 9-year-old females, 9-year-old males were faster at short sprints (9.8%) and one mile (16.6%), could jump 9.5% further from a standing position (a test of explosive strength), could complete 33% more push-ups in 30 seconds and had a 13.8% stronger grip.¹² A similarly large advantage for males was found in a study of Greek children, in which 6-year-old males, compared to 6-year-old females, completed 16.6% more shuttle runs in a given time and could jump 9.7% further from a standing position. In terms of aerobic endurance capacity, 6–7-year-old males were shown to have higher absolute and relative (to body mass) maximum oxygen uptake than 6–7-year-old females.¹³ Numerous similar peer reviewed

¹¹ See, e.g., age group standards in USA swimming reflective of male advantage at every age, distance and stroke, available at: <https://www.usaswimming.org/docs/default-source/timesdocuments/time-standards/2024/2021-2024-national-age-group-motivational-times.pdf>.

¹² Catley MJ, Tomkinson GR. Normative health-related fitness values for children: analysis of 85347 test results on 9-17-year-old Australians since 1985. *Br J Sports Med*. 2013 Jan;47(2):98-108.

¹³ Tambalis KD, Panagiotakos DB, Psarra G, Daskalakis S, Kavouras SA, Geladas N, Tokmakidis S, Sidossis LS. Physical fitness normative values for 6-18-year-old Greek boys and girls, using the empirical

studies were cited in expert reports of Dr. Tommy Lundberg of the Karolinska Institute in Stockholm and of Dr. Emma Hilton of the University of Manchester, UK, at the injunction phase in the *A.M.* case.¹⁴

1. Higher Androgen Levels in Male Infants

The Plaintiffs in the *B.P.J.* case pending before this Court on a petition for certiorari contended that due to recent hormone suppression B.P.J. “will develop the same changes to bone size, skeletal structure, [and] pelvis shape . . . [among other characteristics] that are typically experienced by . . . girls who go through a typically female puberty.” Fourth Circuit Appellants’ Brief at 51 of 72. This is wrong as the studies cited below make clear. In fact, to fully mitigate the performance enhancing effects of testosterone on B.P.J. hormone intervention would had to have commenced at birth if not in the womb.

Differences in average body length (measured as head-bottom length) can be detected by ultrasound from the first trimester of pregnancy, with males

distribution and the lambda, mu, and sigma statistical method. *Eur J Sport Sci.* 2016 Sep;16(6):736-46.

¹⁴ *A.M. by E.M. v. Indianapolis Pub. Sch.*, Case No. 1:22-cv-01075-JMS-DLP (S.D. Ind. 2022) (“*A.M.* case”), Dkt. Nos. 36-6, 36-7, 57-1, 57-2.

already longer than females.¹⁵ Larger average skull diameter in male fetuses at twenty weeks has been reported.¹⁶ Gestational growth charts track not just higher male values for skull diameter but also abdominal circumference and estimated fetal weight.¹⁷ The expert reports of Drs. Lundberg and Hilton in the *A.M.* case detail these and other significant differences in biological development between males and females.

Research has established the existence of higher levels of androgens in infant boys during the first six months of their development.¹⁸ For instance, “[t]esticular testosterone concentrations were [found to be] maximal in boys 1-3 months of age, with peak

¹⁵ Pedersen, 1980. Ultrasound evidence of sexual difference in fetal size in first trimester. *British Medical Journal* 281(6250): 1253.

¹⁶ Persson et al., 1978. Impact of fetal and maternal factors on the normal growth of the biparietal diameter. *Scandinavian Association of Obstetricians and Gynaecologists* 78: 21-27.

¹⁷ Schwartzler et al., 2004. Sex-specific antenatal reference growth charts for uncomplicated singleton pregnancies at 15–40 weeks of gestation. *Ultrasound in Obstetrics and Gynaecology* 23(1): 23-29.

¹⁸ Bidlingmaier, F., Dorr, H.G., Eisenmenger, W., Kuhnle, U., Knorr, D., “Contribution of the adrenal gland to the production of androstenedione and testosterone during the first two years of life,” *J Clin Endocrinol Metab.* 1986 62:331–335, available at: https://core.ac.uk/reader/12168690?utm_source=linkout

values similar to those in pubertal or even adult testes.”¹⁹ At the same time, it was found that the adrenal glands were important “as a source of androstene-dione [another anabolic agent similar to testosterone] in male infancy.”²⁰ “Testosterone and dihydrotestosterone [another steroid] levels in [umbilical] cord blood are higher in males than in females. The presence of dihydrotestosterone suggests that there is active fetal peripheral metabolism of testosterone to dihydrotestosterone [during fetal development].”²¹

Increased testosterone levels during this “mini-puberty” phase in males aged 1-6 months may be correlated with a faster growth rate and an “imprinting effect” on body mass index and body weight.²² This burst of testosterone is associated with higher growth velocity for males in the first six months

¹⁹ *Id.* at 331.

²⁰ *Id.* at 334.

²¹ Pang, S., Levine, L.S., Chow, D., Sagiani, F., Saenger, P., New, M.I., “Dihydrotestosterone and its relationship to testosterone in infancy and childhood,” *J Clin Endocrinol Metab.* 1979 48:821–826, available at: <https://academic.oup.com/jcem/article-abstract/48/5/821/2679038?redirectedFrom=fulltext&login=false>

²² Lanciotti L, Cofini M, Leonardi A, Penta L, Esposito S. Up-To-Date Review About Minipuberty and Overview on Hypothalamic-Pituitary-Gonadal Axis Activation in Fetal and Neonatal Life. *Front Endocrinol* (Lausanne). 2018 Jul 23;9:410.

of life,²³ higher weight gain, lower acquisition of body fat and lower body mass index.²⁴ Such data led Dr. Hilton to opine in the *A.M.* case that “transient exposure to testosterone in mini-puberty thus seems to underpin the well-established structural differences between males and females in childhood.”²⁵

2. Differences in Pre-Pubertal Skeletal Size and Strength

As noted above, there are differences in male skeletal structure compared to females. In one study of pre-pubertal subjects, the “cross-sectional areas of [the lumbar spine] were significantly smaller in girls than in boys.”²⁶ The difference between the prepubertal boys and girls spine width was found to be

²³ Kiviranta et al., 2016. Transient Postnatal Gonadal Activation and Growth Velocity in Infancy. *Pediatrics* 138(1): e20153561.

²⁴ Becker et al., 2015. Hormonal ‘minipuberty’ influences the somatic development of boys but not of girls up to the age of 6 years. *Clinical Endocrinology* 83: 694-701.

²⁵ *A.M.* case, Dkt. No. 36-6, ¶ 3.5.

²⁶ Gilsanz, V., Kovanlikaya, A., Costin, G., Roe, T.F., Sayre, J., Kaufman F., “Differential Effect of Gender on the Sizes of the Bones in the Axial and Appendicular Skeletons,” *Journ. of Clinical Endocrin. & Metabolism*, Volume 82, Issue 5, 1 May 1997, Pages 1603–1607 available at: <https://academic.oup.com/jcem/article/82/5/1603/2823501?login=false>

11%.²⁷ These researchers observed that because “only prepubertal children were studied, . . . our results cannot be attributed to gender differences in the heights of upper skeletal segments, as sitting heights and the heights of the lumbar vertebrae were similar in boys and girls.”²⁸

3. Male-Female Differences Elude Complete Description in any Space Limited Survey

Dr. Hilton reports “analysis of sex-specific genetic architecture in adults reveals some 6500 differences in gene expression, likely to influence development and function outside of hormone effects.”²⁹ She also observed that, “male advantage over females is not limited to those physical and functional differences conferred by male morphology, shape and size. Most obviously, female athletes must typically deal with the effects of the menstrual cycle and the cyclical effects of hormones on training capacity and performance. The menstrual cycle is known to affect cardiovascular, respiratory, brain function, response to ergogenic aids, orthopedics, and metabolic parameters, and represents a barrier to athletic capacity not experienced by males.”³⁰ In short,

²⁷ *Id.*

²⁸ *Id.*

²⁹ *A.M.* case, Dkt. No. 36-6, ¶ 3.2, citing Gershoni and Petrokovski, 2017. The landscape of sex-differential transcriptome and its consequent selection in human adults. *BMC Biology* 15(1): 7.

³⁰ *A.M.* case, Dkt. No. 36-6, ¶ 4.5.

male-female differences impacting sport performance are so extensive they cannot be fully described in a brief.

C. Male Advantage Exists Even After Attempts to Suppress Testosterone Levels

To test the idea that testosterone suppression and feminizing hormones would eliminate male advantages in sport Drs. Hilton and Lundberg reviewed *eleven published, peer-reviewed original studies* in male individuals identifying as transgender who had undergone at least 12 months of testosterone suppression. They found a unified consensus that muscle mass and strength measurements remained far higher than in female reference subjects. Hilton & Lundberg, *Female Category of Sport*. Their conclusions were supported by transgender runner and scientist Joanna Harper in a second review of the same dataset who concluded while “hormone therapy decreases strength, LBM and muscle area, yet values remain above that observed in cisgender women, even after 36 months.”³¹

In another recent study, boys self-identifying as girls who had received puberty blockers from around 13 years of age, then cross-sex hormones at 16 years of

³¹ Harper *et al.*, 2021. How does hormone transition in transgender women change body composition, muscle strength and haemoglobin? Systematic review with a focus on the implications for sport participation. *British Journal of Sports Medicine* 55(15): 865-872.

age grew to an average adult height (180.4cm) far larger than the population female average (170.7cm) and closer to the population male average (183.8cm).³²

III. Sex Separation is Essential to Preserving Women’s Opportunities in Sport

A. A Category for Female Athletes Based on Sex is How Women Participate in Sport Equally to Men

The only way sport can be fair and equal for women is with a protected women’s category that excludes competitors with male biological advantages. Title IX was enacted in part to promote just such sex separation in sport that advances women.

The crowning achievement of Title IX has been its capacity to propel women to success in male dominated businesses.³³ The reason for this, of course,

³² Boogers *et al.*, 2022. Trans girls grow tall: adult height is unaffected by GnRH analogue and estradiol treatment. *Journal of Clinical Endocrinology and Metabolism*.

³³ See “Ernst & Young Studies The Connection Between Female Executives And Sports,” (“90% of the women surveyed had played sports . . . with this proportion rising to 96% among C-suite women”), available *at*: <https://www.forbes.com/sites/alanaglass/2013/06/24/ernst-young-studies-the-connection-between-female-executives-and-sports/?sh=7338319633a2>; Stevenson, B., “Beyond the Classroom: Using Title IX to Measure

is because Title IX's *raison d'être* has always been to fight discrimination *against* women. This rationale is turned on its head, however, by efforts to convert the statute into means by which girls are required to face boys in competition to remedy boys who identify as transgender allegedly having been discriminated against.

Title IX cannot simultaneously do two things at once. It cannot both provide opportunities to girls in sport at the same time it schizophrenically enables boys to compete against and displace girls, particularly when the very biological factors which justified Title IX's embrace of sex-separation in sport persist.

B. The Constitutionalizing of *Bostock* is already leading to harm to women in sports

Over the last four years the same arguments being made by the Government in this case have been adopted by numerous district courts and two Circuit

the Return to High School Sports,” National Bureau Of Economic Research (“a 10-percentage point rise in state-level female sports participation generates a 1 percentage point increase in female college attendance and a 1 to 2 percentage point rise in female labor force participation . . . greater opportunities to play sports leads to greater female participation in previously male-dominated occupations”), *available at*: https://www.nber.org/system/files/working_papers/w15728/w15728.pdf.

Courts of Appeal in *Hecox* and *B.P.J.* which all found no likelihood that girls' opportunities in sports can be protected by either Title IX or state laws against trans-identifying boys who seek to compete in women's sports.

As explained above, there is well documented scientific evidence that due to biological advantage boys outperform girls in most sports even *before puberty*. Yet, since *Bostock* courts around the country have misapplied the science and found that male performance advantages in sport which arise before puberty are insufficient to uphold sex-based sport eligibility standards. See, e.g., *Tirrell*, 2024 WL 3898544, at *2 (“Before puberty, there are no significant differences in athletic performance between boys and girls. . . . *A transgender girl who does not experience male puberty and who receives hormone therapy to induce female puberty will not have an athletic advantage over other girls as a result of being born with a male anatomy.*”); *Doe v. Horne*, 683 F. Supp. 3d at 964 (“Transgender girls who have not undergone male puberty do not have an athletic advantage over other girls.”); *B. P. J.*, 550 F. Supp. 3d at 355 (same).

C. Without Protection of the Girl's Category Girls Will Drop Out of Competitive Sport

Amici Janel Jorgensen McArdle, an Olympic swimmer who competed against doped East German swimmers, explains that had she been confronted with doping in her sport before she reached the Olympics

she likely would have dropped out. She expects this may happen to girls forced to compete against boys. Her concerns are substantiated by recent reports of women who have chosen not to compete against males because they understand they “have zero chance, so what is the point of wasting our money on registration fees?”³⁴

D. Requiring Sport to Accept Eligibility Rules Not Based on Objective Criteria Harms Women and Sport

Fixed rules are “fundamental in representing the boundaries of fair sporting competition.”³⁵ To facilitate competitive fairness, increase sport opportunities and protect the safety of athletes, objective sport eligibility rules such as age limits, amateurism rules, anti-doping rules, paralympic disability classifications, skill or time qualifying standards, senior classifications, weight categories and sex-based categories are essential.

Until recently objective rules have not been considered subject to an athlete’s decision to opt out of compliance. Wrestlers and boxers for instance are still not able to self-declare their preferred weight class. Adults may not compete in junior categories no matter how unskilled the adult or how much better it might make them feel to compete with the children they may

³⁴ See, e.g., <https://quillette.com/2022/09/28/is-this-the-lia-thomas-of-disc-golf/>.

³⁵ Handelsman, *et al.*, Sex Differences in Athletic Performance, p. 806.

wish they were. Yet, whenever objective criteria are abandoned in favor of self-defined entry criteria the results tend to be unfair, administratively unworkable, and destructive to sport.³⁶ The same is true for allowing males to self-designate into the female category.

E. Georgia Senate Hearings on 2022 NCAA Division I Women's Swimming and Diving Championships

A special committee of the Georgia Senate is currently conducting hearings regarding the 2022 NCAA Division I Women's Swimming and Diving Championships at which trans-identifying male Lia Thomas (formerly Will Thomas) a previous member of the University of Pennsylvania (UPenn) Men's Swimming Team was permitted by the NCAA and Georgia Tech University to compete in the women's National Championships and share a locker room with some 300 women swimmers and divers without the NCAA or Georgia Tech University informing the women in advance that a 6 foot four inch male with fully intact male genitalia would be using the women's locker room during the Championships.

³⁶ For instance, the former head of the International Paralympic Committee (IPC) recently called for reform to save the integrity of the Games due to Paralympians self-declaring disability. See <https://www.abc.net.au/news/2023-04-03/paralympic-games-classification-system-exploited-australian/102165924>.

On August 27, 2024, five courageous women and *amici* here, Kylee Alons (North Carolina State University), Grace Countie (University of North Carolina), Riley Gaines (University of Kentucky), Reka Gyorgy (Virginia Tech University) and Kaitlynn Wheeler (University of Kentucky), who among them have won more 65 NCAA All-American honors, testified before the special Georgia Senate Committee regarding the unfairness and emotional toll resulting from a single male swimmer competing in the 2022 NCAA women’s championships.³⁷

In 2022 Thomas won an NCAA women’s championship in the 500-yard freestyle event in which he had been only the 65th ranked male in the country when on the UPenn men’s team. At the 2022 NCAA Women’s National Championships Thomas achieved first team All-American honors (*i.e.*, a top eight finish) in all three events he entered, displacing women in each event. Even worse for some was that the first time many of the women competitors learned that Thomas would be using the women’s locker room was when he entered the locker room and began undressing in front of them while many of the women were in various stages of undress, including some who

³⁷ The videotaped testimony of these women can be viewed at:
<https://www.legis.ga.gov/schedule/senate/AQIARgAA AxpEc5CqZhHNm8gAqgAvxFoJAGeQLC1kSDdIixjC7EHFmflAAAJaYgAAANZQGGGA2fqFiaHBHrewZqJ2eET4ABFxyqioAAAAuAAADGkRzkKpmEc2byACqACGGA2fEWgMAZ5AsLWRIN0iLGMLsQcWZ8gAAAlpiAAAA>

were fully nude, without their consent or opportunity to protect themselves, trammeling their right to a safe space in which to undress and depriving them of bodily privacy.

For some of the country's top collegiate swimmers the experience of competing against a man in a women's championship was deeply disorienting and emotionally painful. Thirty-one-time All-American Kylee Alons testified that she was "still grieving it" more than two years later.

Twenty-two-time All-American Grace Countie recalled that the pressure of competing in the national championship against a male with enormous physical advantages caused her to start "shaking" and to become "so nauseous I thought I was going to throw up." It "was the only time in [her] swimming career that [she] had ever cried before a race." She spent her time pre-race "sitting in the ready room trying to convince myself that what I was going to experience was normal." When she dove into the pool she "black[ed] out" and could not execute her race plan, merely going through the motions.

Another aspect of the trauma was that the NCAA decision to authorize a male to compete against these women communicated powerfully that they lacked worth as women. They were shocked to experience being stripped of their right to compete solely against other women and told they had to compete against a physically stronger man and submit to him depriving them of opportunities for which they

had worked their entire lives, that they understood to be reserved for women.

Riley Gaines described it, “a cruel, traumatizing, psychological experiment that pretends that it’s fair and just and compassionate for a man to take from women, that pretends it is normal for a man to be given access to a woman’s safe spaces, and that requires women to accept it all without saying anything lest they hurt the feelings of the man.” She said it was as if the collegiate women were being told, “[i]gnore the threat of men, ladies. Don’t worry if a guy follows you into the bathroom. Abandon your instincts that something is off. Loosen your boundaries, stay quiet and take your pants off anyways, get undressed, and stay quiet. That’s the message that we received.”

F. Enormous performance advantage enjoyed by a mediocre male when competing against elite female athletes

In the 500-yard freestyle final Thomas beat University of Virginia swimmer Emma Weyant by more than a body length. Weyant is one of the best and most technically proficient female swimmers in the world, a two-time Olympic silver medalist in the 2021 (Tokyo) and 2024 (Paris) Olympic Games. Alons testified that, “Thomas was not a technically proficient swimmer and had only qualified for the NCAA Championships because of the physical advantages he possessed as a man.” Nevertheless, because Thomas was allowed to compete against Weyant, Thomas “stole the championship celebration from her, a moment for which Emma had worked her whole life.”

While competing as a male Thomas was unable to qualify for the NCAA Championships. However, competing against women he won All-American honors in all three events, including in the 200-yard freestyle, an event in which he had not even been ranked among the top 550 male NCAA swimmers.

Thomas prevented multiple women from receiving All-American honors. One was Reka Gyorgy, a Virginia Tech University swimmer and Olympian from Hungary who had also represented her country in multiple European Championships. Thomas displaced Reka from an All-American honor in the 500-yard freestyle event at Reka's last collegiate meet. Reka explained, "[b]efore 2022 I never had to prepare myself mentally to swim in competition against a man who is physically bigger and much stronger than I am. This isn't something you can realistically prepare for or compete with because it simply is not a fair match."

Reka wrote a letter to the NCAA to explain how unfair allowing men to compete against women is. Yet, she never received a response back. Reka testified, "I know many who competed against Thomas are still afraid to speak up. Unfortunately, women are bullied and harassed if they speak up to defend women's spaces from male intrusion. The bullying can be especially bad on college campuses. But even though a man beat me in the pool and even though I know some will criticize me and try to suppress my voice, I have decided I am going to fight this new and dangerous philosophy of stealing women's opportunities to give them to men." Alons said, "[l]ooking back, I can see even more clearly the injustice of hundreds of women

being required to suppress our feelings to validate the feelings of one man.”



Photo 1: The podium at the 2022 NCAA Women's Swimming and Diving Championships where a male won and took the place of Reka Gyorgy.

G. Women's rights to sex separated spaces and bodily privacy are violated by rules permitting men to use women's locker rooms and showers

Women swimmers at the 2022 NCAA National Championships testified to being traumatized by the presence of a 6-foot four-inch male with fully intact male genitalia in their locker room. Kaitlynn Wheeler recalled the first time she learned a man had been given access to the women's locker room:

Suddenly, the usual buzz of conversation in the locker room noticeably shifted to one of discomfort, awkwardness, and

fear. I turned around, exposed and bare, while still inching up my racing suit, only to see a very large 6'4" man just 10 feet from me. I realized it was Lia Thomas. I was completely shocked and caught off guard. I immediately reached for my towel. He put his belongings down near me and proceeded to pull down his pants and begin changing in front of me.

I was stuck in the most uncomfortable position of my life, with only half of my racing suit pulled up in the presence of a naked man. This felt far from a normal experience – it felt extremely wrong. I glanced around at the other girls and saw that they too were covering themselves, trying to huddle on the opposite side of the locker room as far away from Thomas as they could get in that small space. I returned to inching my racing suit up my torso as quickly as I could manage. As soon as I could, I left the locker room, still in shock at what I had just witnessed, with every fiber of my being crying out in mental torment and humiliation. I have never felt more violated and betrayed than I did at that moment.

Riley Gaines wrote a letter to Georgia Tech University President Angel Cabrera explaining the continuing trauma being experienced by women whose privacy was not protected in the locker rooms at the Aquatics Center on the campus of Georgia Tech University:

There is one question that has come back to me over and over again over the last two years since I visited your campus as a 21-year old college student in 2022: “Why didn’t you protect me?”

There are images in my mind that I cannot erase. I wish that I could erase these images, that day after day make me feel less safe as a woman. They repeat in my mind late at night when I’m alone, when I’m walking a City street by myself at night, whenever I feel vulnerable, those images come back and the same question comes to my mind, “Why didn’t you protect me?” . . .

Your Georgia Tech University officials knew a naked adult man with full male genitalia was being authorized by Georgia Tech to share a locker room with hundreds of college-age women who would themselves be naked, unable to hide, unable to protect our privacy. This was intentional. This was premeditated. It was sexual harassment, and it happened right here, in the capitol city of the State of Georgia. . . Let me be clear. I label this as sexual harassment because me and the . . . hundreds of other 18–22-year-old college girls were not asked for our consent and we did not give our consent to being exploited and exposed to a 6’4” fully naked man. Because you did nothing, that man walked into our

women's locker room at your university and saw me undressed down to full nudity. . .

The experiences of women competing at the 2022 NCAA Division I Swimming and Diving Championships vividly demonstrates the gross unfairness and denial of equal opportunities arising from men competing on women's sports teams.

H. Brooke Slusser, Current NCAA Volleyball Player

Brooke Slusser is the senior co-captain of the NCAA Division I women's volleyball team at San Jose State University (SJSU). When transferring to SJSU for her junior season Brooke was not told a teammate was a trans-identifying male. Nor was Brooke told this new teammate's natal sex when she was encouraged by the coaching staff to live in an apartment with the male and two girls, or when Brooke was assigned to room with the male on road trips.

Months later it became public that the teammate was male. Brooke has witnessed multiple girls in practice and on opposing teams hit in the head because they were unable to react to the speed of the male's spikes, videos of which have gone viral on X due to the ferocity of the hits. Already this year, three teams in the Mountain West Conference have forfeited games to SJSU, receiving losses on their conference records to protect their women from injury. A single male player is disrupting the fairness and safety of competition throughout an entire NCAA conference.

I. Lauren Miller, Professional Women's Golfer

Ever since a golf club was placed in Lauren Miller's hands at six years-old, she dreamed of playing on the Ladies Professional Golf Association (LPGA) Tour and winning titles. Her aspirations led her to earn an athletic golf scholarship to Mississippi State University and later to Southern Methodist University. In September of 2023, she began her professional golf career.

Her first attempt to qualify for the LPGA Tour fell short, and in January of 2024, she was playing on a mini professional tour in Florida trying to claw her way up the ranks.

Lauren was on the cusp of her first win as a professional when she found herself in a sudden-death playoff against a trans-identifying male player, Hailey Davidson. Over the course of the tournament, Lauren witnessed the natural advantages Davidson was able to utilize (e.g. club-head speed, distance, grip/forearm strength).

After tying the first playoff hole, Davidson beat Lauren on the second hole, claiming the title. The difference between winning and losing is typically more than just a trophy. Lauren lost out on money and points that could have helped her earn starts on a bigger professional golf tour. Lauren is another victim of the anti-science approach that claims women athletes are simply a lower testosterone level.



Photo 3: A male, Hailey Davidson, takes women's title at NXXT Golf Tournament.

J. Hannah Arensman, Professional Women's Cycling, Cyclocross National Champion

Hannah Arensman was born into a family of athletes. Encouraged by her parents and siblings, she competed in sports from a young age, and followed in her sister's footsteps, climbing the ranks to become an elite cyclocross racer. Over the past few years, she began having to race directly with male cyclists in women's events. It has become increasingly discouraging to her to train as hard as she could only to lose to a man with the unfair advantage of an androgenized body that intrinsically gives him an obvious advantage, no matter how hard she trains.

Hannah therefore decided to end her cycling career. At her last race at the UCI Cyclocross National Championships in the elite women's category in

December 2022, she came in 4th place, flanked on either side by male riders awarded 3rd and 5th places. Her sister and family sobbed as they watched a man finish in front of Hannah.

Only space limits prevent many more such stories from being told.

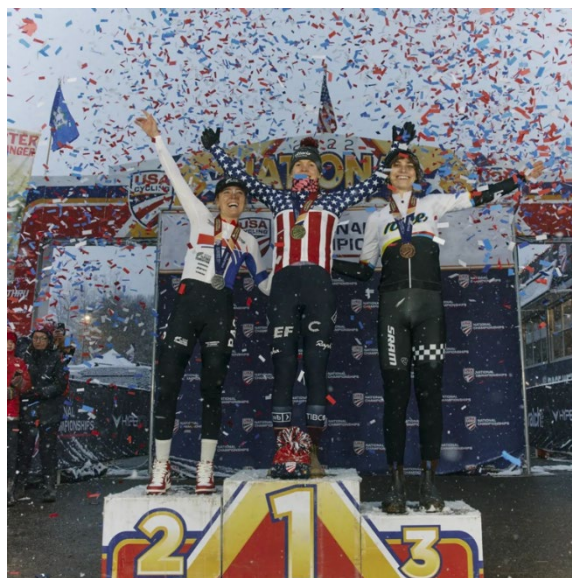


Photo 4: Hannah Arensmen misses the podium while a male takes her place.

CONCLUSION

This Court should affirm the Court of Appeals and hold that it does not constitute sex discrimination to merely consider biological sex and inherent physical differences between men and women when consideration of such differences is relevant.

Respectfully submitted,

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Counsel for *Amicus Curiae*

October 15, 2024

APPENDIX

APPENDIX TABLE OF CONTENTS

List of *Amici Curiae*A-1

Brianna Alexander*³⁸

Cyclist

Catrina Allen*

World Champion –Professional Disc Golf

Taylor Allen

West Virginia High School Athlete – Basketball and Track

Kylee Alons*

31-time All-American, 5-time ACC Champion, Olympic Trials Semi-Finalist, and 2-time NCAA Champion – North Carolina State University

Diana Anglin-Miller

NCAA Champion and Cheerleading Gym Owner, Coach, and Judge

Hannah Arensman*

Professional Cyclist

Allison Arensman*

Professional Cyclist

Sarah Powers Barnhard

Professional Volleyball Player, Current Coach

Cindy Bater

³⁸ * An asterisk by a name indicates that the athlete has personally faced a male in sports competition, played on the same team as a male, or is closely related to a woman who has personally faced this.

Rowing National Team Athlete, Coach, and Educator

Lauren Belden*

High School Cross-Country and Track Athlete

Russell Belden*

Father of a High School Cross-Country and Track Athlete

Katie Blankinship*

NCAA Swimming Athlete – Roanoke College

Marianne Bosco*

Fencing Athlete

Bonnie Brandon

6x All-American Swimmer, University of Arizona

Carol Brown

U.S. Women's Olympic Rowing Team 1976, 1980, 1984

Mariah Burton Nelson

Former Professional Women's Basketball Player

Monika Burzynska*

NCAA Swimmer, Penn Athlete

Frank Busch

Former National Team Director of USA Swimming (5-time Olympic Coach)

Paula A. Cabot

Former Director of Education & Research, Women's Sports Foundation; Rugby Player

Tom Coffey

*Former AAU Women and Girls Track Coach and
California Interscholastic Track Coach*

Kathy Smith Connor*

*U.S. National Team Member and Mother of Daughter
who Competed in the 2022 NCAA Swim
Championships*

Grace Countie*

*22 time All-American, 12x first-team All-American, 6-
time UNC School Record Holder, Olympic Trial
Semifinalist – University of North Carolina*

Catherine Curtis

Archery Coach

Madisan Debos*

NCAA Track Athlete

Courtney DeSoto*

Mother of a Female High School Track Athlete

Donna de Varona

Olympic Gold Medalist, World Record Holder

Jade Dickens

USA Powerlifting Athlete

Sonni Dyer

*Division I Collegiate Head Coach & Director of
Triathlon, Queens University*

6x Women's D2 Triathlon National Champs, 2x Women's D1 Triathlon Runner-Up, 3x Olympic Alumni

Ellie Eades

NCAA Tennis Athlete – University of Kentucky

Evie Edwards*

Cyclist, Mother of Elementary Age Female Cyclist

Stephanie Elkins

Olympian – Swimming

Ainsley Erzen

NCAA Soccer and Track & Field Athlete, Member 2024 NCAA Division I Indoor Track and Field Championship Winning Team – University of Arkansas

Patricia Spratlen Etem

U.S. Women's Olympic Rowing Team 1980, 1984

Ellis Fox

NCAA Swimming and Diving Athlete – Texas A&M University

Kelly Funderburk

Olympian – Artistic Gymnastics

Tom Funderburk

NCAA Champion – Men's Golf, Husband of Female Olympian

Dianna (DeeDee) Fussner*

Pro Masters Disc Golf

Riley Gaines*

12-time All-American Swimming, tied Lia Thomas in the 200 free at the 2022 NCAA Swimming & Diving Championships

Lori Garrison

NCAA athlete – Softball

Shawna Glazier*

Cyclist, Triathlete

Pamela Behrens Golding

Olympian

Annie Grevers

U.S. National Team – Swimming

Bruce M. Guthrie

US Speedskating Level 2 Coach, Co-Founder, Coach, The Whatcom Speed Skating Club, 2024 Long Track Ice Speed Skating National Champion, Men's 60-64 Age Category

Reka Gyorgy*

Olympian – Swimming, missed finals by one placement at NCAA Swim Championships in the 500 free where Lia Thomas won first place

Jan Harville

*Olympian, Olympic Coach, Former NCAA Head Coach
– Rowing*

Rena Hedeman*

Mother of Female Rowing Athlete

Destani Hobbs

*Former USA Weightlifting Level 1 Coach and USA
Weightlifting Affiliated Member/Athlete*

Nancy Hogshead

Olympic Gold Medalist

Sarah Hokom*

World Champion – Professional Disc Golf

Ceci Hopp St. Geme

National Team – Track; NCAA Champion 3000m

Vicki Huber-Rudawsky

*2x Olympian, 8x NCAA Champion, Track and Cross-
Country*

Jen Hucke

2x NCAA Champion in Volleyball, Stanford

Patti Hupp

*USATF Level 2 Certified Track and Field Coach,
USTFCCA Technical Certified Coach, ALTIS Certified
Coach*

Jarrod Jacobi*

Father of a Current High School Female Ski Athlete

Rhi Jeffrey

Olympic Gold Medalist – Swimming

Lacey John

Olympic Silver Medalist, NCAA Woman of the Year

Raime Jones*

NCAA athlete – Swimming, lost a finals spot in Ivy League Championships to Lia Thomas

Scott Jones*

Father of Female NCAA Athlete

Margot Kackzorowski*

Current NCAA Swimmer, University of Pennsylvania Athlete

Samantha Keddington*

Former Professional Disc Golf Athlete, missed payout qualification by one placement won by a male, Current Coach

Danielle Keen*

Professional Disc Golf

Ronda Key*

Disc Golf Athlete

Alexandra Kleinfehn

USA Powerlifting Athlete

Holly Kruchoski*

Cyclist

Jess Kruchoski*

Husband of Female Athlete who competed against a male

Jocelyne Lamoureux-Davidson

Olympic Gold Medalist – Hockey

Monique Lamoureux-Morando

Olympic Gold Medalist – Hockey

Lisa Larsen-Rainsberger

1985 Boston Marathon Champion, Former 5 Mile, 15k, 10 Mile, 30k American Record Holder

Donna Lopiano

6x National Champion, Former AD University of Texas

Valerie McClain

U.S. Women's Olympic Rowing Team 1980, 1984

Riona C. McCormick

Current Rowing Athlete

Nanea Merryman*

NCAA Volleyball Athlete – Cedarville University

Cynthia Millen

Former NCAA Swim Official, Former USA Swimming National Official, Former International Paralympic Swim Official

Lauren Miller*

Current Professional Women's Golfer, Former Collegiate Golfer

Cynthia Monteleone*

Masters Track Athlete, Mother of Female Track Athlete, both of whom competed against male athletes

Julianna Morrow*

NCAA Swimming Athlete – Roanoke College

Lily Mullens*

NCAA Swimming Athlete – Roanoke College

Linda Muri

Rowing, 3x World Champion, 17x National Champion, Holder World Best Time, Collegiate National Champion and World Champion Coach

Martina Navratilova

59x Grand Slam Tennis Champion

Sarita Nori*

Mother of Female Rowing Athlete

Mary I. O'Connor

U.S. Women's Olympic Rowing Team 1980

Keri Phebus Olson

NCAA Champion – Tennis, Mother of Female Athlete

Jan Palchikoff

U.S. Women's Olympic Rowing Team 1976,1980

Connie Paraskevin

USA Olympian – Speed Skating and Track Cycling

Abigail Pearson*

Mother of two Female Athletes who have been forced to compete against males

Kate Pearson*

NCAA Swimming Athlete – Roanoke College

Macy Petty*

NCAA athlete – Volleyball

Mary T. Plant

*Olympic Gold Medalist and World Record Holder
Swimming*

Lori Post*

Mother of NCAA Female Swimmer who competed against Lia Thomas

Susanna Price*

NCAA Swimming Athlete – Roanoke College

Dennis Pursley

*5x Olympic Coach, American Swimming Coaches
Association Hall of Fame*

Joy Rako*

Former NCAA Division III Track and Field Athlete

Lynn Silliman Reed

1976 Olympic Bronze Medalist – Rowing

Kelly Rickon Mitchell

1980 & 1984 Olympic Rowing Athlete

Genoa Rossi

Current NCAA Water Polo Athlete, U.S. Jr. National Team

Kim McGinnis Russell

International Lacrosse Coach, USVI Women's National Team

Linnea Saltz*

NCAA Track and Field Runner, 3x Big Sky Conference Champion

Summer Sanders

Olympic Gold Medalist

Alison Santa Ana

Mother of High School Softball and Cross-Country Athlete

Cris Santa Ana

Father of High School Softball and Cross-Country Athlete

Samantha Santa Ana

High School Softball and Cross-Country Athlete

Carter Satterfield*

NCAA Swimming Athlete – Roanoke College

Halle Schart*

NCAA Swimming Athlete – Roanoke College

Jennifer Sees

NCAA Pole Vaulter, Current High School Track Coach, Mother to a Signed NCAA Soccer Player

Jeri Shanteau

National Champion, U.S. National Team member – Swimming

Sharon Shapiro

NCAA Champion and U.S. National Team – Women’s Artistic Gymnastics

Sandy Shasby*

Family Member of a Female Athlete

DeNee Shepherd*

Professional Disc Golf

Bre Showers

NCAA Champion – Artistic Gymnastics

Anne Simpson

NCAA Rowing Athlete

Bronwyn Sims

Athlete, Girls and Women’s Gymnastics Coach

Brooke Slusser

NCAA Volleyball Player

Lori Stenstrom

National Champion, Former American Record holder, Mother of Female Athletes

Steve Stenstrom

NFL Quarterback, Father of Female Athlete

Jill Sterkel

*Olympian – Swimming, Former University of Texas
Head Swim Coach*

Tracy Sundlan

*5x Olympic Coach, Manager, and Administrator –
Track and Field*

Barry Switzer

*Super Bowl Champion, NFL and NCAA Head Football
Coach*

Becky Switzer

*Olympic and NCAA Coach – Women’s Artistic
Gymnastics*

Maya Tait*

NCAA Rowing Athlete

Inga Thompson

Olympian – Cycling

Alison Townley

*Past Associate Executive Director, Women’s Sports
Foundation*

Hollister (Holly) W. Turner

*Past Associate Executive Director, Women’s Sports
Foundation*

Leanne Venema*

Mother of Female NCAA Swimmer

Eric Venema*

Father of Female NCAA Swimmer

Vincent J. Ventura

Coach 1984 Women's Olympic Single Sculler: Charlotte Geer, Silver Medal, Co-Founder and Head Coach New York Athletic Club Women's Rowing Team 1996-2012, Former Member US Rowing High Performance Committee, US National Team Coach: 1979, 1980, 83,84, 85, 88

Diane Vreugdenhil

Olympian – Rowing

Sue Walsh

Olympian – Swimming, Coach, Sports Official

Claudia Westholder

NCAA Swimmer, Mother of Female Athlete

Max Wettstein

Father of U.S. Olympic Skateboard Team Member

Kaitlynn Wheeler*

All American, NCAA Qualifier and Silver Medalist, SEC Team and Relay Champion

Val Whiting

National Champion, WNBA

Laura Wilkinson

*Olympian and World Champion – Diving, Mother of
Female Athlete*

Sippy Woodhead

Olympian, World Record Holder – Swimming

Sara Younger-Merrill

Masters Athlete, Rowing

Jacqueline Zoch

1976 Olympic Rowing Medalist