

CONCERNED
WOMEN *for* AMERICA
LEGISLATIVE ACTION COMMITTEE

February 23, 2021
Senate Committee on Education
Testimony in Support of SB 208

Chairwoman Bumgardner and Members of the Senate Committee on Education, my name is Barbara Saldivar. I am the State Director of Concerned Women for America (CWA) of Kansas speaking for Concerned Women for America LAC. I am here today on behalf of our Kansas members in support of SB 208.

As the nation's largest public policy women's organization in the nation, CWA of Kansas heartily supports SB 208. Fair competition and equality in women's sports in Kansas are under threat, and this legislation will combat that. As the director of the state's largest public policy woman's organization, my remarks will address this issue's impact on girls' and women's sports.

Female athletics are a pathway to development, opportunity, and success for girls and women in America. So, when male-born athletes are permitted in women's sports as transwomen, female-born athletes will lose hard-fought opportunities, which came about through the feminist movement in the implementation of Title IX.

Allowing individuals who are assigned the opposite sex (male) at birth to participate on an athletic team directly violates Title IX and is discriminatory against girls. Title IX states in part: *"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance ..."*

Nearly 50 years ago, the first female race was held at the Boston Marathon. Women had to fight for their right to compete in contrast with men whose opportunities were much greater in the arena of sports. Leaders in the women's movement saw the need to provide a woman's only race to determine the fastest female marathon runner in Boston that year.

Physiological distinctions between the sexes also matter in protecting equal opportunity and a fair playing field. For example, puberty, testosterone, and innate biological differences give physical advantages to males that cannot be erased. Inherent male and female distinctions range from chromosomal and hormonal differences to physiological differences. Men generally have greater density and strength in bones, tendons, and ligaments, larger hearts, greater lung capacity, and higher red blood cell count.

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.

(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-%2058260a4e77f/downloads/2020.01.07%20G%20Brown%20Report%20Executed.pdf?ver=1580495895886>)

I urge you to support the victories of the women's movement, which opened the doors for women to compete on a level playing field, acknowledge biological science, and preserve women's sports, and vote yes on SB 208.