

From: Rory Bowman
Sent: Fri, 11 Jun 2021 10:11:51 -0700
To: T9PublicHearing
Subject: Title IX Comment as per 20 May 2021 Notice

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Good afternoon!

My name is Rory Bowman and I'm a US citizen, born shortly before Title IX was passed, and writing in response to the notice at <https://www.federalregister.gov/documents/2021/05/20/2021-10629/announcement-of-public-hearing-title-ix-of-the-education-amendments-of-1972> in support of maintaining Title IX female sports programs on the basis of material, physical sex.

I've had female friends who were athletes for all of my life, and have seen how much more difficult it was for them to pursue their sport(s) than it was for me and my male friends. In junior high school I attended both boys' and girls' games, and the girls always had poorer equipment and were often relegated to the older and less well-maintained facilities. As the equipment manager for the girls' basketball team, for example, I noticed that mostly they received third-hand hand-me-downs: The newest balls and similar supplies might be first routed to the boys' team, for example, then the general PE program, and then the girls' team before being discarded for use outdoors or by the special education classes. With Title IX this improved, but there were still disparities.

Later in life, I would be more widely involved in athletics, helping to manage two MMA gyms and becoming a certified USA Boxing coach. There was greater respect for female athletes, but nothing approaching equity, and I can't recall how many professional female sports teams (and even leagues) I have seen come and go. As an inaugural season-ticket holder for the National Women's Soccer League, I am inspired by nine seasons of world-class sport, understanding that this is the fruit of nearly fifty years under Title IX.

As a former athlete and coach for female combat athletes, I appreciate how sex matters for athletic performance as surely as age or body weight, and that the entire history of women's sport has been possible because of segregation. Indeed, I think it could be strongly argued that the entire history of sport has been one of creating rules and meaningful divisions to assure safer and fairer opportunities for all. To allow biological males to take part in Title IX sport under claims about "gender identity" would be a major blow to a tradition which was first made possible over a hundred years ago, beginning with the 1900 Olympics.

Sport is a physical thing, played with bodies and not "identities." Male puberty offers permanent and irreversible advantages such as longer bones, greater muscle mass, larger organs and more. Simple physics, kinesiology and physiology clearly show how that is the case, and the difference between male and female world records has been consistent across every sport over decades. Male bodies have no place in female sport, and single-factor variable such as blood-serum levels of testosterone are poor markers for fairness, as the largest and latest studies about endocrine treatments for male athletes within female sport show. Sports are segregated by physical categories such as age, location, experience level, sex and weight class, not by strong feelings or favorite color. To compromise female sport in hopes of assuaging male anxiety is a poor policy, and should never be allowed. The way to combat bullying and sexism and homophobia is in male sport, as has previously been done for racism and similar prejudice. I might believe that I am Jesus or Napoleon, and even dress the part, but that does make it so. If I could reduce my hormone levels to those of a ten-year-old, would it be fair for me to compete against grade school students? Of course not!

Biological birth sex should be acknowledged under Title IX, and female sport restricted to female athletes, as it has been since the inception of Title IX almost fifty years ago. If there is a need to expand opportunity for trans-identified males across sport, that can be addressed separately for general physical education and recreational leagues, or by encouraging niche competitions such as the Gay Games, Paralympics, age-category championships

such as those for older “master” athletes, the Little League World Series or the Special Olympics. That is the way to create opportunity for more people, not eviscerating female sport by opening it up to male bodies.

Combat athletes such as boxers and wrestlers understand physics and the competitive spirit. Every welterweight understands that body mass gives them an inherent advantage over a flyweight, and that divisions within athletics are for equity and fairness: Those rules and distinctions are what make it SPORTING.

Please work to assure that female athletic programs are protected by allowing Title IX to preserve honest segregation by material sex, and not unprovable or intangible “gender identity.” That is only fair, for present and future generations.

Sincerely,

Rory Bowman,

(b)(6)

References:

Hilton, E.N., Lundberg, T.R. (2020) Transgender Women in the Female Category of Sport: Perspectives on Testosterone Suppression and Performance Advantage. *Sports Med* (2020). <https://doi.org/10.1007/s40279-020-01389-3>, 8 December 2020.

Harper J, O'Donnell E, Sorouri Khorashad B, et al 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* Published Online First: <https://bjsm.bmj.com/content/early/2021/02/28/bjsports-2020-103106>, 01 March 2021. doi: 10.1136/bjsports-2020-103106

From: Rory Bowman
Sent: Fri, 11 Jun 2021 10:20:50 -0700
To: T9PublicHearing
Subject: Written Comment: Title IX Public Hearing (Female Sport)

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