

CONCERNED
WOMEN *for* **AMERICA**
LEGISLATIVE ACTION COMMITTEE

March 16, 2021

Senate Judiciary Committee

Testimony in Support of HB 1298

Madam Chair Diane Larson and Members of the Senate Judiciary Committee, my name is Linda Thorson, State Director of Concerned Women for America (CWA) of North Dakota. I am a former educator of 26 years and am testifying for Concerned Women for America Legislative Action Committee on behalf of our North Dakota members in support of HB 1298.

As the largest public policy women's organization in the nation and our state, CWA of North Dakota heartily supports HB 1298. Fair competition and equality in women's sports in North Dakota are under threat, and this legislation is the remedy. As the director of the largest public policy woman's organization in our state, 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

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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.

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 "do pass" on HB 1298.