

June 26, 2020

President Donald J. Trump
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

The Honorable Betsy DeVos
U.S. Department of Education
400 Maryland Avenue SW
Washington, D.C. 20202

[Submitted Electronically]

Dear President Trump and Secretary DeVos,

We represent multiple national and state-based organizations—some that share common worldviews and some that don't—joining together during the anniversary week of Title IX to thank President Trump and the Department of Education for your critical efforts to protect the advancement and growth of girls and women in athletics. We appreciate the Trump Administration's continued actions to build upon 48 years of progress since Title IX's passing, ensuring that girls have a level playing field and the opportunity to engage in fair competition.

Before Title IX, the NCAA did not provide scholarships or championship opportunities for women. This meant American Olympic gold medal winners like Donna DeVarona could not even obtain a college athletic scholarship.

Before Title IX, girls' sports teams received very little funding—or none at all. This resulted in, at best, limited access to uniforms, locker rooms, coaching, play time, travel allowances, medical care, facility use, and more.

Before Title IX, 160,000 men participated in NCAA sports compared to just 30,000 women. Female athletic participation at the high school level was even worse. Only 295,000 girls participated in high school sports compared to 3.67 million boys.¹

Today's story is very different. Today, girls' sports teams are fully funded. There are 2.6 million girls playing high school sports and over 216,000 women competing in the NCAA. Indeed, 80% of female *Fortune 500* executives played competitive sports at one point in their lives. This startling statistic—and the success it represents—is possible because of Title IX.

But the continued success of our women and girls under Title IX depends upon your strong stand against a political agenda that frankly doesn't care about preserving women's opportunities in sports. Lawsuits and preposterous arguments from political activists threaten female athletic opportunities, claiming Title IX requires biological *males* who identify as females to receive spots on *female* teams.

¹ Fred Brown, *Title IX Has Helped Encourage Many Girls to Play Sports*, THE WASHINGTON POST (June 20, 2012), https://www.washingtonpost.com/lifestyle/kidspost/title-ix-has-helped-encourage-many-girls-to-play-sports/2012/06/20/gJQARxx3qV_story.html#:~:text=Title%20IX%20has%20made%20a,compared%20with%203.67%20million%20boys.

We are thankful that the Trump Administration has stood on the side of America's girls and women, families, and common sense. In 2017, the Department of Education, along with the Department of Justice, reinforced the obvious need for sex-segregated bathrooms and locker rooms under Title IX for boys and girls². We applaud the Department of Education's declaration just last month that Title IX does *not* allow biological males to steal opportunities from females by competing on female teams, even if they identify as female.³

For the sake of the nearly three million girls and women competing in high school or college sports—and for the future generations of girls who deserve the same benefits growing up under Title IX that women have enjoyed for the last 48 years—we encourage the current Administration to continue to stand strong.

We recognize the political pressure that exists to take a legal jackhammer to the pathway of success for women that was paved with Title IX. Indeed, many activists now claim that the recent *Bostock v. Clayton* opinion from the Supreme Court means that schools *must* permit biological males to compete on girls' teams. Yet even Justice Gorsuch, who authored the *Bostock* opinion, said himself that the ruling does not extend beyond decisions related to hiring and firing—and other issues, such as those within Title IX, are separate considerations from Title VII.⁴ Certain employment situations under Title VII are far different matters from the world of female athletics, locker room use, and ensuring that girls have the same opportunities to succeed as boys.

Congress was crystal clear about their intent to ensure **women** equal access to educational and athletic opportunities when they passed Title IX in 1972.

Yet 48 years later, it is clear that **female athletes need the Trump Administration to lead the way in preserving the heart of Title IX and ensuring women and girls have access to exclusively female sports teams and a fair playing field.**

As we celebrate 48 years of Title IX, we recognize it is our collective responsibility to work collaboratively to keep the doors open for all American female athletes, both present and future, and we greatly appreciate your leadership in this endeavor. Know that we support your continued bold stand for female athletes, as do the American people who value fair competition.

Sincerely,

Autumn Leva, Vice President, Strategy
Family Policy Alliance

Jessica Anderson, Executive Director
Heritage Action for America

Kristen K. Waggoner, General Counsel
Alliance Defending Freedom

Penny Young Nance, CEO & President
Concerned Women for America LAC

Jim Daly, President & CEO
Focus on the Family

Colleen Holcomb, President
Eagle Forum

² U.S. Dep't of Ed. & U.S. Dep't of Justice, Dear Colleague Ltr., (February 22, 2017).

³ U.S. Dep't of Ed., Ltr of Impending Enforcement Action Re Case No's. 01-19-4025, 01-19-1252, 01-20-1003, 01-20-1004, 01-20-1005, 01-20-1006, & 01-20-1007 (May 15, 2020).

⁴ *Bostock v. Clayton*, 590 U.S. ____ (2020).

Beth Stelzer, Founder
Save Women's Sports

Miriam Ben-Shalom &
Kaeley Triller Harms, Co-Founders
Hands Across the Aisle Women's Coalition

Richard Harris, Executive Director
Truth and Liberty Coalition

Jon Schweppe, Director of Policy &
Government Affairs
American Principles Project

Organizations Representing the States

Jim Minnery, President
Alaska Family Council

Cathi Herrod, President
Center for Arizona Policy

Jerry Cox, President
Arkansas Family Council

Peter Wolfgang, Executive Director
Family Institute of Connecticut

Jonathan Keller, President
California Family Council

Debbie Chaves, Executive Director
Colorado Family Action

Nicole Theis, President
Delaware Family Policy Council

John Stemberger, President & General
Counsel
Florida Family Policy Council

Cole Muzio, President & Executive Director
Family Policy Alliance of Georgia

Eva Andrade, President
Hawaii Family Forum

Blaine Conzatti, Advocacy Director
Family Policy Alliance of Idaho

Ryan McCann, Executive Director
Indiana Family Institute

Bob Vander Plaats, President & CEO
The FAMiLY LEADER (Iowa)

Jeff Bennett, President & Executive Director
Family Policy Alliance of Kansas

Kent Ostrander, Executive Director
The Family Foundation (Kentucky)

Gene Mills, President
Louisiana Family Forum

Carroll Conley, Executive Director
Christian Civic League of Maine

Andrew Beckwith, President
Massachusetts Family Institute

John Helmberger, Chief Executive Officer
Minnesota Family Council

Jeff Laszloffy, President & CEO
Montana Family Foundation

Karen Bowling, Executive Director
Nebraska Family Alliance

Shannon McGinley, Executive Director
Cornerstone Action of New Hampshire

Shawn Hyland, Advocacy Director
Family Policy Alliance of New Jersey

Vince Torres, President & Executive
Director
Family Policy Alliance of New Mexico

Jason J. McGuire, Executive Director
New Yorkers for Constitutional Freedoms

John L. Rustin, President
North Carolina Family Policy Council

Mark Jorritsma, President & Executive
Director
Family Policy Alliance of North Dakota

Aaron Baer, President
Citizens for Community Values (Ohio)

Michael Geer, President
Pennsylvania Family Institute

Norman Woods, Executive Director
Family Heritage Alliance (South Dakota)

David Fowler, Esq., President
The Family Action Council of Tennessee

Julaine K. Appling, President
Wisconsin Family Action

Jonathan Saenz, Esq., President
Texas Values

Victoria Cobb, President
The Family Foundation (Virginia)

Mark Miloscia, Executive Director
Family Policy Institute of Washington

Nathan Winters, President & Executive
Director
Family Policy Alliance of Wyoming