

Testimony of William Bock, III to the U.S. Senate Judiciary Committee

September 23, 2026

Chairman Grassley, Ranking Member Durbin.

My background relevant to today's hearing is as a sports lawyer. I previously served as the General Counsel for the United States Anti-Doping Agency, as an arbitrator for the international swimming federation, and as a member of the National Collegiate Athletic Association (NCAA) Division I Committee on infractions, from which I resigned in early 2024 due to the NCAA's discriminatory policies that permit men to compete in women's sports.

Today, champions for women's rights in sport are locked in a great struggle, the outcome of which will determine whether our daughters and granddaughters and generations of girls yet unborn will have the opportunities in sport that their mothers and grandmothers once had. Fifty-five years after the passage of Title IX there are more men competing *in women's sports* than ever before. Opportunities for women to compete on a level playing field are being undermined by inadequate rules and a lack of accountability.

Women's rights have been pushed to the back of the bus by too many sports administrators and organizations.

Will Congress act decisively to protect equal rights and equal dignity for women in sport, or will it become another passive bystander to the continuing degradation of opportunities for women and girls?

The struggle for women's rights in sport can be won, but winning will require clear focus and pursuit of three foundational principles:

- 1) Sexual biology determines outcomes in sport—males have insurmountable biological advantages—making essential clearly defined, sex-based, categories for sport eligibility.¹
- 2) The two indispensable sex categories in sport—male and female—must be guarded vigorously through mandatory, non-intrusive, inexpensive, sex verification testing (in most cases a simple saliva test).²

¹ See, e.g., Executive Order 14168—Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government, <https://www.govinfo.gov/app/details/DCPD-202500135>

² Attached is the Brief of Emma Hilton PhD and the International Consortium on Female Sport as Amici Curiae in Support of Petitioner Explaining the Importance of Sex-Verification Screening to Protect Equal Opportunities in Women's Sport submitted to the U.S. Supreme Court in *Little v. Hecox* and *West Virginia v. B.P.J.*, Nos. 24-38, 24-43.

- 3) Sports organizations must be legally accountable for protecting women's rights to fair and safe competition and to women's teams, locker rooms, and showers without male intruders.

Having identified three fundamentals for protecting women's rights in sport, let's move to a 30,000-foot view of professional, Olympic & Amateur, and scholastic sports, three areas where these principles are needed.

Professional Sports in the United States

Women's professional sports leagues engage in interstate commerce and often receive significant taxpayer support, for example, through using publicly funded stadiums.

Yet, most women's professional leagues, including the LPGA, Major League Volleyball, National Women's Soccer League and WNBA do not maintain strict biological standards for eligibility in women's sports and do not require sex verification testing.³ The only major women's professional league which does both, setting eligibility standards based on biological sex and including sex verification testing, is the Women's Tennis Association.

Another problem area for protecting women's safety in combat sports is a patchwork quilt of eligibility rules that apply to many boxing and mixed martial arts productions which are governed state-by-state by state athletic commissions. This has in the past resulted in men competing against women in combat sports and in

³ Examples of professional leagues that do not maintain eligibility standards based clearly and solely upon biological sex include: Ladies Professional Golf Association (LPGA) (males transitioning prior to male puberty and meeting testosterone threshold can compete), <https://www.lpga.com/gender-policy>; Major League Volleyball (MLV) (no apparent eligibility rules for league competition), <https://provolleyball.com/become-a-player>; National Women's Soccer League (NWSL) (Policy authorizes equal employment for male players who identify as transgender), https://images.nwslsoccer.com/image/private/t_q-good/prd/eqf8onxvjcmmkqmt5ubmn.pdf?_gl=1*4h09ea*_gcl_au*MTg4NzYzMjc4NC4xNzg5ODQzMDIx; see also "US women's soccer 'continuing to monitor' transgender debate," *Inside the Games*, July 8, 2026), available at: <https://www.insidethegames.biz/articles/us-womens-soccer-continuing-to-monitor-transgender-debate>; Women's National Basketball Association (WNBA) (CBA provides "Only players who are women are eligible to play in the WNBA" but includes no definition of "women."), https://www.wnba.com/files/ugd/8121a3_675911316ca142178932adc1e56519ac.pdf. The only current pro league that currently combines correct biological terminology and sex verification testing is the Women's Tennis Association. [https://wtafiles.blob.core.windows.net/pdf/publications/Women's%20Eligibility%20Policy%200w%20Exec%20Summary%20for%20Website%20\(Final\).pdf](https://wtafiles.blob.core.windows.net/pdf/publications/Women's%20Eligibility%20Policy%200w%20Exec%20Summary%20for%20Website%20(Final).pdf).

many states these rules have remained unchanged.⁴

Olympic and Amateur Sports in the United States

Olympic and amateur sports are governed by the United States Olympic and Paralympic Committee (USOPC), a federally chartered corporation authorized by federal statute—the Ted Stevens Olympic and Amateur Sports Act.

On July 21, 2025, the USOPC amended its athlete safety policy to state that it would collaborate with stakeholders, including the International Olympic Committee, International Paralympic Committee and U.S. National Governing Bodies to ensure fair and safe women’s competition consistent with Executive Order 14201, entitled—*Keeping Men Out of Women’s Sports*—and the Ted Stevens Olympic & Amateur Sports Act. That change reads:

3.3 Additional Requirements The USOPC is committed to protecting opportunities for athletes participating in sport. The USOPC will continue to collaborate with various stakeholders with oversight responsibilities, e.g., IOC, IPC, NGBs, to ensure that women have a fair and safe competition environment consistent with Executive Order 14201 and the Ted Stevens Olympic & Amateur Sports Act, 36 U.S.C § 22501, et. seq.⁵

Unfortunately, although the USOPC’s revised athlete safety policy references the Executive Order defining “women” and “girls” using biological criteria,⁶ the USOPC’s policy, in place for over 14 months, has not been fully effective in protecting women’s competitive opportunities.⁷

It does not include prescriptive terms, timelines for compliance, or sanctions for non-compliance. The result has been non-or-partial-compliance by many U.S. national governing bodies (NGBs) and harm to women across a broad spectrum of Olympic sports.

For example, the U.S. Soccer Federation (U.S. Soccer) currently permits males to

⁴ See, e.g., https://www.dca.ca.gov/csac/stats_regs/lawreg_manual.pdf (California regulations, permitting males to compete in women’s competition upon approval by Commission).

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https://assets.contentstack.io/v3/assets/blt9e58afd92a18a0fc/bltf456568858cc9c12/USOPC_Athlete_Safety_Policy.pdf

⁶ Executive Order 14201 incorporates the definitions in Executive Order 14168—*Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government*

⁷ Notably, **USA Track and Field**’s competition classification policy applies World Athletics eligibility rules which state that only biological females with no Y chromosome may compete in the female category. See <https://www.usatf.org/governance/policies/competition-classification-policy-for-athletes-com>.

compete in women's amateur competition. The relevant U.S. Soccer rule states:

For the purposes of registration on gender-based amateur teams, a player may register with the gender team with which the player identifies, and confirmation sufficient for guaranteeing access shall be satisfied by documentation or evidence that shows the stated gender is sincerely held, and part of a person's core identity. Documentation satisfying the herein stated standard includes, but is not limited to, government-issued documentation or documentation prepared by a health care provider, counselor, or other qualified professional not related to the player.⁸

Furthermore, many other NGBs, including USA Biathlon, USA Cycling, USA Gymnastics, USA Racquetball, US Rowing, USA Rugby, USA Swimming, the U.S. Tennis Association, USA Triathlon, USA Volleyball, have new but insufficient policies, containing loopholes that may allow men to compete in women's sports.⁹

⁸ See, e.g., United States Soccer Federation, Inc. Policy Manual, Rule Policy 601-5.B. available at: <https://ussoccer.app.box.com/s/d17mtf22sltr4k8r7513970c13almooo>.

⁹ **USA Biathlon** has inserted "gender identity" as a protected class in its Bylaws Chapter 27 and purports to base its Bylaws Chapter 27 on 36 U.S.C. § 220522(8) in the Ted Stevens Olympic and Amateur Sports Act, despite "gender identity" not being an included term in the Act. See Bylaws of the United States Biathlon Association, Inc., at p. 39, available at: https://assets.contentstack.io/v3/assets/blteb7d012fc7ebef7f/blt3b4df8b0ab888814/69e6980d4a14ca1fae32d0cd/Bylaws_Jan26.docx.pdf; **USA Gymnastics** has inserted "gender identity" as a protected class in its Bylaws Article 9 at p. 28 which references athlete selection procedures, available at: <https://static.usagym.org/PDFs/About%20USA%20Gymnastics/Governance/usag-bylaws.pdf>; **USA Racquetball** determines eligibility to compete in the female competition category by referring to whether the individual has registered as female. If so, the individual is presumed to be female, and this presumption can only be challenged by USA Racquetball. USA Racquetball relies on documents such as birth certificates to confirm sex for competition purposes. See https://assets.contentstack.io/v3/assets/blteb7d012fc7ebef7f/blt0db35109936f3a8d/68ae386bb1a8c0302f4ff284/USA_Racquetball_Competition_Category_Policy_08252025.pdf; **US Rowing** policy creates a rebuttable presumption that a person is the sex listed on their event registration form, only USRowing can rebut the presumption and the determination of an athlete's sex may be established via birth certificate, see USRowing Competition Category Policy, available at: https://usrowing-craft-storage-production.nyc3.digitaloceanspaces.com/staging/Files-and-Documents/Policy-and-Procedure/Competition-Category/USRowing-Competition-Category-Policy_Effective-1.1.2026.pdf; **US Rowing** has inserted "gender identity" as a protected class in its Bylaws Article I at p. 2, available at: https://usrowing-craft-storage-production.nyc3.digitaloceanspaces.com/staging/USRowing_Bylaws-12122025.pdf; **USA Rugby** policy creates a rebuttable presumption that a person who registers for an event as "female" is female. Only USA Rugby can contest an individual's women's division status and USA Rugby may rely on "records from authoritative sources." See <https://usa.rugby/policies>; USA Swimming allows individuals to register for competition as

Most U.S. NGBs do not require sex verification testing.¹⁰ For example, USA Volleyball maintains a policy requiring only birth certificates as proof of sex.¹¹ This policy has permitted males to compete in women’s junior competitions organized under the auspices of USA Volleyball.¹²

USA Cycling adopted an eligibility policy last September that defines sex based on biology, but does not require sex verification testing, and relies primarily on self-designation backed by birth certificate evidence, which is insufficient given the ease with which birth certificates can be amended.¹³ This policy has permitted males to compete and win women’s titles at USA Cycling sanctioned races.¹⁴ Men taking women’s titles from women has been a problem for years in cycling.¹⁵

Furthermore, numerous other organizations which organize competitions in sports on the program of the Olympic Games such as state cycling associations¹⁶ and U.S.

a “woman” or “girl” which creates a presumption the individual is a “woman” or “girl” unless challenged by USA Swimming; birth certificates are relied upon for evidence of sex. See https://www.usaswimming.org/docs/default-source/governance/governance-lsc-website/rules_policies/operating-policy-manual.pdf; the **U.S. Tennis Association** permits individuals to determine their “gender competition category” during the membership application process. Only **USTA** can challenge the gender competition category registration and the determination of female status may be established via birth certificate. See <https://www.usta.com/en/home/about-usta/who-we-are/national/eligibility-policy.html> **USA Triathlon** allows an individual to “represent[] and warrant[] to USA Triathlon that she is Female . . . which creates a rebuttable presumption that the individual’s sex [is] female.” The determination of female status is only challengeable by USA Triathlon and may be established via birth certificate. See [https://assets.contentstack.io/v3/assets/blteb7d012fc7ebef7f/blte71dc14cffac017f/6a8cbbc8a3077cb1b63fc784/USA Triathlon Gender Inclusion Policy August 2026.pdf](https://assets.contentstack.io/v3/assets/blteb7d012fc7ebef7f/blte71dc14cffac017f/6a8cbbc8a3077cb1b63fc784/USA_Triathlon_Gender_Inclusion_Policy_August_2026.pdf);

¹⁰ *Id.*

¹¹ https://usavolleyball.org/about/gender-guidelines/?fbclid=IwY2xjawUbv3NwZG9mBWV4dG4DYWVtAjEwAGJyaWQRMTRMQzNUc29NMTIwU3lYNFdzcnRjBmFwcF9pZBAyMjIwMzkxNzg4MjAwODkyAAEewRk9PJYk5kopETH6kRII252dH5GRwhxTNfM_AiLA5S97tcyZ42Aakzdh8_aem_2NVXBTC-eBJcNINQkQurSw

¹² See, e.g., <https://www.wfmd.com/2026/08/08/usa-volleyball-suggests-changes-coming-to-sex-testing-while-junior-families-raise-male-athlete-concerns/>

¹³ <https://assets.usacycling.org/prod/documents/Rules-Policies/Competition-Category-Policy.pdf>

¹⁴ <https://www.foxnews.com/outkick-sports/womens-cycling-team-manager-speaks-out-after-trans-athlete-competes-against-females-major-competition>

¹⁵ See, e.g., <https://www.foxnews.com/sports/trans-athlete-wins-usa-cycling-womens-event-female-opponents-protest-speak-out>; <https://nypost.com/2023/12/05/news/transgender-cyclists-take-gold-and-silver-at-womens-race/>;

¹⁶ See, e.g., <https://nypost.com/2023/12/05/news/transgender-cyclists-take-gold-and-silver-at-womens-race/> (Oregon Bicycle Racing Association).

Masters Swimming,¹⁷ but which do not have a direct line of accountability to the USOPC, have regularly allowed men to compete and win women's championships.

Scholastic Sports in the United States

The most significant national governing body in scholastic sports is the NCAA. For nearly fifteen years from 2011 until 2025 the written policy of the NCAA Board of Governors was to normalize men competing in women's college sports.

In the face of lawsuits and the Administration's Executive Orders in February 2025 the NCAA amended its rules to create an illusion that the NCAA is protecting college women athletes. However, current NCAA rules fail to satisfy each of the three basic principles for protecting women's rights in sport.

- 1) Current NCAA rules are not based on biology,
- 2) do not use sex verification testing, and
- 3) do not hold NCAA member institutions accountable for protecting women against male competitors.

Conclusion

The Administration's Executive Orders provide a framework for protecting women's opportunities in sports and must be built upon by requiring sports organizations to implement mandatory sex verification testing and by making these sports organizations legally accountable to protect equal opportunities for women.

One of the noblest pursuits of the American people has been the effort of each generation since 1776 to seek to apply the principle of equal opportunity enshrined in our Declaration of Independence to every aspect of American life and human endeavor. One such challenge in our time is to secure fully and finally equal rights for women in sport.

The principle that women, no less than men, are endowed by their Creator with certain inalienable rights, among which are life, liberty and the right to pursue happiness, is as necessary for human flourishing and the protection of equal dignity on America's playing fields as it is in America's corporate boardrooms, court rooms, and Halls of Congress.

Yet today, in professional, Olympic Movement, and scholastic sports, there are more men competing *in women's sports* than ever before. The time to act is now.

¹⁷ <https://www.facebook.com/100091700145278/posts/a-male-who-identifies-as-female-swept-all-five-events-entered-at-the-us-masters-/619565814443418/>; <https://www.foxnews.com/outkick-sports/us-masters-swimming-competitor-grievance-trans-athlete-comments-resolved>; <https://nypost.com/2025/07/18/us-news/texas-attorney-general-ken-paxton-sues-us-masters-swimming-after-trans-athlete-controversy-in-san-antonio/>