

Testimony of Kimberly Shasby Jones to the U.S. Senate Judiciary Committee

September 23, 2026

Good morning and thank you Chairman Grassley and Committee members for inviting me to testify. My name is Kim Jones, I am the co-founder of ICONS, the Independent Council on Women's Sports. ICONS is a network of thousands of Olympians and professional athletes, collegiate and high school athletes, and sports policy experts, all committed to ensuring women and girls have sex-separated categories for fair and safe competition at every level and in every sport.

Why ICONS began and what we do:

To date ICONS has consulted with dozens of national, international, and professional sports organizations on policy. We work directly with female athletes facing illegal governance and policies and back three federal lawsuits against the NCAA, its conferences and member institutions for violating the rights of female athletes by allowing men in women's sports and locker rooms.

ICONS was established after the world watched male athlete William Lia Thomas take an NCAA national title from women. My children were directly impacted by this and I had a front row seat when my daughter raced against Thomas. I watched amazing female swimmers forced aside by a man in their sport and marched into locker rooms where a man could be undressing and watching them undress. I saw the ramifications, the tears, the struggles and I watched as strong confident women became frightened and stopped believing that they could depend on their leaders to protect them. After a lifetime in sports, I could not believe my eyes - watching the powerful force of sports become an institutionally sanctioned experience in humiliation and degradation of young women and simultaneously rip the backbone out of men.

The women were silenced, told to ignore their instinctive reaction to injustice, fear, and discomfort. They were emotionally blackmailed and told that the feelings and well-being of a man were more important than their own. That his life depended on their concession. This emotional blackmail is no different than the age-old threat that women have always faced when trying to leave abuse. "If you don't do what I want, I will harm myself."

This story has been repeated countless times across the country and continues today for grown women and very young girls alike. It never should have happened in a decent society and it should never happen again.

Telling women that they are responsible for carrying the mental health burdens of another is wrong in every sense of the word. I have seen firsthand what happens when we put our women and girls through this. And I now help the women and girls facing this all across the country. The stories and the impacts are heartbreaking and they are staggering in number. When we tell our girls that they are more valuable as tools of affirmation, as shields of protection for men, when we tell women that their accomplishments, their desire to win, their hard work and feelings need to be set aside to make a man or a boy feel better, we damage them psychologically. This is abuse of women and it continues today.

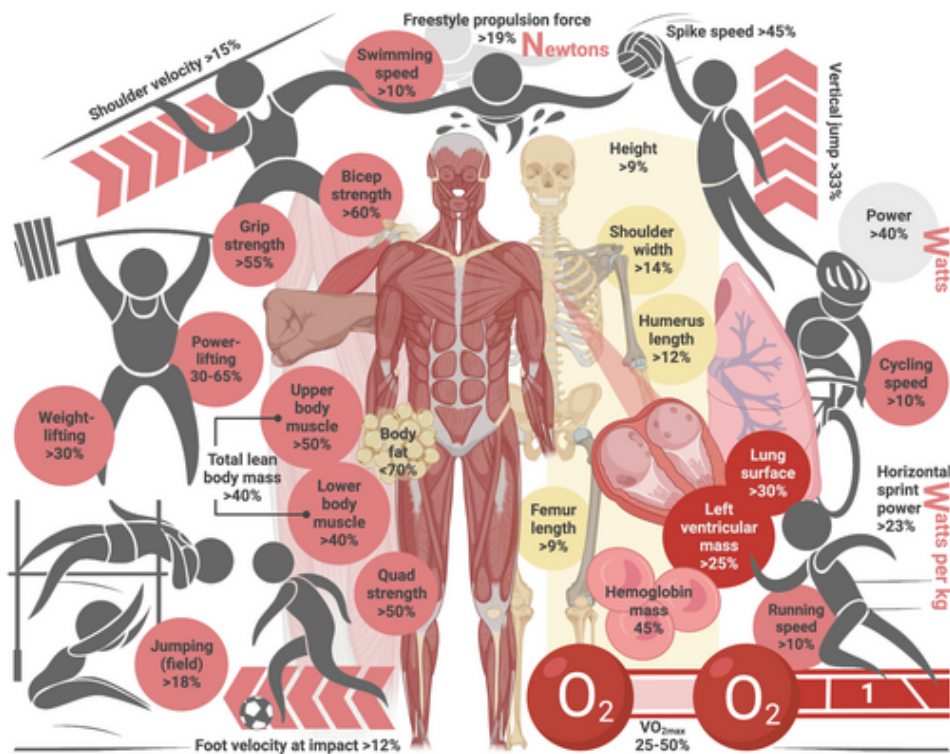
Why Sex categorization matters:

The most important information needed for this discussion is common sense.

Sex is real, it is defined by gametes. The entire body is organized around the production of either sperm or ova. There is no system of the body not impacted by sex from utero. There is no reboot, there is no un-do. No human can change sex. The effects of sex are permanent.

Every male will have a mini puberty in utero and in infancy, as well as a puberty in adolescence. It is why boys are both heavier and taller than girls on average, even as infants and why performance differences between males and females exist as early as they can be measured. These early testosterone baths for baby boys combined with genetic encoding, and a separate active development path for females result in over 6000 genetically expressed differences between males and females that affect every system of the body. Every person is either male or female - even individuals with rare chromosomal or developmental abnormalities.

Sex is the single greatest predictor of athletic performance known. The result of sex is that men and women are built differently in almost every way - we can measure it in labs, in science, in performance, and the impacts of sex are enormous for women across all cultures. Sex differences are expressed in every part of the body; lean body mass, strength, speed, obviously reproductive systems, joints, bone structure - literally thousands of differences. One measurable output of this is the fact that a man's punch is more than 160% stronger than that of a woman.



Credit: <https://onlinelibrary.wiley.com/doi/full/10.1111/sms.14581>

When we compare the performance of the fastest women in the world to men and boys we can begin to see the profound differences in male and female performance. Every single year thousands of men and young boys outperform the fastest women in all of history. Female players are not in the NFL or the NBA not because women are not training hard enough or because of socialization. Usain Bolt is not faster than Sha'Carri Richardson because Sha'Carri Richardson isn't trying hard enough. Women work from a different biological basis. They are amazing and unique in their own right - and their worth and abilities should never be measured by a male standard, particularly a hamstrung or intentionally hindered male standard. The suggestion is sexist and degrading.

These sex differences mean that men hold the physical power over women in society. Most of society recognizes the impact of sex instinctively. It is our life experience and it is right in front of our eyes at every public sporting event. That is why the issue of men in women's sports is a galvanizing issue and low bar sanity check for the overwhelming majority of the public. It is also very easy to solve - probably the easiest problem in the world. Determining sex is not difficult and, as the International Olympic Committee has recently conceded, it is necessary.

Sex Screening is the Future of Women's Sports:

Prior to the 2000 Sydney Olympics, genetic screening was done to ensure eligibility for the female category and an overwhelming 82% of female athletes at the Olympics wanted the screening to continue. Earlier this year, 26 years later after numerous scandals and consultations with world-wide experts on every aspect of human development and physiology, the IOC has finally recognized that male advantage and male development eliminates the integrity of female athletics and they had to reinstate sex screening in order to protect athletes and the integrity of competition in the female category. The requirement of screening is quickly being picked up by many of the larger international federations including World Boxing, World Athletics, World Snow Sports and the Women's Tennis Association.

As the IOC stated "the most accurate and least intrusive method currently available to verify biological sex is screening for the SRY gene, a segment of DNA typically found on the Y chromosome that initiates male sex development in utero and indicates the presence of testes/testicles." Screening for the SRY gene is not invasive, fast, cost-effective and accurate.

[FAQs about IOC Policy](#)

What happens with no enforcement and poor policy:

During the past 26 years, with policies loosened, men were competing in women's sports and claiming everything from world records and Olympic berths to national championships and medals at ever increasing levels while women were sidelined from their own sports.

We witnessed the entire Olympic podium for women's track in the 800m at the Rio Olympics filled by men. [World Athletics found 135 male athletes](#) competing in the women's category with 50-60 of those male athletes medaling at the most elite level. We had men winning Olympic gold medals in boxing in Paris. Even the United States sent men in place of women on women's national teams to win World titles and take the place of our women.

The policies that allowed men to compete with women trickled down with no debate by the work of activists into the US Olympic and Paralympic Committee, the NCAA, our school systems, and our amateur and professional sports bodies.

We witnessed men winning national titles for women in amateur sports and college sports, men and boys atop women's podiums around the country in high school sports from skiing, swimming, and track to volleyball, softball, and basketball. We do not know of any sport that is untouched. In some cases we have seen multiple boys on girl's podiums and up to half of a girl's track relay made up of boys who identify as girls.

Unfortunately, in the United States, despite 50 years of federal law protecting women on the basis of sex, men continue to compete in the women's category and do so at every level of sport.

The problem we have today is intentional non-compliance with laws and policy and a deliberate desire of leaders to undermine the women's category.

There is quite simply zero reason not to require compliance and screening across the board. Every good sports policy must have clear language to define a category boundary, a clear enforcement mechanism, and punishment for non-compliance. The models for this are the same as they are for age categories, doping regulations, para categories, weight categories, and sex categories. This is not hard, but the situation in the US is still a mess.

I could provide lists for hours of men in women's sports and the open and egregious defiance of law and policy, but I will highlight just a few here:

- **The NCAA is still fighting female athletes in court.** NCAA leadership and its lawyers are spending millions of dollars defending their decision to allow a 6'4" male athlete to take a women's NCAA championship title and requiring elite female athletes to undress alongside him in the locker room. The NCAA's new policy still does not clearly define sex or the women's category, nor does it provide a reasonable mechanism for enforcement or screening. **The Protect College Sports Act does not solve this problem.**
- **The USOPC is failing to ensure enforcement.** The USOPC has issued a directive requiring its National Governing Bodies (NGBs) to comply with federal law and the executive order protecting the female category, yet it is not ensuring that those policies are actually enforced or holding governing bodies accountable when men compete in women's sports.
- **USA Rugby's leadership has openly acknowledged its refusal to enforce a sex-based category.** The CEO of USA Rugby has stated publicly, including on podcasts, that the organization will not meaningfully enforce its sex-based category policy. He has described how USA Rugby made the policy as difficult as possible to enforce and said it would have been "worth it" to sacrifice both the men's and women's Olympic teams in order to continue allowing men to compete with women. He has also stated that USA Rugby reluctantly changed the policy in writing to maintain its power and

preserve the ability to revert to a policy that undermines the sex-based category in the future. **Today, the number of men competing on women's teams in USA Rugby is unknown.** [One women's team in Baltimore](#) alone reportedly has at least four men. [Clipped video of USA Rugby CEO podcast](#)

- **USA Ultimate recently selected two male athletes for women's positions on U.S. National Teams competing at the 2026 World Championships.** The two teams went on to win the World Championship and finish fifth, respectively. Men are competing in women's divisions throughout USA Ultimate. [HeCheated Background Tweet](#) & [CWA Press Release](#)
- **USA Cycling allowed a male athlete to compete in an elite women's event despite policies intended to protect the female category.** Three weeks ago, USA Cycling granted James "Amanda" Olson an international license to compete in what was described as the most prestigious women's cycling competition held on U.S. soil in a decade, Philadelphia Cycling Classic. He competed against the most elite female athletes including an Olympic gold medalist despite the clear policies of the international federation, the USOPC, and USA Cycling. USA Cycling cannot claim it was unaware of this athlete: our organization provided information about him months earlier, yet he continued to advance through women's cycling and was ultimately licensed to compete at the most elite level. [Reduxx article](#) & [Fox News/OutKick report](#)
- **USA Volleyball has been confronted with reports of male athletes competing on elite girls' travel teams despite a policy that bars males from the female category.** Parents and female athletes who have raised concerns say they have been told to stop objecting rather than seeing the policy enforced. [Reduxx Article](#)
- **Questions also remain about athletes competing in U.S. professional women's soccer who have previously failed sex eligibility testing in other countries.** Athletes who have been paid millions of dollars to compete in U.S. women's professional soccer have reportedly faced sex-eligibility complaints and failed eligibility standards in countries outside the U.S., raising questions about whether U.S. leagues and governing bodies are adequately screening athletes before they enter the women's category. [Telegraph Article](#) & [HeCheated background tweet](#)
- **And the consequences reach all the way down to girls' sports.** Young girls are losing opportunities, records, roster spots, championships, and recognition while being told to step aside for male athletes in schools and club sports across the country. These are not hypothetical concerns. They are real opportunities being taken from female athletes while the organizations responsible for enforcing their own policies continue to provide no accountability.

Truthfully, without screening, clear processes, and policies that hold leadership and athletes accountable, ethical sport does not exist: not for the female category, not for age, sex, doping, high school boundaries, or any other category. We must uphold rules. These are the basics of ethics and integrity in sport.

In Summary:

- This issue is not complicated. It is actually very simple. But it is contentious because the "concept" of gender identity is in direct conflict with the objective reality of sex. You have to choose one and the more we ignore that, the more women are hurt.
- When it comes to a woman's sex and a man's gender identity, you cannot protect both. You have to choose.
- You can choose to respect the identity of a man in a woman's prison or you can protect the women's right to not be housed with male inmates.
- You can protect the boy who wants to take a spot on a girls team or you can protect the girl for whom that spot was designated.
- You can protect the man who wants to change in the women's locker room or you can protect the women who deserve to be able to know they can be assured they are undressing without male presence.
- You can give women the right of consent to male nudity or you can give men the right to expose themselves in protected women's spaces.
- You simply cannot do both. Sex is real. It has enormous impacts. Especially for women. You cannot hide or obfuscate sex and its impacts in life and not also sign up to obviously hurt 51% of the world's population that are born female.

Appendix

Key sources on eligibility for the female category

Tucker, R., Hilton, E. N., McGawley, K., Pollock, N., Millet, G. P., Sandbakk, Ø., Howatson, G., Brown, G. A., Carlson, L. A., Chen, M. A., Heron, N., Kirk, C., Murphy, M. H., Pringle, J., Richardson, A., Santos-Concejero, J., Christiansen, A. V., Jones, C., Alonso, J.-M., Robinson, R., Jones, N., Wilson, M., Parker, M. G., Chintoh, A., Hunter, S., Senefeld, J. W., O'Connor, M. I., Joyner, M., Carneiro, E. M., Devine, C., Pike, J., & Lundberg, T. R. (2024). Fair and safe eligibility criteria for women's sport. *Scandinavian Journal of Medicine & Science in Sports*, 34(8), Article e14715. <https://doi.org/10.1111/sms.14715>

Editorial (Hilton, Tucker and co-authors) arguing that the female category must exclude male developmental advantage, not rely on current testosterone level or legal/passport sex.

Brown, G. A., & Lundberg, T. (2023, April 17). Should transwomen be allowed to compete in women's sports? Center on Sport Policy and Conduct. <https://www.sportpolicycenter.com/news/2023/4/17/should-transwomen-be-allowed-to-compete-in-womens-sports>

Summary of published data on male performance. Includes pre-puberty performance differences as well as retained male advantage after testosterone suppression.

International Olympic Committee. (Updated 22 May 2026). *Frequently asked questions about the IOC Policy on the Protection of the Female (Women's) Category in Olympic Sport and Guiding Considerations for International Federations and Sports Governing Bodies*. <https://www.olympics.com/ioc/athletes/medical-research/faq-ioc-policy-protection-female-category>

Official IOC FAQ on the policy that protects the female Olympic category (including SRY-based eligibility from LA28 onward).