

COMMONWEALTH OF PENNSYLVANIA
HOUSE OF REPRESENTATIVES

EDUCATION COMMITTEE
PUBLIC HEARING

STATE CAPITOL
HARRISBURG, PA

IRVIS OFFICE BUILDING
ROOM 515

WEDNESDAY, AUGUST 4, 2021
10:11 A.M.

PRESENTATION ON HB 972 (GLEIM)
FAIRNESS IN WOMEN'S SPORTS ACT

BEFORE:

HONORABLE CURTIS G. SONNEY, MAJORITY CHAIRMAN
HONORABLE MARK M. GILLEN
HONORABLE BARBARA GLEIM
HONORABLE DAVID S. HICKERNELL
HONORABLE ANDREW LEWIS
HONORABLE MILOU MACKENZIE
HONORABLE ROBERT W. MERCURI
HONORABLE MEGHAN SCHROEDER
HONORABLE JESSE TOPPER
HONORABLE TIM TWARDZIK
HONORABLE MARK LONGIETTI, DEMOCRATIC CHAIRMAN
HONORABLE JOE CIRESI
HONORABLE MARYLOUISE ISAACSON
HONORABLE MAUREEN E. MADDEN
HONORABLE NAPOLEON J. NELSON
HONORABLE MIKE ZABEL

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I N D E X

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SUBMITTED WRITTEN TESTIMONY

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P R O C E E D I N G S

* * *

MAJORITY CHAIRMAN SONNEY: Welcome to this public hearing of the House Education Committee.

Again, I would like to remind everyone that this hearing is being recorded and livestreamed so the public may watch. If we experience any technical difficulties, we will recess the hearing until those technical difficulties can be addressed.

For the Members and testifiers participating virtually, please mute your microphone until it is your turn to speak.

Additionally, for Members who are participating virtually, if you want to be recognized for questions or comments, please use the "Raise Hand" function. After being recognized but prior to speaking, please turn on your camera and unmute your microphone at that time. After you have completed your questions, please remember to re-mute your microphone. For Members attending in person, please silence all of your electronic devices.

Each testifier has been asked to limit their testimony to the Committee to 3 minutes or less so that we will have ample time for questions.

Now we will proceed with introductions, and I think we'll start all the way down on the end with

1 Representative Schroeder and work our way back.

2 REPRESENTATIVE SCHROEDER: Thank you, Chairman.

3 Good morning, everyone.

4 Meghan Schroeder from the 29th District in Bucks
5 County.

6 REPRESENTATIVE MERCURI: Good morning.

7 Representative Rob Mercuri from District 28,
8 Allegheny.

9 REPRESENTATIVE GLEIM: Good morning.

10 Barb Gleim from the 199th District in Cumberland
11 County.

12 REPRESENTATIVE MACKENZIE: Milou Mackenzie,
13 Representative of the 131st District, Lehigh County,
14 Northampton County, and Montgomery County.

15 MAJORITY CHAIRMAN SONNEY: Representative
16 Curt Sonney. I represent the 4th Legislative District in
17 Erie County, and I am the Majority Chairman of the House
18 Education Committee.

19 MINORITY CHAIRMAN LONGIETTI: Good morning.

20 Mark Longietti. I represent the 7th District,
21 which is Mercer County, and I am the Minority Chairman of
22 the House Education Committee.

23 REPRESENTATIVE ISAACSON: Hi.

24 Representative Mary Isaacson from the
25 175th District, which is in Philadelphia County.

1 REPRESENTATIVE MADDEN: Good morning, everyone.
2 Representative Madden from the 115th District,
3 Monroe County, the beautiful Poconos.

4 REPRESENTATIVE NELSON: Good morning.

5 I'm Napoleon Nelson, Representative from the
6 154th Legislative District in Montgomery County.

7 REPRESENTATIVE GILLEN: State Representative
8 Mark Gillen, Berks and Lancaster Counties.

9 REPRESENTATIVE LEWIS: Andrew Lewis, representing
10 the 105th District in lovely Dauphin County.

11 REPRESENTATIVE TWARDZIK: Tim Twardzik from the
12 123rd District, Schuylkill County, and the county fair is
13 on. Come on up.

14 REPRESENTATIVE TOPPER: Jesse Topper, the
15 78th District, Bedford, Fulton, and Franklin.

16 MAJORITY CHAIRMAN SONNEY: Thank you.

17 Now, this morning the Committee will receive
18 testimony regarding House Bill 972, the Fairness in
19 Women's Sports Act, introduced by Representative Gleim.

20 The purpose of this hearing is to give the
21 Members of this committee an opportunity to gain a better
22 understanding of this legislation by having an informative
23 discussion to hear from all sides on this issue.

24 Additionally, I ask that all Members and
25 testifiers keep their comments and questions focused on the

1 subject matter at hand. I would like to thank all of the
2 testifiers in advance for taking the time to be here
3 today.

4 Chairman Longietti.

5 MINORITY CHAIRMAN LONGIETTI: Thank you, Chairman
6 Sonney.

7 You know, quite honestly, this is not the hearing
8 that I was hoping for, just because there are so many
9 critical issues that we face as a House Education
10 Committee, things from addressing teacher shortages to
11 finding a way to attract people of diversity into our
12 classrooms, to things like college affordability. But
13 nevertheless, this is the hearing that we have today, and,
14 you know, it seems as though the Legislature wants to
15 engage in what I term as "cultural matters." It seems like
16 a segment of society wants to engage in these matters, and
17 that's where we're at today.

18 Having said that, as we prepare to receive this
19 testimony, at least what speaks to me and I think is
20 instructive for myself and hopefully others is the parable
21 of the Good Samaritan. You know, the culture of that day,
22 Samaritans were thought of as nothing but good. They were
23 the subject of scorn, and they were considered to be
24 shunned. And yet when we look at that parable, the man is
25 lying on the road left for dead, beaten, and it is the

1 Samaritan who puts the needs of that man ahead of his own
2 needs as others pass by, and it is the Samaritan that on a
3 dangerous road takes the opportunity to stop, who
4 interrupts his schedule and helps that man and to take
5 money out of his pocket to care for that man to make sure
6 that he is cared for. And so that is instructive for me
7 and I hope to all of us that, you know, we serve our better
8 angels when we consider the needs of the other person and
9 put them above our own needs.

10 And so as we reflect on this issue and consider
11 this testimony today, that is what I hope to do, is to
12 consider the needs of others. So thank you.

13 MAJORITY CHAIRMAN SONNEY: Thank you, Chairman.

14 I would like to announce that attending, Members
15 that are attending virtually at present are Chairman
16 Hickernell, Representative Zabel, and Representative
17 Ciresi.

18 I have a brief statement that I'm going to read
19 from Representative Gaydos, because unfortunately, she
20 could not attend today and she is a cosponsor of this
21 legislation, and that reads as follows:

22 "As a cosponsor of this legislation, I regret
23 that I am unable to attend today's hearing. In recent
24 weeks, my 92 year old dad was hospitalized and diagnosed
25 with a malignant cancer in his lung. I will be taking some

1 well needed time off to focus on my family and their needs
2 at this time.

3 "I want to specifically thank my constituent's
4 Katya and Evangelino Nascimento" -- I'm sorry; I know I
5 didn't get that right -- "for being here to testifying
6 today and sharing her story and the story of her children.
7 It is indeed important that we ensure that all voices are
8 heard. Thank you."

9

10

PANEL 1

11

12

MAJORITY CHAIRMAN SONNEY: We'll begin with the
13 first panel. On the first panel is Dr. Gerald Montano,
14 Assistant Professor of Pediatrics at the University of
15 Pittsburgh School of Medicine; and also Dr. Gregory Brown,
16 Professor of Exercise Science at the University of Nebraska
17 at Kearney.

18

Dr. Montano, if you are ready.

19

DR. MONTANO: Thank you, Chairman.

20

Good morning, House Education Committee.

21

MAJORITY CHAIRMAN SONNEY: Excuse me one minute.

22

I'm sorry.

23

Dr. Brown, are you present? Thank you. I need

24

to swear both of you in, so we'll take care of that first.

25

It doesn't matter, you can stand or sit.

1 If you could both please raise your right hand:
2 Do you swear or affirm that the testimony you are
3 about to give is true to the best of your knowledge,
4 information, and belief? If so, please indicate by saying
5 "I do."

6
7 (Testifiers responded "I do.")

8
9 MAJORITY CHAIRMAN SONNEY: Thank you.

10 Dr. Montano, you can begin.

11 DR. MONTANO: Thank you, Chairman.

12 Good morning, House Education Committee.
13 Thank you for inviting me to testify on a very important
14 topic.

15 I am speaking with you today as a licensed and
16 board-certified pediatrician with over 8 years of
17 experience working with over 1,000 transgender and
18 gender-diverse youth. As a provider of gender-affirming
19 care, a safe and effective medical practice consisting of
20 nearly a century's worth of clinical experience and
21 research and backing from 29 mainstream health-care
22 organizations, I have knowledge and experience of the
23 impact of pubertal blockers and gender-affirming hormone
24 therapy on the human body. I also have knowledge and
25 experience on the mental health of transgender and

1 gender-diverse youth on which stigma and discrimination
2 have a severe impact.

3 I want to express gratitude to the Committee for
4 seeking guidance from science on how to balance the needs
5 between inclusion and fairness in sports. It is important
6 that science informs policies and laws that have the
7 potential to impact the lives of so many people. It is
8 equally important to be cautious when interpreting the
9 results of the study and not make inappropriate comparisons
10 between groups of people.

11 Sports is an important facet of one's life and
12 has significant benefits. Science has shown that teens who
13 participate in sports have improved self-esteem, improved
14 social interactions, fewer depressive symptoms, higher
15 homework completion, and higher school engagement. As
16 transgender and gender-diverse people are at risk for many
17 adverse health outcomes such as depression, anxiety, and
18 substance use compared to non-trans people, they will need
19 factors that would protect them and mitigate the harm of
20 stigma and discrimination. This includes sports.

21 I applaud the extensive research that has been
22 done on the topic of the physical and physiological
23 differences between the sexes in the sports, and at the
24 same time I need to point out three assumptions underlying
25 these findings that would make banning transgender girls

1 from girls sports an inappropriate conclusion to draw from
2 the science.

3 Firstly, although research has shown a distinct
4 advantage that male sex has over the female sex in terms of
5 physical factors related to sports such as muscle mass, it
6 is assumed that transgender girls are boys. This is not
7 the case. Transgender girls are not boys, especially
8 transgender girls who elect to go through puberty
9 suppression and gender-affirming hormone treatments leading
10 to significant physical and physiological differences.

11 For example, transgender girls on pubertal
12 blockers do not gain muscle mass that many non-transgender
13 boys will develop during puberty. Additionally,
14 post-pubertal transgender girls lose muscle mass after
15 being on estrogen therapy for about 3 to 6 months.

16 Secondly, many studies on the physical and
17 physiological differences in sports comparing transgender
18 women to cisgender women are done on adults. There is an
19 adage I have learned in my medical training that kids are
20 not little adults. To take studies on comparing the
21 differences between transgender women and cisgender women
22 and extrapolate it to children would be inappropriate since
23 many would not have gone through puberty or, in the case of
24 some transgender girls, have started pubertal blockers or
25 estrogen.

1 Thirdly, physical characteristics are not static.
2 There are variations regardless of sex or gender identity.
3 Even within the cisgender population, there is marked
4 variability between athletes who excel in specific sports
5 based on natural advantages of certain physical
6 characteristics. The retained height in post-pubertal
7 transgender females reported by some studies may be
8 relevant in select sports such as basketball and swimming.
9 However, cisgender females can also be tall with longer
10 feet and larger hands than the average cisgender female, so
11 this trend cannot be viewed in isolation.

12 Many sports organizations such as USA Gymnastics,
13 the United States Soccer Federation, and USA Swimming have
14 policies that balance both inclusion and fairness in
15 women's sports guided by the science. I believe that they
16 have the right experience and knowledge to create policy
17 that is fair and inclusive to all. I urge the Committee to
18 rely on their authority on this matter.

19 Thank you for your time, and I'm willing to
20 answer questions.

21 MAJORITY CHAIRMAN SONNEY: Thank you.

22 We would like to hear the testimony from
23 Dr. Brown, and then we will go into Members' questions for
24 the both of you.

25 Dr. Brown.

1 DR. BROWN: Dear Chairman Sonney and Members of
2 the Pennsylvania House Education Committee, my name is
3 Greg Brown. I am a Professor of Exercise Science at the
4 University of Nebraska at Kearney. My research and
5 teaching focus on exercise physiology and sports nutrition.

6 These are my own opinions and do not represent an
7 official statement from the University of Nebraska.

8 I have three main points:

9 One, eons of human experience and thousands of
10 research studies show that there are important biological
11 differences between human males -- boys and men -- and
12 human females -- girls and women. These biological
13 differences confer inherent athletic advantages to boys and
14 men. The athletic advantages conferred by male biology are
15 not erased by transgender identification or the use of
16 cross-sex hormones.

17 Overall, sex is a very important biological
18 factor that is determined at conception based on the
19 presence of XY or XX chromosomes that influences every cell
20 and every system in our body. The 2021 Endocrine Society
21 Consensus Statement on sex as a biological factor states
22 that humans are sexually dimorphic. The 2021 Endocrine
23 Society Statement continues on to state that biological sex
24 can influence gender identity, but gender identity does not
25 influence biological sex.

1 Biological sex confers inherent athletic
2 advantages to human males compared to human females such
3 that even before puberty, males have 10 percent more muscle
4 mass, less body fat, larger hearts and lungs, denser bones,
5 and other anatomical and physiological traits that gives
6 males inherent athletic advantages over comparably aged and
7 trained females. These advantages are then magnified at
8 the onset of puberty.

9 Fitness testing in children as young as 3 years
10 old and competition data starting with 8-year-olds shows
11 that boys perform better than girls of the same age in
12 tests and competition of muscular strength, muscular
13 endurance, and running performance.

14 For example, based on the youth records from
15 USA Track & Field, boys run 3.6 percent faster than girls
16 in the 8-and-under and 9- and 10-year-old age group. In
17 the 11- to 12-year-old age group, the boys are then
18 5.7 percent faster. In the 13- to 14-year-old age group,
19 boys are 9 percent faster. In the 15- to 16-year-old age
20 group, the boys are 11.5 percent faster, and in the 17- to
21 18-year-old age group, the boys are 13.3 percent faster.

22 If we look at throwing data, in the 8-and-under
23 age group, boys throw 20 percent further than females.
24 After that age group, the boys and girls use different
25 weight implements, and the boys still outthrow the girls by

1 15 to 30 percent.

2 If we look after age 11, boys and men run 10 to
3 15 percent faster, jump 15 to 20 percent longer and higher,
4 and can lift 30 to 60 percent more weight than comparably
5 aged and trained girls and women. To help put this in
6 perspective, the difference between a gold medal and a
7 silver medal is often 0.5 to 0.7 percent, and the
8 difference between a gold medal and no medal is less than
9 2 percent.

10 There is no research evaluating the effects of
11 puberty blockers or cross-sex hormone use in children under
12 the age of 15 on physical fitness or athletic performance.
13 The only study evaluating the effects of male to female
14 hormone use on muscle strength in teens -- this is 15- to
15 16-year-old subjects -- showed that while the use of these
16 drugs impaired the normal increases in strength and muscle
17 mass, muscle strength was not reduced, the male to female
18 subjects were still taller, had more lean body mass than
19 comparably aged girls, and their grip strength was higher
20 than 95 percent of comparably aged girls.

21 I realize you want to keep it a little brief on
22 time here, so I won't say everything I have prepared, but a
23 few things.

24 Fluctuations in hormone concentrations over the
25 course of a menstrual cycle may influence athletic

1 performance by influencing factors such as
2 thermoregulation, fat and carbohydrate use, muscle-unit
3 activation, and injury risk. And a male to female
4 individual will never experience nor need to learn how to
5 cope with menstrual-cycle challenges, whereas 50 to
6 71 percent of female athletes expressed concerns that their
7 menstrual cycle may influence their athletic performance.

8 Overall, if we look at the research, six separate
9 research studies since 2015 showed that male to female
10 hormone administration in adults caused, at most, a
11 9-percent reduction in muscle strength, keeping in mind
12 that men are 30 to 60 percent stronger. Another study in
13 adults showed that after 3 years of male to female hormone
14 use, the men -- I'm sorry, male to female subjects were
15 still 12 percent faster than comparably aged women.

16 World Rugby concluded a very thorough and
17 inclusive evaluation of the concept of including male to
18 female individuals in female rugby and concluded that male
19 to female individuals cannot safely or fairly compete in
20 rugby due to the inherent anatomical and physiological
21 advantages that males have.

22 So just in summary, males have undeniable
23 biologically based athletic advantages over females in
24 almost all sports. Even the extended use of male to female
25 hormones does not erase those advantages. All that

1 House Bill 972 seeks to do is ensure that female sports
2 teams are preserved for biological females so girls and
3 women can compete on a level playing field.

4 Thank you.

5 MAJORITY CHAIRMAN SONNEY: Thank you.

6 Our first question will be from Representative
7 Gleim.

8 REPRESENTATIVE GLEIM: My first question is to
9 Dr. Brown.

10 Do you have any reaction to the statement that
11 Dr. Montano said, that transgender girls are not boys
12 because they lose muscle mass, and therefore, it's fair and
13 inclusive to all?

14 DR. BROWN: Yes. There is a number of things I
15 would say on that.

16 McManus and Armstrong in 2005, in an extensive
17 evaluation of the young female athlete, concluded that
18 girls are not just simply smaller, less muscular boys; also
19 concluded that sexual dimorphism underlies much of the
20 difference in the adaptations, training, and performance in
21 sports.

22 I would also state that XX and XY chromosomes are
23 very, very important for athletics, and that's why men are
24 able to outperform women. Any speculation that puberty
25 blockers are cross-sex hormones in children is just that,

1 it's speculation.

2 REPRESENTATIVE GLEIM: Thank you, Mr. Chairman.

3 MAJORITY CHAIRMAN SONNEY: Representative Madden.

4 REPRESENTATIVE MADDEN: Thank you, Mr. Chairman.

5 My question is for Dr. Brown.

6 Dr. Brown, when I was 11 years old and pursuing
7 the Presidential Physical Fitness Award, I ran the 50-yard
8 dash faster than any boy or any girl in my school with the
9 exception of Tony Perez.

10 When I was 13 years old, I lobbied and got a
11 spot, because Title IX had just been passed, to run on the
12 boys cross country team. Of course, we were girls, so we
13 were much weaker and we couldn't run 3 miles, we only ran
14 2 miles, despite the fact that I was running 7 to 10 miles
15 a day.

16 The fact that I was able to outperform so many
17 males, what does that say about me? What does that say
18 about my biological makeup? Did I possess more
19 testosterone than estrogen? What accounts for my, just
20 belying everything that you said and being a girl, 11,
21 12 years old without a lot of muscle mass, but just had the
22 ability to run fast?

23 And I guess the second part of my question is,
24 young girls who are going through the process, at what age
25 do they start getting muscle mass, and at what age do you

1 think that they have an unfair advantage against biological
2 girls?

3 DR. BROWN: So those are a number of excellent
4 questions. Thank you.

5 Honestly, without knowing more about the boys
6 against whom you are competing and yourself at that age,
7 it's very hard to speculate. I would say that probably you
8 were blessed with genetic athletic abilities that were
9 greater than those that you were competing against. And I
10 would say that when we compare apples to apples, if we
11 compare Olympians to Olympians, if we compare high school
12 athletes to high school athletes, the boys outperform the
13 girls consistently in running 10 to 15 percent and feats of
14 strength 30 to 60 percent.

15 So I would speculate then that you were perhaps
16 on the more athletic realm of the spectrum for women, and
17 perhaps you were competing against men that were on the
18 less athletic realm of the spectrum.

19 I'm sorry; could you repeat your other questions?
20 I'm sorry. I got tied up in that and forgot the other
21 questions.

22 REPRESENTATIVE MADDEN: Sure.

23 I just want to clarify that I was 11 and 12 years
24 old, so I wasn't competing against men, I was competing
25 against boys and girls who were comparable to me.

1 The second part of my question is, what does that
2 say about someone's biological makeup if a girl is able to
3 run faster than a boy? I mean, what does that say about
4 our hormonal makeup? I'm trying to get at, what separates
5 me as a biological woman to another person my age who is
6 going through transgender transition and they are
7 competing? At what age do they get this, you know, male
8 dominance from, you know, competing?

9 I'm trying -- you are saying that, or the
10 testifier we heard before said that, you know, there is no,
11 there's no greater muscle mass, there's no greater
12 advantage at that age, and you are saying there is, and I'm
13 trying to, at what point does it not become comparable?

14 DR. BROWN: Thank you.

15 So before puberty, boys have 10 percent more
16 muscle mass than girls, and then during puberty, that
17 difference magnifies so that adult men would be expected to
18 have about 40 percent more muscle mass than comparably aged
19 women.

20 If we look at fitness testing in thousands of
21 children, starting at age 3 you can see the boys outperform
22 girls in measures of strength, muscular endurance, and
23 aerobic fitness. The girls outperform boys in terms of
24 flexibility. Again, that's starting at age 3 and
25 continuing on up throughout the rest of life.

1 Tomkinson has done research with, seriously,
2 millions of children in Europe looking at their fitness
3 testing, and starting at age 9, the boys are outperforming
4 girls. If we look at research out of Greece, starting at
5 6, the boys are outperforming the girls. And so the
6 difference begins, you know, the youngest I have found is
7 testing in 3-year-olds, the boys to perform better than
8 girls.

9 Once again, we have to consider that there is a
10 spectrum of individuals with talents such that the
11 strongest girl may outperform some of the weaker boys or
12 the faster girl may outperform some of these slower boys at
13 the same age.

14 And then just, you know, going on. At age 11 --
15 all right? -- at age 11, we would actually expect a girl to
16 be about a half a centimeter or so taller than boys,
17 outweigh the boys by a couple of kilograms, and the boys
18 are still going to be faster and stronger than the girls.

19 REPRESENTATIVE MADDEN: Thank you.

20 Mr. Chairman, I would like to give Dr. Montano
21 the opportunity to respond to my questions.

22 MAJORITY CHAIRMAN SONNEY: Yes. Go ahead,
23 Dr. Montano.

24 DR. MONTANO: Representative, can you just repeat
25 the questions so I can answer them appropriately?

1 REPRESENTATIVE MADDEN: Sure.

2 I mentioned that when I was 11 years old and I
3 was running and competing for the Presidential Physical
4 Fitness Award, I ran the 50-yard dash faster than any of
5 the boys and any of the girls in my school with the
6 exception of one of my friends. And when I was 13 years
7 old and went into high school, I fought for the ability for
8 girls to run on the boys cross country team. And my
9 comment was that I was faster than many boys at that age
10 and faster than most girls at that age, so what does that
11 say about me? Did it say I have more testosterone in my
12 body than estrogen? The mere fact that I was, you know,
13 faster, should I have not been able to compete? At what
14 age when a person is going through transition do any of
15 these factors come into play?

16 Apparently we just heard from Dr. Brown that it
17 could be as early as 3 years old. We heard from you that,
18 you know, the hormone therapy, you know, stops muscle
19 development. So I'm trying to get a scientific answer to
20 my question.

21 DR. MONTANO: Thank you for your question.

22 And to answer the first part, I think it's
23 important to note that there isn't one single aspect of a
24 human body that would explain why one would perform better
25 than another individual in certain types of sports. It

1 will depend on the type of sport. It will depend on many
2 characteristics. So it may not just be muscle mass or just
3 height, but it also could depend on the person's will and
4 gumption and the level of training.

5 And so, you know, in your case, you know, you may
6 have all of these features, that you cannot just look in
7 isolation and you have to look at multiple factors that
8 would make an athlete what an athlete is, and that is just
9 not one feature. So that may explain that you may have
10 other features beyond just testosterone levels, beyond just
11 estrogen levels, beyond muscle size, height, that explain
12 why you perform better than boys and girls comparable to
13 your age.

14 And so I think that kind of dovetails to my next
15 point, that, you know, even though in my experience of
16 working with athletes who are transgender, there are
17 significant changes that occur that they prevent them from
18 playing sports. And so for us when we're, you know, when
19 we look at the way that pubertal blockers work, I have had
20 like 12- or 13-year-old athletes and they do notice a
21 completely different sports performance when they said,
22 like, you know, Dr. Montano, I can't play those sports
23 anymore with, you know, the male category because I can't
24 perform as well as them, because I have noticed that my
25 sports performance has decreased.

1 So I think it's important to note that, like, you
2 know, that once you are on pubertal blockers effectively,
3 so we can look at the studies and look at, you know, the
4 muscle length and things like that. But effectively there
5 are changes that I have seen in my clinical practice that
6 does impact the ability of a person on pubertal blockers
7 and estrogen to play sports effectively to the level that
8 they were before they started the pubertal blockers or
9 estrogen.

10 REPRESENTATIVE MADDEN: Thank you.

11 MAJORITY CHAIRMAN SONNEY: Representative Topper.

12 REPRESENTATIVE TOPPER: Thank you to both of you
13 for your expert testimony this morning.

14 I sit on the PIAA Oversight Committee and have
15 coached football for many years and am also a PIAA
16 official, and I know that the PIAA along with many
17 organizations have policies in regards to steroids and
18 hormone enhancements. To the best of either of your
19 knowledge, is that something that we would have to look at
20 in this case?

21 In other words, if we have children who are being
22 given treatment in regards to hormone therapy, could that
23 possibly need an adjustment when it comes to policies
24 regarding enhancements?

25 DR. BROWN: If I may, that is absolutely

1 something you would need to consider. If you were looking
2 at a female to male individual, they are taking
3 testosterone, which most policies and most sports say you
4 cannot take testosterone as it is a known ergogenic
5 substance. And so that would be a concern: Would you need
6 to carve out an exception for female to male athletes?

7 With the effects of puberty blockers and even the
8 administration of estrogen to a male athlete, that would
9 also be something you would need to consider, because
10 estrogen is a steroid hormone, so you would have to look if
11 your policy blocks steroids or if it is specific to
12 androgenic steroids.

13 REPRESENTATIVE TOPPER: Dr. Montano.

14 DR. MONTANO: I'm with Dr. Brown. I think, you
15 know, you have to take a look into those considerations,
16 and every sport is very different. And so, you know, I
17 think I really want to point out that none of these studies
18 ever justified banning people from sports, or specifically
19 transgender girls in girls sports.

20 So yes, you probably need to take into
21 consideration those things, but the conclusion is not to
22 ban them, because there are ways, as you pointed out, the
23 PIAA and other sports organizations have ways to address in
24 leveling the playing field, so to speak, when it comes to
25 transgender girls in girls sports.

1 REPRESENTATIVE TOPPER: Well, Dr. Montano, let's
2 go down that route then a bit, if we could.

3 You said in your oral testimony that especially
4 those on puberty blockers are no longer -- you would no
5 longer consider them male athletes. What about those who
6 have not yet, you know, they are identifying but they have
7 not yet started puberty blockers? Or is there a point in
8 the hormone therapy or puberty-blocking process of the
9 children that they all of a sudden become -- in other
10 words, I'm looking for a tangible scientific line in the
11 sand of when they are no longer a male athlete and now they
12 are considered a female athlete, because, you know, coaches
13 are certainly not going to be able to determine that, nor
14 school districts.

15 DR. MONTANO: You know, based on my clinical
16 experience and based on some of my patients who are
17 athletes, I usually measure things like the LH and FHS
18 levels to see if their GnRH agonist is completely
19 suppressed, because that plays a role on testosterone
20 levels.

21 And so typically, you know, we know that
22 testosterone is real suppressed if it's below anywhere
23 between 5 to 10 picograms per ML. And so at this point,
24 and based on my correlation when I work with these
25 patients, they do notice a difference where they say, I

1 cannot perform as well, because we know that their
2 testosterone levels have gone down.

3 So I think from a very objective measurement, and
4 when I do look at like kids on pubertal blockers or even
5 those that are on estrogen, they are not on pubertal
6 blockers but we put them on something comparable like
7 Spironolactone, you could use the measurements to say,
8 like, okay, these levels can have an impact on overall
9 sports performance.

10 REPRESENTATIVE TOPPER: Do you think that it
11 would be considered safe to have those who have not yet
12 reached those levels that you gave participate in sports
13 that are cross their gender?

14 DR. MONTANO: I think so, because if you
15 remember, you know, as the Representative said, there is
16 variations on certain athletes. And so just think of
17 someone, maybe a transgender girl who may not have gone
18 through their process, they may be just as comparable in
19 size and athletic ability to girls, because there are
20 variations in that. So generally I think it is safe,
21 provided that, you know, you just keep an eye on how things
22 go.

23 REPRESENTATIVE TOPPER: But there's no, there's
24 no hard line in the sand scientifically. It sounds like
25 it's a case-by-case basis or kind of anecdotal. Is that

1 correct?

2 DR. MONTANO: A case-by-case basis. Correct.

3 REPRESENTATIVE TOPPER: All right.

4 Thank you, Mr. Chairman.

5 MAJORITY CHAIRMAN SONNEY: Chairman Longietti.

6 MINORITY CHAIRMAN LONGIETTI: Thank you, Chairman
7 Sonney.

8 Dr. Montano, I want to kind of rely on your
9 experience as a pediatrician. And so if we were to adopt
10 this legislation, based on your experience, is there a
11 concern that trans girls may not participate in sporting
12 activities, and if they don't, based on your experience, is
13 there a concern on how that affects their development,
14 their mental health, these types of things?

15 DR. MONTANO: Thank you, Chairman.

16 And yes, that's a good question. And yes, from
17 my experience and from the literature, we know that any
18 policy, anything that excludes transgender girls or
19 transgender people from overall society has a detrimental
20 impact on their mental health.

21 And, you know, I see this in clinical practice.
22 I am overwhelmed by the number of requests to make
23 referrals to therapists, to psychiatrists, because of not
24 only on top of COVID, which is impacting everyone's mental
25 health, but the fact that they are still experiencing

1 stigma and discrimination despite a pandemic. And so by
2 adding this policy that has the potential to ban groups of
3 people from playing sports, that we know, studies show,
4 that sports have a beneficial effect on someone's mental
5 health.

6 I believe, and based on the science, that this
7 will have a detrimental effect on the health of transgender
8 girls and transgender people in general because of the
9 concept that they are being excluded from an activity that
10 could be beneficial to them.

11 MINORITY CHAIRMAN LONGIETTI: Thank you,
12 Mr. Chairman.

13 MAJORITY CHAIRMAN SONNEY: Representative
14 Isaacson.

15 REPRESENTATIVE ISAACSON: Thank you.

16 Just, I wasn't really going to ask a question,
17 but listening to both of your testimony, it just became
18 clear to me and I wanted to get some clarification, perhaps
19 Dr. Montano.

20 With regard to what Dr. Brown was saying with
21 regard to the statistics he is using for his evaluation
22 where he's basically asserting that men are physically
23 superior to women based on the numbers he was spouting, and
24 I was thinking more of, when my children, certainly, and we
25 have seen overall that there are many instances where you

1 have both male and female people competing, perhaps even
2 in the same situation. We'll take Mo'ne Davis in the
3 World Little League as a prime example of a girl being able
4 to compete along with the boys of her age.

5 Should we be basing any laws that go into statute
6 and enforceability based on statistics of children at
7 certain ages or by gender?

8 DR. MONTANO: Thank you for that question.

9 I really think that these kinds of policies
10 should be relegated to the sports organizations interested
11 in that sport, because every sport is going to be different
12 as to what would be considered fair and safe. So to have,
13 you know, as Hilton has observed, and even Harper, the
14 studies they have done show there are differences between
15 transgender women and cisgender women and policies and
16 physical characteristics.

17 They said they would want to avoid blanket
18 statements, and so a law like this where they say, okay,
19 well, based on this, they can't do that, it just doesn't
20 seem to make sense because every sport is different. And
21 this is why I think, you know, as I concluded from my oral
22 testimony, that you have to rely on those organizations
23 with experience working with transgender people in sports,
24 because they know what would be, at what point, would be
25 considered unfair.

1 And so to have these blanket laws is not going to
2 be very helpful, and I think you should really rely on the
3 authority of these organizations to help guide what kind of
4 policies within their own sports would be appropriate to
5 allow fair inclusion and fairness.

6 REPRESENTATIVE ISAACSON: Okay. Thank you.

7 MAJORITY CHAIRMAN SONNEY: Representative Gleim.

8 REPRESENTATIVE GLEIM: Hi. Thank you. Just as a
9 follow-up.

10 Dr. Brown, you heard Dr. Montano say that
11 reducing testosterone will diminish capability. Is that
12 enough of a diminishment that makes it fair to compete with
13 females?

14 DR. BROWN: On the research that I have seen and
15 on the research also evaluated by Hilton and Lunberg and by
16 Joanna Harper and her group, the research that has been
17 evaluated by World Rugby and the research evaluated by the
18 International Federation of Sports Medicine in their
19 2021 Consensus Statement on the matter, it does not reduce
20 the difference between men and women sufficient to make it
21 a level playing field.

22 And if I may quote -- this is from the
23 2021 Consensus Statement on *Integrating Transwomen and*
24 *Female Athletes with Differences of Sex Development into*
25 *Competition* -- it states that while trans athletes have a

1 right to participate in sports, cisgender women have a
2 right to participate in a protected category of sport.

3 And so again, the research on it, before
4 transition, men are running 21 percent faster than women;
5 2 ½ years afterwards, the men are still 12 percent faster
6 than women. Before transition, the men are 30 to
7 60 percent stronger than women; after transition, the men
8 are 25 to 55 percent stronger than the women. So I would
9 say that it's not a fair playing field.

10 REPRESENTATIVE GLEIM: Thank you.

11 MAJORITY CHAIRMAN SONNEY: Representative Nelson.

12 REPRESENTATIVE NELSON: Thank you.

13 And I appreciate both professionals for providing
14 us with some insights as we think about the legislation
15 before us. And particularly one of the areas that was
16 mentioned that we haven't really delved too far into was
17 the mental health needs, as they are, to me, certainly
18 considered part of the medical profession in how we
19 evaluate the needs of all of our young people. So,
20 Dr. Montano, I thank you for including that in your
21 testimony.

22 And Dr. Brown, I'm thankful that you're here,
23 able to kind of help to give us some expertise from outside
24 of this State. Particularly, your university has really
25 been leading the way. I think they were a founding member

1 of SportSafe, the LGBT SportSafe organization that is now
2 a national organization advocating for the rights and
3 inclusion of athletes, as well as really having a
4 phenomenal Out and Allied program through the university.
5 Your university is helping to lead the State and helping to
6 lead the nation.

7 Are there best practices that we should be
8 thinking about as far as providing the mental health
9 supports to our transgendered athletes?

10 DR. BROWN: I appreciate that question, and I
11 hate to say this as a professor -- you know, professors
12 like to have an answer for everything -- but I am not a
13 mental health professional, and so probably it wouldn't be
14 appropriate for me to speculate on that.

15 REPRESENTATIVE NELSON: Thank you.

16 MAJORITY CHAIRMAN SONNEY: And I will have the
17 final question for this panel. Oh, Representative
18 Schroeder.

19 REPRESENTATIVE SCHROEDER: Sorry. Thank you,
20 Chairman. I have just been thinking over here while
21 listening.

22 So I'm trying to educate myself in preparation
23 of this hearing and learning about this as much as I can,
24 and I'm curious, because I'm listening to you, Dr. Montano,
25 about hormone treatments and stopping muscle development.

1 Like, what is the average age or the youngest age/oldest
2 age that you prescribe these types of treatments?

3 DR. MONTANO: Thank you, Representative
4 Schroeder, for, you know, learning on this topic.

5 I don't have the data, so I think, but just off
6 the top of my head, some pubertal blockers, it's not
7 necessarily by age.

8 REPRESENTATIVE SCHROEDER: Okay.

9 DR. MONTANO: It's based on their physical
10 characteristics, and specifically it's called Tanner
11 Staging.

12 So Tanner Staging is basically looking at the
13 body to see if they have any signs of puberty. So
14 specifically for those assigned male at birth, we look at
15 testicular size, and for those assigned female at birth, we
16 look at breast size. And so if they fulfill criteria for
17 gender dysphoria, meaning that their gender identity is
18 incongruent to the sex that they were assigned at birth
19 and, you know, they have sufficient mental health and they
20 have parental approval to do this, then we start that.

21 And it's hard to say what that average age is,
22 because, you know, someone can hit, you know, Tanner
23 Stage 2, which is the next step, the first sign of puberty,
24 at various ages. That could occur anywhere between, for
25 example, if you are sex assigned female at birth, that

1 could happen anywhere between 8 to 10 years old. For
2 assigned males at birth, that could happen anywhere between
3 11 and 13 years old. So it's based on age. It's more
4 based on Tanner Staging, and that's why it's hard to answer
5 that question as to what is an average age.

6 And then as for hormones, regardless if they are
7 on pubertal blockers or not, it also doesn't necessarily
8 depend on age, although I think an average for me is 16.
9 But it also depends on the kid's ability to understand what
10 it means to be on these treatments that are irreversible
11 and, of course, if their parents give permission to do
12 that, and so I rely more on that than age. But on average,
13 I tend to see this around 16.

14 REPRESENTATIVE SCHROEDER: Okay. And the
15 youngest age you said was like 8 to 10, is what you
16 generally see? Like, it could be that young?

17 DR. MONTANO: For starting puberty.

18 REPRESENTATIVE SCHROEDER: For the Tanner --
19 yeah, for starting puberty.

20 Okay. Thank you. Just curious. Thank you.

21 DR. MONTANO: Thank you.

22 MAJORITY CHAIRMAN SONNEY: Thank you. And I'll
23 start with Dr. Montano.

24 You know, we have heard that, you know, one of
25 the biggest differences between the sexes is lung capacity

1 and bone density and muscle mass, and, you know, through
2 your testimony, you know, you have indicated that, you
3 know, you have had individuals that have told you that they
4 were losing their muscle mass, I guess, because they
5 weren't able to perform as well. Do we have any actual
6 studies that show how much -- like, is the reduction in
7 muscle mass guaranteed if you are taking hormones?

8 If we have a -- let's just say we have a
9 tenth grade student that is going to begin that process
10 and they are an athlete and they continue to work out,
11 you know, to the extreme, let's say, and let's say that
12 they're going to take the hormones for 2 years. But during
13 that 2-year timeframe, you know, they have worked out very
14 extensively to do everything they can to remain as strong
15 and physically fit as they can, because, you know, they
16 want to be the best at what they're going to do. So, you
17 know, will the hormones absolutely diminish the strength,
18 and will it have any impact on bone density and lung
19 capacity?

20 DR. MONTANO: Thank you for that question, and to
21 the best of my knowledge, I can answer the first two parts.

22 In terms of muscle mass, if you are going to
23 compare someone of comparable size and age and athletics,
24 then based on my experience and from the studies, yes,
25 there might be some reduction of muscle mass if they start

1 on estrogen, even if they did work really hard.

2 Again, that's speculation, though, because
3 there's no studies. Because all of these studies that I
4 have read and am familiar with are only done on just
5 regular people -- right? -- regular transgender people.
6 They're non-athletes. And so I can't really speculate as
7 to whether or not if a transgender girl is on estrogen or
8 on pubertal blockers, worked really hard, will she still
9 remain, because there's just not enough studies or any
10 studies at all on that matter. So we can only extrapolate
11 based on what, you know, the other studies say, that there
12 is a reduction of muscle mass.

13 In terms of like lung capacity, to my knowledge,
14 there isn't any knowledge or any studies showing that,
15 like, the effect of pubertal blockers, estrogen, on lung
16 capacity. But in terms of bone density, we do know that
17 pubertal blockers can reduce bone density if they don't
18 have an accompanying estrogen on board, and this is why we
19 counsel patients who are going on pubertal blockers that
20 you can't do this for a very long time unless you add some
21 estrogen or to stop the pubertal blocker, because we do
22 know that can reduce bone mineral density over time.

23 MAJORITY CHAIRMAN SONNEY: And when that athlete
24 is on estrogen hormone, is that, you know, a daily thing?
25 The rest of your life? Or, you know, what happens if you

1 stop taking it, do you transition back over time? What
2 happens?

3 DR. MONTANO: That's another good question.

4 And so if someone wants to be on estrogen and
5 wants to be in this, they can be almost for the rest of
6 their lives. There is some debate in the adult world
7 whether or not they should induce menopause in these women
8 once they reach that age. But the changes are partially
9 reversible. You know, we tell you that if they stop the
10 estrogen, then they may see some muscle mass return. They
11 may see a redistribution of fat. Instead of on the hips,
12 it will go back in the belly, which is a more male
13 characteristic.

14 So some changes are irreversible and some are
15 not, and it really depends on what you're looking for. But
16 things like fat redistribution and breast growth, those are
17 not reversible.

18 MAJORITY CHAIRMAN SONNEY: Thank you.

19 I think we are done with the first panel. Thank
20 you, both of you, for being with us here this morning.
21 We're going to move on now to the second panel.

22

23

PANEL 2

24

25 MAJORITY CHAIRMAN SONNEY: The second panel will

1 consist of Sophia Tellis, who is a student in Luzerne
2 County; and Evangelino Nascimento, who is a parent from
3 Allegheny County. And if you would like to introduce
4 yourself, then you can begin.

5 Oh, excuse me. I got to swear you in. I'm
6 sorry.

7 Do we have -- Sophia, we'll just swear you in at
8 this time. Would you please raise your right hand:

9 Do you swear or affirm that the testimony you are
10 about to give is true to the best of your knowledge,
11 information, and belief? If so, please indicate by saying
12 "I do."

13 MISS TELLIS: I do.

14 MAJORITY CHAIRMAN SONNEY: Thank you. Is the
15 green button lit?

16 MISS TELLIS: Yeah.

17 MAJORITY CHAIRMAN SONNEY: There you go. You can
18 begin.

19 MISS TELLIS: Hi. My name is Sophia Tellis. I'm
20 honored to be providing testimony on an issue that would
21 impact girls like me across our State.

22 I am 15 years old and an incoming tenth grader at
23 Dallas High School in northeastern PA, and I play soccer on
24 the varsity team. I have played soccer since I can
25 remember. It is a sport I fell in love with.

1 As a lifelong student-athlete, I fully support
2 all girls participating on my teams or against me in
3 matches. I don't care if another girl is transgender.
4 That doesn't matter on the field. Hearing that you are
5 considering a ban on girls who might be trans scares and
6 deeply upsets me. Trans girls are girls just like me.
7 We're just the same. We are all human and should be
8 treated with dignity and respect.

9 I would ask you to put yourself in their shoes.
10 As lawmakers, you can help the most through empathy. A
11 baby was born, and from that moment on, she knew exactly
12 who she is and knows that she is trapped in a body that
13 people mistake for a boy's. She grew up first feeling
14 disconnected from the world, but then with the support of
15 her family and friends, she was finally brave enough to be
16 who she knew she was. But now she's being told by random
17 adults that she can't play anymore at school.

18 In this moment, this girl holds the whole world
19 on her shoulders. There is no reason to make a girl play
20 on the boys team. It doesn't make sense. She belongs on
21 the girls team. The State does not need to come in and
22 disrupt athletes' lives, teams, and communities for a
23 non-issue.

24 It's none of my business if my teammates or
25 opponents happen to be transgender. If we win or lose,

1 it's because of our skill as players, not whether we are
2 trans or cis. The issue here is inclusion -- female
3 rights. We should be celebrating diversity. Everyone
4 coming onto a team has different strengths and skills.
5 What matters at the end of the day is how you are as a team
6 player and how dedicated you are to your training.

7 Female athletes don't need protection from each
8 other, we need equal treatment. We need more resources and
9 opportunities equal to what the boys have. These are the
10 problems. Trans girls playing with other girls on the only
11 team that makes any sense is not a problem. To say you
12 support women's sports and then say only the "right kind of
13 girl" can play is hypocritical and unfair, and if you ask
14 me, I'd say it's bullying.

15 Putting this block on a child's life can take a
16 toll on their mental health, for sure. Speaking from
17 experience, mental health is not something you just
18 overcome. For me and other cisgender girls, we don't lose
19 anything by playing with or against girls who might be
20 different from us. But if trans girls are banned, they
21 lose playing the sport they love, they lose their
22 teammates, and they lose another chance to be a normal kid.
23 They could even lose their lives.

24 I have watched my peers struggle. I have felt
25 the same types of pressures and anxieties. Soccer saves

1 me. Soccer allows me to be me. It has given me the
2 opportunity to develop lasting friendships, the great need
3 to persevere during difficult times, and the confidence to
4 stand and speak in front of you today. To deny anyone that
5 experience is blatant discrimination on women. Trans girls
6 are girls, just like me.

7 Could you imagine if this entire hearing was
8 based on all the ways we could actually make things better
9 for girls in sports? Trans girls deserve the same
10 experiences I get to have in high school. They deserve the
11 same experiences all girls get to have in high school.
12 They deserve your empathy and your support.

13 Thank you.

14 MAJORITY CHAIRMAN SONNEY: Thank you.

15 I tend to agree when you're talking on a team
16 sport that, you know, it takes the team. You know, it
17 takes the team to win. You know, everybody has to be at
18 their game. Do you feel the same way when it's more
19 individual; like, for instance, in track, where it's just
20 you competing. You know, you have nobody else to back you
21 up; it's all on you. You know, it's just you against the
22 rest. Would you still feel the same way?

23 MISS TELLIS: Yeah, I totally would.

24 I did track last year, and there have been girls
25 that were better than the boys and personally better than

1 me. They have more capabilities than me. Those girls are
2 better than me. It doesn't matter if they are transgender,
3 they are the same as me, and they deserve the same things
4 as me. And if they win, it's because they deserve it.
5 It's because they won because they put in the effort. If I
6 put in the same effort, it would be the same way. I need
7 to work to win, you know?

8 MAJORITY CHAIRMAN SONNEY: We have been joined by
9 the other testifier, Evangelino Nascimento. Are you
10 present? There you are. I need to swear you in.

11 Could you please raise your right hand:

12 Do you swear or affirm that the testimony you are
13 about to give is true to the best of your knowledge,
14 information, and belief? And if so, please indicate by
15 saying "I do."

16 MR. NASCIMENTO: I do.

17 MAJORITY CHAIRMAN SONNEY: Thank you. You may
18 begin.

19 MR. NASCIMENTO: Good morning, Chairman Sonney
20 and Members of the Committee.

21 First, I want to thank you for the opportunity to
22 speak on such an important matter.

23 I want to address you today as the father of a
24 trans girl, but also as an athlete, a PE teacher, and a
25 coach. My experience in each of these realms has led me to

1 know that banning transgender girls from girls sports is
2 the wrong approach on every level.

3 It is nearly impossible to talk to you about this
4 issue without giving you a little bit of background on my
5 family. Both my wife and I are Christians, and we come
6 from several generations of Christian families, and like
7 many people, I used to think that being gay, bisexual,
8 transgender, was a choice. But about 5 years ago, our
9 youngest came to us and told us that, you know, they were
10 transgender. And honestly, neither my wife nor I knew,
11 you know, fully well what that meant, what it really means
12 to be transgender. The fact is that we, like most people,
13 chose to ignore it, because it was not close to us. It was
14 someone else's choice. But now, it was our child, and we
15 could no longer ignore it.

16 So in the summer of 2016, we discovered that our
17 child had been going through depression, anxiety, thoughts
18 of suicide, and we never even knew about it. That summer,
19 we started on our journey to learn who our child really
20 was, where our prejudices were, and most importantly, how
21 we could help our child live a full life as a teenager, the
22 life we as parents want for our children.

23 We learned that nobody chooses not to identify
24 with the gender they were assigned at birth. Nobody would
25 ever choose a life prone to rejection, heartache, physical

1 danger, and threats from other people, especially from
2 people in government who even would consider making this
3 rejection legal by supporting harmful policies such as this
4 bill.

5 Lastly, we came to understand that our daughter
6 was no different than any other girl her age. All girls
7 have their own strengths, skills, weaknesses, and
8 vulnerabilities, including trans girls. There is no reason
9 to exclude them from girls teams, especially when sports
10 can play such a crucial role in the development and
11 well-being of youth.

12 Sports are way more than just competition.
13 Sports help build character, discipline, respect, and
14 organizational skills. But at the very top of all these,
15 sports teaches us to work well with others, teaches us to
16 be part of a community, to trust others in how they can
17 trust us. Transgender girls deserve to have these learning
18 opportunities just like any other student. They shouldn't
19 be forced to be alone on the wrong team with all the
20 scrutiny and humiliation that it can bring. Kids don't
21 tend to find sports enriching if they are too busy feeling
22 anxious or out of place.

23 Also, I would like to say that many of you are
24 here today to speak on something that is viewed as a
25 sports' and a student issue, but this could have

1 repercussions and consequences to pass such to say such
2 things. What do you think children will learn if not
3 directly told about trans kids if they are always kept
4 separate? Will trans kids be some form of other, something
5 to be kept away from and to distance themselves from?

6 We need to practice, you know, fostering
7 compassion, unity, diversity, inclusivity, and the truth is
8 that trans children are no different than any other
9 children. These are all girls, and if nothing else, I
10 would plead with you to hear this: Transgender girls are
11 just girls who want to be normal and have normal
12 opportunities.

13 In a recent conversation with State
14 Representative Gaydos, she told us that playing sports
15 helped build the person she is today. If this bill were to
16 pass, girls like my daughter and many others would be
17 denied that same experience. It would also send a message
18 to trans girls and their families that they are not welcome
19 in Pennsylvania and would put their lives at risk, and I
20 would urge you not to pass this bill.

21 Thank you.

22 MAJORITY CHAIRMAN SONNEY: Thank you.

23 Questions? Representative Madden.

24 REPRESENTATIVE MADDEN: Thank you, Mr. Chairman.

25 Sophia, when you get to my age, it's not really

1 good or proper to divulge your age, but may I ask, how old
2 are you?

3 MISS TELLIS: I am 15 years old.

4 REPRESENTATIVE MADDEN: Well, I would just like
5 to say that I think we're going to be hearing from you for
6 decades. I think you have found your voice. I think you
7 are an advocate. I think you are a genuinely warm and
8 caring human being who doesn't have to but is standing up
9 for your fellow teammates, and I applaud you for that. As
10 a matter of fact, I did applaud you.

11 And I agree with you 100 percent, and I agree
12 with Mr. and Mrs. Nascimento. I apologize if I didn't say
13 your name right. The Legislature has no business
14 legislating this. But here we are in Pennsylvania, a State
15 that cannot enshrine equality for the LGBTQ community in
16 their Constitution, so this is where we are.

17 So I thank you for your bravery. I sincerely
18 hope this bill doesn't pass, and I sincerely hope we leave
19 transgender students in sports to the NCAA, the PIAA, the
20 Olympic Committee, and I hope you are all celebrating our
21 first transgender woman who won a medal in the Olympics.

22 Thank you for your testimony, and for Mr. and
23 Mrs. Nascimento, thank you for your bravery to come and
24 tell your child's story, and I sincerely hope the
25 Legislature is listening to you.

1 Thank you.

2 MISS TELLIS: Thank you.

3 MR. NASCIMENTO: Thank you.

4 MRS. NASCIMENTO: Thank you.

5 MAJORITY CHAIRMAN SONNEY: I just have one last
6 question for you, Sophia.

7 Have you, to your knowledge, competed against any
8 transgender girls?

9 MISS TELLIS: I wouldn't---

10 MAJORITY CHAIRMAN SONNEY: That you know of.

11 MISS TELLIS: I wouldn't know, and it's none of
12 my business, I think. But yeah, that's my answer.

13 MAJORITY CHAIRMAN SONNEY: So in other words, you
14 know, it doesn't -- you know, the rumor mill all through
15 school doesn't identify who all of these girls are so
16 everybody knows if one of those girls playing sports is
17 transgender or not? You know, your answer was that you are
18 not aware of. So you're not aware -- are you aware of any
19 transgender females in your school?

20 MISS TELLIS: I don't feel comfortable disclosing
21 that information. I don't want to out anyone, so.

22 MAJORITY CHAIRMAN SONNEY: I didn't want to
23 identify their name, just whether or not they existed.

24 MISS TELLIS: I don't feel comfortable---

25 MAJORITY CHAIRMAN SONNEY: That's fine.

1 yourself, and you can begin.

2 MISS WILLIAMS: Good morning. My name is
3 Lily Williams, and I am here to share with you my
4 experience on the Hempfield Track and Field Team this past
5 year.

6 I have been a member of the Hempfield
7 Cross Country and Track Team for the past 4 years. This
8 past year, I had the privilege of being the captain of both
9 the girls cross country team and the girls track team. I
10 remember the first week of track this year like it was
11 yesterday. Excitement filled the air after a canceled
12 season last year due to COVID.

13 The first 2 days of track were very successful,
14 but the third day, we showed up for practice and a boy was
15 there warming up and practicing with us. We knew this boy,
16 as he was a member of the boys cross country team in the
17 fall. At first, we didn't think much of it, because we
18 figured that if the boy were going to be joining the girls
19 team, surely someone in a higher position would have
20 informed us first. Sadly, we were mistaken.

21 This boy showed up to practice every day and
22 continued to run with us, and no one ever said a word to us
23 about it. We were all definitely confused, but we figured
24 in time someone in authority would say or do something to
25 explain to us why he was running against girls in practice.

1 Eventually, after hearing rumors in school, we
2 discovered that this boy was now identifying himself as a
3 girl, and because he had changed his gender identity, he
4 was now allowed to be in our locker rooms and compete with
5 us during races. This upset many of the girls on my team.

6 As captain, I felt called to talk to my coach on
7 behalf of my team. I stressed to him that the locker room
8 situation made many of the girls feel uncomfortable and
9 that he should not be allowed in when we are changing. My
10 coach explained that he was not allowed to talk about the
11 issue with me.

12 As the season progressed, dealing with the issue
13 of a male who identifies as a girl slowly got harder. None
14 of us understood what was happening. Many of us have heard
15 about this issue happening in other places, but we were all
16 very shocked when it happened at Hempfield. I guess we
17 thought maybe someone would have talked to us about it or
18 asked us how we felt and if we were okay, but that never
19 happened. And then when we tried to talk to our coaches
20 and principals, they didn't offer much support or help. It
21 felt like our thoughts and feelings were being shut down.

22 I don't want my words to reflect negatively on my
23 principal or coaches because I respect and love everything
24 they have done for me through the years, but I think I can
25 speak for many of the members on my team when I say we all

1 felt pretty abandoned this year, and it really hurt.

2 But let me be clear: I genuinely love and care
3 for this teammate no matter how they identify. Throughout
4 the whole season, I went out of my way to talk to this
5 individual in the hopes of forming a friendship. I know
6 this has been a hard time for them, too. I can't imagine
7 going through something like this.

8 I may disagree with the ideology behind this
9 issue, but that in no way means I can't love and care for
10 an individual just because we share different opinions.
11 However, it does not justify the discrimination that the
12 girls had to carry this year on the Hempfield Track Team.

13 It was hard for me every day knowing that the
14 girls I care about most left practice frustrated and upset,
15 because no matter how hard they worked, they would never be
16 as fast as a biological boy. Countless times I held them
17 in my arms because they felt alone, like no one cared about
18 their problems.

19 Everyone knows that biologically, boys have a
20 physical advantage over girls, an advantage that doesn't go
21 away by identifying as another gender, whether it be
22 transgender, pangender, demigender, or all the other
23 numerous gender identities people adhere to. We don't have
24 separate teams for every identity because what we believe
25 about gender isn't relevant to sports. We have them

1 because there are two sexes. In fact, advantages like
2 this don't go away even if a boy were to take female
3 hormones.

4 There are ways to support everyone. The boys on
5 the track team are perfectly capable of accepting a boy who
6 identifies as a girl or as any other gender identity on
7 their team, as they did in the fall this past school year
8 during cross country when this same individual ran on the
9 boys team.

10 If bullying or any unkind behavior were to occur,
11 then there are ways to deal with that. Hempfield has never
12 accepted behavior like that on any team, and if that were
13 to happen, those boys should be dealt with. But ignoring
14 the girls while our rights to privacy and fairness in
15 competition are being violated shouldn't be acceptable
16 either, but that's exactly what happened this year. It
17 happened at the high school in the bathrooms and it
18 happened on the girls track team.

19 We deserve to be able to use the bathrooms
20 without members of the opposite sex present, making us feel
21 scared and extremely uncomfortable. My privacy and the
22 privacy of all girls does not spring into existence or
23 cease to exist merely based on what a male believes about
24 his gender. Our privacy rights start at the door of the
25 locker room and are not contingent on whether a male in the

1 room has intentions to harm us or not. Girls should not be
2 told that in order to be kind or supportive to any male
3 that we have to change in front of them.

4 We have been told that we need to put ourselves
5 in the shoes of people who identify as a gender identity
6 different from their sex. I actually agree with that, and
7 I have really tried to do that. In fact, I'm committed to
8 ensuring that every girl, even if they identify as a boy or
9 something else, is welcomed and treated well on the girls
10 team. But I ask you to put yourself in our shoes as well.
11 I don't understand why there seems to be so little care
12 about what this is doing to the emotional well-being of the
13 girls.

14 There are ways for schools to meet the needs of
15 all students without allowing the violation of our rights
16 to privacy and fair competition. Any biological girl, no
17 matter what they believe about gender, is more than welcome
18 on our girls team, and any biological boy, no matter how
19 they identify, is welcome on the boys team. That preserves
20 fairness and opportunities for everyone.

21 Last month, I asked the Hempfield School Board to
22 please not push this issue down the road and make more
23 girls next year go through what we had to go through this
24 year. By doing nothing, you are actually making a decision
25 to allow the girls in your State to continue to suffer

1 unfair discrimination. By doing nothing, you are choosing
2 to care for one group of students over all of the female
3 students in the State. It might make everyone feel better
4 to deny this, but this is a fact.

5 Florida Governor Ron DeSantis sent a law last
6 month limiting girls sports at public schools to biological
7 girls. This is what he said, and I quote:

8 "Just let me say very clearly that in Florida,
9 we're going to do what's right. We'll stand up to
10 corporations; they're not going to dictate the policies of
11 this state. We'll stand up to groups like the NCAA who
12 think they should be able to dictate the policies of
13 different states. We won't be cowed. We will stand
14 strong."

15 "If the price of that is we lose an event or two,
16 I would choose to protect our young girls every day of the
17 week and twice on Sunday," end quote.

18 It's been hard to speak out on this issue. Some
19 of the girls on my team have had death threats made against
20 them, and many of them are now scared to speak. We need
21 support from a higher power than our school board. I'm
22 asking you not to be afraid of the possible repercussions
23 you might face and instead focus on the difference you can
24 make for your female students all over the State and even
25 the country.

1 I know that this is a tough issue for you to take
2 a stand on, but you, like me, have been given an
3 opportunity to make a difference. Please don't be afraid.

4 I asked my school board at Hempfield and now I'm
5 asking you, will you please take a stand to protect the
6 girls that are under your care in the State of
7 Pennsylvania?

8 Thank you.

9 MAJORITY CHAIRMAN SONNEY: Thank you.

10 Okay. Beth Stelzer, you may begin.

11 MS. STELZER: My name is Beth Stelzer. I am a
12 wife, mom, and amateur powerlifter. I am the founder of
13 the nonpartisan grassroots coalition Save Women's Sports,
14 and my team supports HB 972.

15 I am wearing red and blue today because I
16 represent people from all political backgrounds and as a
17 reminder that this should not be a partisan issue. In
18 fact, this should not be a political issue. It is common
19 sense.

20 I'm a survivor of male violent sexual assault
21 and stalking. Powerlifting helped empower me through PTSD.
22 It gave me a reason to carry on after miscarrying, and
23 basically with a strong body came a strong mind. Women
24 like me rely on sex-separated spaces to remain feeling
25 safe, but thankfully my federation, USA Powerlifting,

1 created policies similar to this bill to protect
2 females.

3 I am here because I fear for future generations
4 of female athletes and other sports federations. Females
5 young and old across the world now face exclusion from the
6 sports they love with the inclusion of males.

7 From local soccer leagues to the Olympics, males
8 are taking the spots females fought for years to carve out.
9 A virulently spreading ideology is trying to force us to
10 comply with lies and accept feelings as facts. These
11 extremists step away from reality with the claim that
12 biology is wrong and anyone who stands in their path is
13 labeled as a transphobic bigot and faces cancel culture.
14 Sponsorships, scholarships, and jobs are at risk. That is
15 why you do not see athletes in masks speaking out. They
16 are bluntly told to shut up and be nice or else.

17 The movement to erase the definitions of
18 "biology" has become so violent that I get death threats
19 for testifying and relentlessly bullied on social media for
20 simply stating the truth, that transgender girls are male.
21 The human species is dimorphic, not on a spectrum, and you
22 cannot change a male into a female. Females are not a
23 hormone level. The Y chromosome will always remain and
24 maintain physical differences between the sexes down to a
25 cellular level.

1 Please help set a precedent that shows young
2 women they matter. Support HB 972. Thank you for tackling
3 this serious issue.

4 MAJORITY CHAIRMAN SONNEY: Thank you.

5 Questions? Representative Gillen.

6 REPRESENTATIVE GILLEN: Thank you very much.

7 I appreciate your testimony. It was very
8 heartfelt, very compassionate, very caring, and that stands
9 out.

10 We have heard a lot about mental health on both
11 sides of the equation here. You mentioned you felt
12 abandoned; your privacy was violated; hurt. I think I
13 heard emotional well-being, frustrated, upset. Would you
14 characterize this as being across the board in terms of
15 your team and the female athletic community at Hempfield?

16 MISS WILLIAMS: I'm sorry. Would you be able to
17 explain that? I'm just confused what you're asking.

18 REPRESENTATIVE GILLEN: You mentioned a number of
19 different feelings you had, emotionally upset, being hurt,
20 frustrated. Would you say that's characteristic of the
21 female athletic community? Just your team? Yourself?

22 MISS WILLIAMS: I would say the whole team this
23 whole year just felt, and you said I used the word
24 "abandoned," but there was really no one there for us. And
25 even when we tried to go to higher authorities -- like, I

1 talked to my principal and my coach many times -- they
2 simply just told us, if you were going through this, you'd
3 want to be loved, too.

4 And I guess that comment especially hurt, because
5 we were all going out of our way to love this individual
6 and include them, regardless of not knowing what was really
7 going on. So our coaches just not being there for us and
8 not explaining the situation overall brought the team
9 morale really at an all-time low.

10 REPRESENTATIVE GILLEN: Okay. Without putting
11 words in your mouth, would you say that the mental health
12 of individuals was affected by this?

13 MISS WILLIAMS: Yes. I would say many of the
14 girls on my team, mental health was affected.

15 REPRESENTATIVE GILLEN: If I read the media
16 accounts accurately, there was a school directors' meeting
17 regarding this particular issue. Did you find relief from
18 those that were in leadership positions at the school
19 district?

20 MISS WILLIAMS: I have talked to a few of the
21 members on the board, and I would say I felt a sense of
22 relief after talking to some of them. But we left the
23 meeting with things very much so up in the air. So I
24 wouldn't say there was a huge level of relief after that
25 past meeting.

1 REPRESENTATIVE GILLEN: So both from the
2 administrative side of the equation, from your coaches,
3 your teachers, and the elected school directors, you found
4 no relief?

5 MISS WILLIAMS: I did not find much.

6 REPRESENTATIVE GILLEN: Thank you very much,
7 Mr. Chairman.

8 MAJORITY CHAIRMAN SONNEY: Any other questions?
9 Being none -- Representative Nelson.

10 REPRESENTATIVE NELSON: Thank you.

11 And thank you both for testifying. Again, the
12 same comments to the other testifier.

13 Lily, I thank you for sharing your story and
14 finding your voice in this. And to those within your
15 school district and on the team, I thank them as well.

16 I do think that this is one of those areas where,
17 as a former school board member, I can imagine the pressure
18 that school boards throughout our Commonwealth are facing.
19 I appreciate hearings like this where we have the benefit
20 of expert testimony in cases throughout the country as well
21 as tremendous testimony from voices throughout the
22 Commonwealth.

23 I know it is very difficult for our school
24 districts to receive that same information and background
25 as they consider bills like this or language like this for

1 their own school districts. So I would encourage us as a
2 body to certainly consider a position on items like
3 participation in sports. There are certainly other very
4 hot-button conversations that are happening in school
5 boards around this State that also need to be considered,
6 perhaps at the higher level because of the level of
7 expertise provided.

8 I do not personally agree with kind of the
9 sentiment of your testimony in this case, but I really do
10 appreciate both what I hear as kind of the call for help
11 and the feeling of, both for you all as students, as
12 athletes, and to some degree for the community, feeling
13 just kind of out on an island and, as you mentioned, at
14 times both abandoned and alone.

15 So I hear that. I do believe that we have a
16 responsibility here in Harrisburg and in this building to
17 think about what the appropriate answer and solution is.

18 Thank you.

19 MISS WILLIAMS: Thank you.

20 MAJORITY CHAIRMAN SONNEY: Representative Gleim.

21 REPRESENTATIVE GLEIM: Thank you.

22 I just want to thank both of the panelists for
23 being here and for actually all the panelists.

24 I had a follow-up for Beth, if you don't mind,
25 real quick.

1 It sounds like sports has been empowering for
2 you. Can you talk about the advantages that women gain
3 from athletic opportunities who are like yourself?

4 MS. STELZER: Just average women like me,
5 self-esteem and confidence, up to levels like where you're
6 at where 95 percent of government officials and CEOs have
7 played sports. They give us the building blocks we need to
8 succeed in life, and that is severely affected when we
9 throw males in the mix.

10 REPRESENTATIVE GLEIM: Okay. Thank you.

11 I was interested in your story, because I don't
12 think there has been a lot of talk about women affected in
13 that way as it pertains to sports. So thank you for your
14 testimony.

15 And thank you, Lily, also. I think that was
16 really powerful, and I want to thank the other panelists as
17 well for being here today.

18 Thank you, Chairman.

19 MAJORITY CHAIRMAN SONNEY: Thank you.

20 Any other questions?

21 I also would like to thank all of the panelists
22 for being here today, especially the students. I know that
23 this isn't the easiest thing to be asked to do.

24 We know it's a difficult subject, and that is
25 precisely why I felt that we needed a public hearing. You

1 know, we can't avoid those difficult subjects. We have to
2 be able to talk about them, and the only way that we are
3 going to create good policy is to better understand it and
4 to understand it as well as we possibly can.

5 So again, I thank all of the testifiers for being
6 here, and this hearing is adjourned.

7

8 (At 11:32 a.m., the public hearing adjourned.)

1 I hereby certify that the foregoing proceedings
2 are a true and accurate transcription produced from video
3 on the said proceedings and that this is a correct
4 transcript of the same.

5
6
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