

# House Bill 1298

## Human Services Committee

Andrew Alexis Varvel

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Chairman Weisz and Members of the  
House Human Services Committee:

My name is Andrew Alexis Varvel. I live in Bismarck. This testimony is neutral.

Regardless of whether this bill passes or not, the North Dakota High School Activities Association should establish an intersex league for transgender athletes.

This compromise would mean that transgender athletes would have an opportunity to compete against one another in a league of their own. This solution would probably please nobody, probably displeasing both transgender activists from the LGBTQ+ community and traditional Christians. The trouble with either side taking a “my way or the highway” approach to this issue, though, is that one might get left by the side of the road while everybody else moves on.

HB 1298 probably exists due to widespread publicity about the litigation of *Soule v. Connecticut Association of Schools*, which has promoted a belief that transgender girls are outcompeting their cisgender peers in high school athletics. Whether or not you think this is true, these concerns need to be taken seriously.

You may wish to turn this legislation into a study resolution to investigate the relative competitiveness of transgender and cisgender athletes, residual effects from a transgender athlete's previous physiology, possible differences in risk taking between transgender and cisgender girls, and ethical considerations related to existing bans on the use of artificial steroids by high school athletes.

Thank you.

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