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United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION

WASHINGTON, DC 20510-6125

WEBSITE: <https://commerce.senate.gov>

April 7, 2025

Mr. Phil Andrews
Chief Executive Officer, USA Fencing
210 USA Cycling Pt., Ste. 120
Colorado Springs, CO 80919

Dear Mr. Andrews:

It has come to my attention that USA Fencing is still permitting men to compete in women's fencing in violation of federal law. I'm writing to ask why. Your organization is the recognized National Governing Body (NGB) for fencing in the United States, but to remain so it must comply with United States Olympic and Paralympic Committee rules and procedures, its statutory obligations to protect women, and President Trump's recent Executive Order (EO) on *Keeping Men Out of Women's Sports*.¹ If it does not, and instead continues to put women at risk, Congress may be forced to terminate USA Fencing's NGB's certification.

Last week, Stephanie Turner from the Fencing Academy of Philadelphia competed at the USA Fencing-sanctioned Cherry Blossom Open Circuit at the University of Maryland.² This young woman was set to face a man who now claims to be a transgender woman in a fencing bout.³ However, at the start of the match, Ms. Turner bravely took a knee and refused to compete against her male opponent. In response to this young woman's courage, tournament officials presented her with a "black card" and disqualified her from the entire tournament. USA Fencing's Director of Communications, Bryan Wendell, said the young woman's disqualification was the "direct result of her decision to decline to fence an eligible opponent," a supposed violation of International Fencing Federation (FIE) rules.⁴ He then reiterated that USA Fencing remains "committed to inclusivity."⁵

¹ Exec. Order No. 14201, 3 C.F.R. § 9279 (2025).

² *Fencer Takes Knee in Protest Against Transgender Opponent*, BRITISH BROADCASTING CORP. (April 3, 20205), <https://www.bbc.com/sport/fencing/articles/cpdzv76gl49o>.

³ See Amanda Prestigiacomio, *VIDEO: Female Fencer Booted from Tournament After Refusing to Compete Against Male Opponent*, THE DAILY WIRE (April 2, 2025), <https://www.dailywire.com/news/video-female-fencer-booted-from-tournament-after-refusing-to-compete-against-male-opponent>. The male fencer, who previously competed in the men's fencing division, transferred to Wagner College's women's team in 2024 and has since competed in multiple female tournaments, winning the Junior Women's Foil event at the Connecticut Division Junior Olympic Qualifiers in December 2024. See *Redmond Sullivan*, FENCING TRACKER (last visited April 3, 20205), <https://fencingtracker.com/p/100286459/Redmond-Sullivan>.

⁴ Prestigiacomio, *supra* note 3.

⁵ *Id.*

USA Fencing’s commitment to “inclusivity” is nothing less than full-throated support for males competing in women’s sports in violation of federal law. As the recognized NGB for fencing, USA Fencing is required to provide “support and encouragement for participation by women where separate programs for male and female athletes are conducted on a national basis”⁶ as well as a “safe environment in sports.”⁷ Failure to do so is grounds for the United States Congress to terminate USA Fencing’s certification as a NGB.⁸ Moreover, USA Fencing must comply with President Trump’s February 2025 EO on *Keeping Men Out of Women’s Sports*, which protects the integrity of female athletics by ensuring that only women compete in women’s sports. The EO calls on the Secretary of State to “use all appropriate and available measures to see that the International Olympic Committee amends the standards governing Olympic sports to promote fairness, safety, and the best interests of female athletes by ensuring that eligibility for participation in women’s sporting events is determined according to sex and not gender identity or testosterone reduction.”⁹ The U.S. Olympic and Paralympic Committee and all NGBs are required to adhere to federal policies set pursuant to this EO to remain in good standing as a recognized NGB.

Male fencers naturally possess inherent advantages over potential female competitors. Men tend to be taller, have greater muscle mass, and more testosterone—all advantages for fencing movements like lunges, jumping, or leg power measures. The international community has broadly recognized the dire consequences of males unfairly competing in women’s sports. A recent United Nations report, *Violence Against Women and Girls, Its Causes and Consequences*, emphasizes that female athletes are “more vulnerable to sustaining serious physical injuries when female-only sports are opened to males.”¹⁰ It highlights multiple instances where women athletes forced to compete against men sustained injuries like concussions, broken legs, and skull fractures.¹¹ The report further notes that, as of March 2024, “over 600 female athletes in more than 400 competitions ha[d] lost more than 890 medals in 29 different sports” to males,¹² and explicitly concluding that “males have certain performance advantages in sports.”¹³ Simply put, it’s time our own national bodies recognize the same.

The Standing Rules of the Senate provide the Committee on Commerce, Science, and Transportation the authority and duty to “review and study, on a continuing basis” both sports

⁶ 36 U.S.C. 220524 (a)(6).

⁷ 36 U.S.C. 220524(a)(13).

⁸ 36 U.S.C. 220552(b).

⁹ Exec. Order, *supra* note 1.

¹⁰ *Violence Against Women and Girls, Its Causes and Consequences*, United Nations General Assembly (Aug. 27, 2024), <https://documents.un.org/doc/undoc/gen/n24/249/94/pdf/n2424994.pdf>.

¹¹ Yaron Steinbuch, *Injured Volleyball Player Urges Transgender Ban for Female Sports Teams in Schools*, N.Y. POST (April 21, 2023), <https://nypost.com/2023/04/21/nc-volleyball-player-urges-transgender-ban-for-schools-female-sports/>; Alec Schemmel, *Injured Volleyball Player Speaks Out After Alleged Transgender Opponent Spiked Ball at Her*, ABC 13 NEWS (April 20, 2023), <https://wlos.com/news/local/volleyball-player-injured-after-transgender-opponent-spiked-ball-at-her-speaks-out>; Abby Patkin, *Injuries Involving Trans Basketball Player at Mass. School Spark Controversy*, BOSTON.COM (March 4, 2024), <https://www.boston.com/news/high-school-sports/2024/03/01/injuries-involving-trans-basketball-player-at-mass-school-spark-controversy/>.

¹² *Sports Competitions*, SHEWON.ORG (last visited April 3, 2025), <https://www.shewon.org/>.

¹³ *Violence Against Women and Girls*, *supra* note 10.

and sports agencies such as USA Fencing.¹⁴ So that the Committee may assess whether USA Fencing has met its statutory duties and can remain in good standing as a NGB (or not), please provide the following documents and written responses to the following questions by no later than April 21, 2025.

1. Provide all documents and communications referring or relating to any USA Fencing policy addressing male participation in the women's division, including but not limited to the USA Fencing Transgender and Nonbinary Policy.¹⁵
2. How many men (or transgender women) currently compete in the women's division of USA Fencing?
3. In the last four years, how many bouts have occurred at USA Fencing-sanctioned events between men (or transgender women) and women?
 - a. In those bouts, how many times did the female athlete prevail?
 - b. In those bouts, how many times did a female athlete suffer an injury?
4. Does the USA Fencing Transgender and Nonbinary Policy comply with President Trump's EO on *Keeping Men Out of Women's Sports*? Why or why not?
5. Before completing its Transgender and Nonbinary Policy, did USA Fencing conduct any research or discussions around the risk of injury to female athletes? If yes, please provide details about the review. If no, why not?
6. As the recognized NGB for fencing, USA Fencing must comply with express statutory obligations in order to remain the recognized sports body for fencing in the United States. Explain in detail how USA Fencing's Transgender and Nonbinary Policy complies with the following statutory obligations for NGBs:
 - a. "Keep amateur athletes informed of policy matters and reasonably reflect the views of the athletes in its policy decisions."¹⁶
 - b. "Provide equitable support and encouragement for participation by women where separate programs for male and female athletes are conducted on a national basis."¹⁷
 - c. "Encourage and support research, development, and dissemination of information in the areas of sports medicine and sports safety."¹⁸

¹⁴ S. Rules XXV(1)(f); XXVI(8)(a)(2).

¹⁵ *Transgender and Nonbinary Policy*, USA FENCING (last visited April 3, 2025), <https://www.usafencing.org/transgender-and-nonbinary-policy>.

¹⁶ 36 U.S.C. § 220524(a)(3).

¹⁷ 36 U.S.C. § 220524(a)(6).

¹⁸ 36 U.S.C. § 220524(a)(11).

- d. “Promote a safe environment in sports that is free from abuse of any amateur athlete, including emotional, physical, and sexual abuse.”¹⁹

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ted Cruz', is written over a horizontal line.

Ted Cruz
Chairman

¹⁹ 36 U.S.C. § 220524(a)(13).