



May 5, 2025

The Honorable Pam Bondi
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

Sent via email

Re: Urgent Request for Title IX Investigation into Sex-Based Discrimination in Oregon Girls' Sports

Dear Attorney General Bondi:

On behalf of female student athletes in Oregon, the America First Policy Institute (AFPI) urgently requests that you direct the Title IX Special Investigations Team to initiate an investigation into sex-based discrimination facilitated by the Oregon Department of Education (ODE) and the Oregon School Activities Association (OSAA).

As you are aware, many educational institutions and athletic associations across the country have allowed males to participate in women's sports, creating an unfair, demeaning, and often dangerous environment for young girls, preventing them from meaningfully participating in formative, competitive athletics. While the Trump Administration works to correct this injustice through Executive Order 14201, "*Keeping Men Out of Women's Sport*," and other measures, several state agencies and athletic organizations, including Oregon's, continue to facilitate and promote the inclusion of males in female student athletics.

Despite this administration's clear effort to restore fairness in school-based athletics, ODE recently updated its "Gender Expansive" guidance for school districts, stating:

Schools are prohibited from excluding gender expansive students from participating in school athletics and activities that align with their consistently asserted gender identity if the basis of such exclusion is the student's gender identity.

—Oregon Department of Education, *Supporting Gender Expansive Students: Guidance for Schools*, Revised March 18, 2025.

In a letter distributed to school boards across the state, the Oregon School Boards Association made its position clear, stating:

Executive orders and ‘dear colleague’ letters are not laws... If there is a conflict between an executive order and the U.S. Constitution or an existing federal law, the U.S. Constitution and existing federal law prevail... That is for the courts to decide.

We couldn’t agree more. The courts *will* decide because AFPI is preparing to bring this matter before them. When a state defies Title IX and deprives girls of equal athletic opportunity, legal action isn’t optional. It’s essential.

AFPI has received multiple credible reports from female Oregon high school athletes who are being actively denied the right to compete in a female-only category. During the Spring 2024–2025 semester alone, male athletes have been allowed to participate in a multitude of girls’ events, and we have every reason to believe this trend will continue through the end of the school year and beyond.

These incidents are not isolated. Nor are they just unfair. They are illegal. Title IX of the Education Amendments of 1972 prohibits sex-based discrimination in any education program or activity receiving federal financial assistance. That includes athletics. Schools are legally required to provide equal athletic opportunities for both sexes.

When males are allowed to participate in women’s sports, female athletes are denied meaningful opportunities to compete, excluded from events that advance their athletic development, and deprived of pathways to scholarships and higher education, all of which constitute unlawful sex-based discrimination. Under current Oregon state and athletics policies, the safety, dignity, and rights of female student athletes are being systematically undermined.

AFPI is conducting its own investigation and intends to pursue legal action. But immediate federal enforcement is needed now. We respectfully urge your office to do the following:

- Open a formal Title IX investigation into the ODE and OSAA.
- Enforce existing federal law to restore sex-based athletic protections for girls.
- Ensure that no female student athlete in Oregon, or anywhere, is forced to forfeit her rights, safety, or opportunity in violation of federal law.

We stand ready to provide documentation and meet with your team as needed. The integrity of women’s sports and the civil rights of female students are at stake. The time to act is now.

Sincerely,

Jessica Hart Steinmann

Jessica Hart Steinmann
Executive General Counsel
America First Policy Institute

Leigh Ann O’Neill

Leigh Ann O’Neill
Senior Legal Strategy Attorney
America First Policy Institute

Jack Casali

Jack Casali
Associate Attorney
America First Policy Institute

cc: Harmet Dhillon, Assistant Attorney General for Civil Rights, U.S. Department of Justice



May 5, 2025

The Honorable Linda McMahon
Secretary of the U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202
Sent via email

Re: Urgent Request for Title IX Investigation into Sex-Based Discrimination in Oregon Girls' Sports

Dear Secretary McMahon:

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AMERICA FIRST POLICY INSTITUTE
1635 Roger Road, Fort Worth, Texas 76107
Phone (703) 637-3690

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cc: Candice Jackson, Deputy General Counsel, U.S. Department of Education