September 23, 2026

The Honorable John Thune
U.S. Senate Majority Leader
511 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Mike Johnson
Speaker of the House
H-232 The Capitol
Washington, D.C. 20515

Re: S.4668 Protect College Sports Act of 2026

Dear Majority Leader Thune and Speaker Johnson:

As legislation on the future of college athletics makes its way through Congress, we, the undersigned Attorneys General, urge Congress to ensure that language in the bill supports the great strides we have made to protect the privacy, safety, and opportunities afforded women student-athletes. The Amendment in the Nature of a Substitute for S. 4668, the Protect College Sports Act of 2026, currently before the Senate includes such language and we are grateful for the commitment that Senator Cruz and others have demonstrated to protecting the principle that women's sports are for women.

The previous version of S.4668 created an ambiguity that could be exploited by those advocating that men should be allowed to participate in women's sports. The amendment narrows the scope of Section 121(a)(2)(C) to "any provision described in subsection (a)(1)-(3) or (b) of section 113 relating to the eligibility of a student athlete to participate in intercollegiate athletics." This simple change alleviates the ambiguity that could result in serious consequences not only for state Attorneys' General enforcement authority, but for women participating in intercollegiate athletic competition.

Republican State Attorneys General have fought tirelessly to close all loopholes that allow men to participate in women's sports, and we have prevailed in the courts. Twenty-seven states currently have laws that prohibit males from playing on women's sports teams. It would be a grave disservice to the people of those states if we do not make clear that they, through their legislatures, remain empowered to enact and enforce such laws. The amended language above ensures that we, as Attorneys General, retain full authority to enforce the laws passed by our elected legislatures. The amended language protects the integrity of women's sports, as well as our State law enforcement authority.

Just this year, the United States Supreme Court recognized that "States may maintain separate women's and men's teams–in other words, that the States may make distinctions based on sex–because of the inherent physical differences between women and men." *West Virginia v. B.P.J. by Jackson*, 146 S. Ct. 2356, 2376 (2026). Articulating the heart of the issue, the Supreme Court said, "[p]articipation in sports has enabled countless American women and girls to be on a team, to take part in the human drama of athletic competition, to overcome the agony of defeat and know the thrill of victory. And those lessons and experiences in sports have empowered millions of American women who have gone on to thrive in all aspects of American life." *West Virginia v. B.P.J. by Jackson*, 146 S. Ct. at 2368.

To protect college sports, you have to protect women's sports. As Attorneys General, we have vigorously defended fairness in women's sports and have successfully stood up for women's opportunities, privacy, and safety. We understand this is a challenging problem, and we ask that you speak clearly to ensure that we can continue to enforce state laws that prohibit biological males from competing in female sports. We look forward to continuing to work with you.

Sincerely,



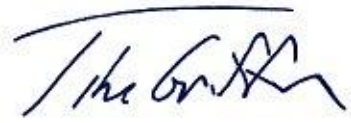
Lynn Fitch
Attorney General
State of Mississippi



Liz Murrill
Attorney General
State of Louisiana



Steve Marshall
Attorney General
State of Alabama



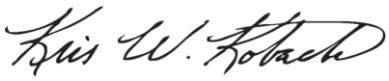
Tim Griffin
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Attorney General
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Derek Brown
Attorney General
State of Utah

cc: The Honorable Ted Cruz, Chairman, U.S. Senate Committee on Commerce, Science, & Transportation