

Congress of the United States  
House of Representatives  
Washington, DC 20515-3308

September 25, 2026

Cathy Engelbert  
Commissioner  
Women's National Basketball Association  
645 Fifth Avenue  
New York, NY 10022

Dear Commissioner Engelbert,

For the past 30 years, the Women's National Basketball Association (WNBA) has provided a stage for the world's best women's basketball talent to compete, grow, and inspire generations of fans.<sup>1</sup> Following the U.S. Women's National Basketball Team's undefeated run to gold at the 1996 Olympic Games in Atlanta, the WNBA was founded.<sup>2</sup> Since then, the league has played a pivotal role in advancing women's sports and creating opportunities for female athletes. Preserving those opportunities requires a clear and consistent standard for eligibility and a commitment to maintaining the integrity of women's basketball.

Yet the league's Collective Bargaining Agreement (CBA) leaves a critical question unanswered. Article XIII, Section 1(a) states, "Only players who are women are eligible to play in the WNBA," but the CBA does not define "women" according to biological sex or establish a clear standard for determining eligibility.<sup>3</sup> Without that clarity, female athletes and fans are left uncertain about the standard governing who may compete in a league created specifically for women.

The importance of this issue has been underscored by players willing to speak openly about the future of women's basketball. Sophie Cunningham deserves recognition for having the courage to raise concerns about protecting women's sports and maintaining a fair competitive environment for female athletes. Athletes should feel confident that they can speak openly about legitimate issues affecting their sport without being subjected to controversy or backlash simply for doing so. Her willingness to speak up reflects a broader conversation across sports about how best to protect opportunities for female athletes and preserve fairness and integrity in women's sports.<sup>4</sup>

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<sup>1</sup> [History of the WNBA - WNBA](#)

<sup>2</sup> [ON THIS DAY IN HISTORY: Women's National Team Win Gold in at Olympic Games Atlanta 1996 - USA Basketball](#)

<sup>3</sup> [Who is eligible to enter the WNBA draft? Rules to know - ESPN](#)

<sup>4</sup> [White House defends WNBA star Sophie Cunningham after she speaks out in support of protecting women's sports | OutKick](#)

One example of how this broader conversation is taking shape is the International Olympic Committee's (IOC) decision earlier this year to adopt a new policy establishing eligibility standards for female athletes at IOC events beginning with the 2028 Los Angeles Olympic Games. The policy limits eligibility for the female category to biological females and cites fairness, safety, and integrity among the considerations behind the policy.<sup>5</sup>

The WNBA's close connection to the Olympics makes the IOC's action particularly relevant. WNBA athletes have continued to represent the United States on the Olympic stage, carrying forward the connection between the league and international women's basketball established at its founding. Given that history, and the concerns being raised by athletes themselves, why has the WNBA not announced plans to provide similar clarity regarding eligibility in its own league?

I respectfully ask the WNBA to adopt a definition of "woman" under its CBA that defines women as biological females and establishes biological sex as the basis for eligibility in women's basketball. Female athletes deserve certainty that the opportunities created for them—and the integrity of women's basketball—will continue to be protected.

Sincerely,



Mark Harris  
Member of Congress

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<sup>5</sup> [International Olympic Committee announces new Policy on the Protection of the Female \(Women's\) Category in Olympic Sport](#)