
19.0 Competition Category Policy

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1. Purpose

Pursuant to the Ted Stevens Olympic & Amateur Sports Act, 36 U.S.C. § 22501, et. Seq. (the “Act”), the U.S. Olympic & Paralympic Committee (“USOPC”) has certified USA Swimming as the national governing body for the sport of swimming, and this certification is dependent upon continued compliance with the requirements of the USOPC and the Act. If the USOPC and/or Congress find that USA Swimming is not in compliance with the USOPC’s requirements and/or the Act, the USOPC and/or Congress may sanction USA Swimming, up to and including decertification as the national governing body for the sport of swimming.

USA Swimming is committed to protecting opportunities for athletes participating in sport. As mandated by the USOPC, and pursuant to the Act, USA Swimming must continue to collaborate with various stakeholders with oversight responsibilities (e.g., the International Olympic Committee, World Aquatics, etc.) to ensure that women have a fair and safe competition environment consistent with [Executive Order 14201](#) and the Act. As required by Executive Order 14201, the definitions in [Executive Order 14168](#)⁷ shall apply to this Competition Category Policy (this “Policy”).

2. Application of this Policy

This Policy applies to all current and prospective athlete members of USA Swimming when competing in USA Swimming sanctioned meets. It supersedes all previous policies and prior decisions by USA Swimming addressing whether an athlete may compete in the Women’s Competition Category.

3. Men’s Competition Category

The Men’s Competition Category is open to all athletes who (a) meet the Executive Order’s definition of “men” or “boys”; (b) have transitioned, or are transitioning, to a male sex assignment; or (c) identify as non-binary. Those seeking to compete in the Men’s Competition Category, who do not meet the Executive Order’s definition of “men” or “boys”, must complete the Self-Identity Verification form, found [here](#), at least thirty days prior to the start of the first competition in which the athlete seeks to compete in the requested Competition Category. If the form is completed and signed by the athlete (or their legal guardian, if under eighteen years of age), USA Swimming will approve the Competition Category change. If an athlete is seeking to rescind a prior request to change Competition Categories, they should contact USA Swimming’s Secretary & General Counsel, with contact information found [here](#).

4. Women’s Competition Category

Only athletes who meet the Executive Order’s definition of “women” or “girls” may compete in the Women’s Competition Category. In registering for membership in the Women’s Competition Category, an athlete represents and warrants that they meet the Executive Order’s definition of “woman” or “girl.”

⁷ (a) “Sex” shall refer to an individual’s immutable biological classification as either male or female. “Sex” is not a synonym for and does not include the concept of “gender identity.”

(b) “Women” or “woman” and “girls” or “girl” shall mean adult and juvenile human females, respectively.

(c) “Men” or “man” and “boys” or “boy” shall mean adult and juvenile human males, respectively.

(d) “Female” means a person belonging, at conception, to the sex that produces the large reproductive cell.

(e) “Male” means a person belonging, at conception, to the sex that produces the small reproductive cell.

5. Applicability of World Aquatics Eligibility Rules

Effective June 20, 2022, World Aquatics implemented a Policy on Eligibility for the Men's and Women's Competition Categories (the "World Aquatics Policy"). (<https://resources.fina.org/fina/document/2022/06/19/525de003-51f4-47d3-8d5a-716dac5f77c7/FINA-INCLUSION-POLICY-AND-APPENDICES-FINAL-.pdf>). For an athlete to participate in any World Aquatics Competition, the athlete must first satisfy the eligibility criteria set forth in the World Aquatics Policy. If the World Aquatics Policy is subsequently revised, appropriate revision to this Policy will be considered. For an athlete to be selected by USA Swimming to a World Aquatics competition, they must also meet this Policy.

5. Other Eligibility Requirements Not Affected

Except as set forth herein, the application of this Policy shall not affect eligibility requirements or rules otherwise set out in USA Swimming's Rules and Regulations or the Operating Policy Manual.

6. Compliance with Anti-Doping Rules

Nothing in this Policy shall affect an athlete's obligation to fully comply with the Anti-Doping Rules of United States Anti-Doping Agency, the USOPC, World Aquatics, USA Swimming, or the organizer of an event in which the athlete competes. If the use of a substance on the World Anti-Doping Agency Prohibited List is contemplated in connection with a gender transition, then the athlete must first obtain a Therapeutic Use Exemption from the U.S. Anti-Doping Agency before that substance is used.

8. Appeals

Only USA Swimming may challenge an athlete's Competition Category. If USA Swimming seeks to challenge an athlete's Competition Category, based upon the athlete's membership registration, as a violation of this Policy, it may do so pursuant to Rule 304.3.9 of the Code of Conduct (i.e., "[a]ny act of fraud, deception or dishonesty in connection with any USA Swimming-related activity"). The National Board of Review Procedures in Policy 26 of the USA Swimming Operating Policy Manual will apply to such challenge. Evidence considered to establish an athlete's sex assigned at birth may include, but is not limited to, the athlete's original birth certificate.