



TO: Government, Military, and Veterans Affairs Committee
FROM: Marion Miner, Associate Director of Pro-Life & Family Policy
Nebraska Catholic Conference
DATE: January 28, 2026
RE: (LB730) (Reserve Group Locker Rooms and Restrooms in Public Facilities
for Exclusive Male or Female Use) (Support)

The Nebraska Catholic Conference advocates for the public policy interests of the Catholic Church and advances the Gospel of Life through engaging, educating, and empowering public officials, Catholic laity, and the general public.

The Conference supports LB730. Sex is a bodily, material reality, and women and girls are different from men and boys. The law should respect those differences and, in some important circumstances, reserve certain spaces for women and girls only or for men and boys only.

LB730 would require that group bathrooms and locker rooms be reserved for the exclusive use of either males or females. These are spaces set aside for showering, removing and changing clothes, and other activity which carries with it a reasonable expectation of one's unclothed body being shielded from the opposite sex.

As a matter of law, similar policies have been found constitutionally sound by numerous courts when challenged on both Equal Protection and Title IX grounds.¹ We have every reason to believe this trend will continue, up to and including at the U.S. Supreme Court.

This is, perhaps, not an issue any legislator thought he or she would have to confront even twelve or fifteen years ago. Reservation of these spaces for single-sex use has long been universally observed. Transgressions against that norm have been correctly understood as dangerous and invasive. In our time, however, some people believe they are entitled to force others to treat them as members of the opposite sex, including admission to spaces set aside for privacy. And absent legal requirements, local public authorities are often afraid to do anything to stop this, even when accommodation of these demands by men claiming to be women leads

¹ See, e.g. (most recently), *Sexuality and Gender Alliance v. Critchfield*, case no. 1:23-cv-00315-DCN (D. Idaho Aug. 7, 2025).

not only to embarrassment and humiliation but in some cases has even facilitated sexual violence.^{2,3}

It is not unreasonable to believe that we should be proactive, not reactive, with respect to these concerns and dangers. Women and girls as well as men and boys deserve to have reasonable expectations of bodily privacy and bodily safety respected by society.

We respectfully urge you to advance LB730 to General File.

Thank you for your time and consideration.

² See, e.g., <https://wtop.com/loudoun-county/2023/10/school-bathroom-sexual-assault-victim-files-30m-lawsuit-against-loudoun-co-school-board/>, the 2021 case of a high school boy in Virginia who, dressing as a girl and entering girls' restrooms at two different schools, sexually assaulted two different girls in those bathrooms and had both incidents covered up by two public school administrations. When these incidents finally came to light it was a substantial factor in the upset election victory of Glenn Youngkin, who took the side of the girls and their parents, as the next Governor of Virginia.

³ See also, e.g., <https://thepostmillennial.com/exclusive-female-student-alleges-she-was-raped-in-trans-inclusive-bathroom-at-new-mexico-middle-school>, the story of a sixth grade girl in New Mexico who was raped by a boy who used the school's "trans-inclusive" bathroom policy to gain access.