

117TH CONGRESS
2D SESSION

S. RES. 644

Establishing a Women’s Bill of Rights to reaffirm legal protections afforded to women under Federal law.

IN THE SENATE OF THE UNITED STATES

MAY 19 (legislative day, MAY 17), 2022

Mrs. HYDE-SMITH (for herself, Ms. LUMMIS, and Mr. CRUZ) submitted the following resolution; which was referred to the Committee on the Judiciary

RESOLUTION

Establishing a Women’s Bill of Rights to reaffirm legal protections afforded to women under Federal law.

Whereas male and female individuals possess unique and immutable biological differences that manifest prior to birth and increase with age and puberty;

Whereas biological differences between the sexes mean that only females can get pregnant, give birth, and breastfeed children;

Whereas biological differences between the sexes mean that males are, on average, larger in size and possess greater body strength than females;

Whereas biological differences between the sexes can expose females to greater harm than males from specific forms of violence, including sexual violence;

Whereas women have achieved inspirational and significant accomplishments in education, athletics, and employment; and

Whereas recent misguided court rulings relating to the definition of “sex” have led to the endangerment of spaces and resources dedicated to women, thereby necessitating clarification of certain terms: Now, therefore, be it

1 *Resolved*, That the Senate reaffirms that—

2 (1) for the purpose of Federal law, the “sex” of
3 an individual means his or her biological sex (either
4 male or female) at birth;

5 (2) for the purpose of Federal law, the terms
6 “woman” and “girl” refer to human females, and
7 the terms “man” and “boy” refer to human males;

8 (3) for the purpose of Federal law, the word
9 “mother” means a parent of the female sex and “fa-
10 ther” is defined as a parent of the male sex;

11 (4) there are important reasons to distinguish
12 between the sexes with respect to athletics, prisons,
13 domestic violence shelters, restrooms, and with re-
14 spect to other areas, particularly where biology, safe-
15 ty, and privacy are implicated;

16 (5) policies and laws that distinguish between
17 the sexes are subject to intermediate constitutional
18 scrutiny and permitted when they serve an impor-
19 tant governmental objective and are substantially re-
20 lated to achieving that objective; and

1 (6) for the purposes of complying with Federal
2 laws that require State and local government agen-
3 cies to collect or report data disaggregated by sex,
4 such as Federal antidiscrimination laws, agencies
5 are required to base such data on the biological sex
6 of individuals at birth.

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