To amend the Education Amendments of 1972 to provide that for purposes of determining compliance with title IX of such Act in athletics, sex shall be recognized based solely on a person’s reproductive biology and genetics at birth.

IN THE HOUSE OF REPRESENTATIVES

February 1, 2023

Mr. Steube (for himself, Ms. Tenney, Ms. Foxx, Mr. Wittman, Mr. Webster of Florida, Mr. Balderson, Mr. Buck, Mrs. Wagner, Mr. Carter of Georgia, Mr. Gaetz, Mrs. Miller-Meeks, Mr. Smith of Missouri, Mr. Ellzey, Mr. Griffith, Mr. LaMalfa, and Mr. Carl) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Education Amendments of 1972 to provide that for purposes of determining compliance with title IX of such Act in athletics, sex shall be recognized based solely on a person’s reproductive biology and genetics at birth.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Protection of Women and Girls in Sports Act of 2023”.

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SEC. 2. AMENDMENT.

Section 901 of the Education Amendments of 1972 (20 USC 1681) is amended by adding at the end the following:

“(d)(1) It shall be a violation of subsection (a) for a recipient of Federal financial assistance who operates, sponsors, or facilitates athletic programs or activities to permit a person whose sex is male to participate in an athletic program or activity that is designated for women or girls.

“(2) For the purposes of this subsection, sex shall be recognized based solely on a person’s reproductive biology and genetics at birth.

“(3) Nothing in this subsection shall be construed to prohibit a recipient from permitting males to train or practice with an athletic program or activity that is designated for women or girls so long as no female is deprived of a roster spot on a team or sport, opportunity to participate in a practice or competition, scholarship, admission to an educational institution, or any other benefit that accompanies participating in the athletic program or activity.”.