

118TH CONGRESS
1ST SESSION

H. R. 734

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.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

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

1 **SEC. 2. AMENDMENT.**

2 Section 901 of the Education Amendments of 1972
3 (20 USC 1681) is amended by adding at the end the fol-
4 lowing:

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

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

14 “(3) Nothing in this subsection shall be construed to
15 prohibit a recipient from permitting males to train or
16 practice with an athletic program or activity that is des-
17 igned for women or girls so long as no female is deprived
18 of a roster spot on a team or sport, opportunity to partici-
19 pate in a practice or competition, scholarship, admission
20 to an educational institution, or any other benefit that ac-
21 companies participating in the athletic program or activ-
22 ity.”.

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