

117TH CONGRESS  
1ST SESSION

# S. 251

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

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 4, 2021

Mr. LEE (for himself, Mr. LANKFORD, Mr. COTTON, Mrs. BLACKBURN, Mr. MARSHALL, Mr. INHOFE, Mr. HAWLEY, Mr. CRUZ, Mr. CRAMER, Mr. TUBERVILLE, Mrs. HYDE-SMITH, Ms. ERNST, Mrs. CAPITO, and Mr. PAUL) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To provide that for purposes of determining compliance with title IX of the Education Amendments of 1972 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 2021”.

1 **SEC. 2. AMENDMENT.**

2 Section 901 of the Education Amendments of 1972  
3 (20 U.S.C. 1681) is amended by adding at the end the  
4 following:

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

10 “(2) For purposes of this subsection, sex shall be rec-  
11 ognized based solely on a person’s reproductive biology  
12 and genetics at birth.”.

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