

118TH CONGRESS  
1ST SESSION

# S. 613

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

MARCH 1, 2023

Mr. TUBERVILLE (for himself, Mr. LEE, Mr. LANKFORD, Mr. COTTON, Mrs. BLACKBURN, Mr. MARSHALL, Mr. BUDD, Mr. CRAMER, Mrs. HYDE-SMITH, Mr. BRAUN, Mr. SCOTT of Florida, Mr. RISCH, Mr. CRAPO, Mr. HAGERTY, Mr. RUBIO, Ms. ERNST, Ms. LUMMIS, Mr. DAINES, Mr. HAWLEY, Mr. MULLIN, Mr. GRAHAM, and Mrs. BRITT) 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 2023”.

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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