

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 734
OFFERED BY MR. OWENS OF UTAH**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

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

4 SEC. 2. AMENDMENT.

5 Section 901 of the Education Amendments of 1972
6 (20 U.S.C. 1681) is amended by adding at the end the
7 following:

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

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

17 “(3) Nothing in this subsection shall be construed to
18 prohibit a recipient from permitting males to train or

1 practice with an athletic program or activity that is des-
2 ignated for women or girls so long as no female is deprived
3 of a roster spot on a team or sport, opportunity to partici-
4 pate in a practice or competition, scholarship, admission
5 to an educational institution, or any other benefit that ac-
6 companies participating in the athletic program or activ-
7 ity.”.

