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Press contact: Erika Lorshbough

erika@interactadvocates.org

(707) 793-1190, ext 1

U.S. House moves to bar transgender and intersex girls and women from educational sports programs

April 20, 2023 Today, the U.S. House of Representatives voted 219-203 to narrow Title IX protections that have provided equal opportunity to women and girls since 1972, redefining sex to exclude transgender and intersex girls and women from participation in sports. This is the first time a chamber of Congress has approved legislation that expressly discriminates against intersex people. Now that H.R. 734 has passed in the House, it is ripe for consideration in the Senate.

The “[Protection of Women and Girls in Sports Act of 2023](#)” would upend established civil rights law to effectively bar many girls and women from athletics, particularly including school sports. If adopted, the bill would alter Title IX to define sex based on “reproductive biology and genetics at birth.” This rigidly binary understanding of sex fails to account for the estimated 2% of people in the U.S. with innate variations in their sex characteristics, also known as intersex traits.

“H.R. 734 nefariously twists the protective civil rights purpose of Title IX to punish inclusive educational athletics programs that choose not to discriminate against the class of transgender and intersex young people who would be inaccurately defined as ‘male’ by this unscientific, vague, and constitutionally questionable standard,” says interACT’s Executive Director Erika Lorshbough.

H.R. 734 inverts the current understanding of prohibited sex discrimination under Title IX, as evidenced by its direct conflict with the [proposed rule](#) specifying that Title IX presumes intersex and transgender inclusion in athletics. It follows only weeks after the controversial decision by [World Athletics](#) to bar transgender and intersex women from some track and field events. Similar rules in athletics have [coerced intersex women](#) to medically alter their bodies through surgical and hormonal interventions to be allowed to participate in sports, leading to grave harm.

“Rather than protecting girls in sports, H.R. 734 cruelly singles out children solely on the basis of their innate sex characteristics,” Lorshbough explains. “Any means of enforcing this bill would expose girls in school sports to scrutiny from coaches and other students’ parents. The choice to push intersex and transgender girls out of school athletics protects no one, and harms many.”

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For more information read the [letter of opposition](#) from [interACT: Advocates for Intersex Youth](#)