

119TH CONGRESS
2D SESSION

S. 5179

To clarify that for purposes of Federal nondiscrimination requirements applicable to education programs or activities receiving Federal financial assistance, discrimination prohibited under title IX of the Education Amendments of 1972 is based on the biological reality of sex.

IN THE SENATE OF THE UNITED STATES

JULY 30, 2026

Mrs. BLACKBURN (for herself, Mr. JUSTICE, Mrs. BRITT, Mr. BUDD, Mr. RISCH, Mr. CRAPO, Ms. LUMMIS, Mr. SCOTT of Florida, Mr. RICKETTS, Mr. DAINES, and Mr. SHEEHY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To clarify that for purposes of Federal nondiscrimination requirements applicable to education programs or activities receiving Federal financial assistance, discrimination prohibited under title IX of the Education Amendments of 1972 is based on the biological reality of sex.

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 “Title IX Clarification
5 Act of 2026”.

1 **SEC. 2. AMENDMENTS.**

2 Section 901(c) of the Education Amendments of
3 1972 (20 U.S.C. 1681(c)) is amended—

4 (1) by striking “title an educational institution”
5 and inserting the following:

6 “title—

7 “(1) the term ‘educational institution’”;

8 (2) by striking the period at the end and insert-
9 ing a semicolon; and

10 (3) by adding at the end the following:

11 “(2) the term ‘sex’ refers to an individual’s bio-
12 logically determined sex, as either male or female;

13 “(3) the term ‘female’, when used with respect
14 to a natural person, means an individual who natu-
15 rally has, had, will have, or would have, but for a
16 congenital anomaly, historical accident, or inten-
17 tional or unintentional disruption, the reproductive
18 system that at some point produces, transports, and
19 utilizes the large gamete (ova) for fertilization; and

20 “(4) the term ‘male’, when used with respect to
21 a natural person, means an individual who naturally
22 has, had, will have, or would have, but for a con-
23 genital anomaly, historical accident, or intentional or
24 unintentional disruption, the reproductive system
25 that at some point produces, transports, and utilizes
26 the small gamete (sperm) for fertilization.”.

1 **SEC. 3. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.**

2 (a) EFFECTIVE DATE.—Except as provided in sub-
3 section (b), this Act and the amendments made by this
4 Act shall take effect on the date of enactment of this Act.

5 (b) APPLICATION OF AMENDMENTS.—The amend-
6 ments made by this Act shall apply with respect to edu-
7 cation programs and activities for which Federal financial
8 assistance is received on or after the date of enactment
9 of this Act.

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