

119TH CONGRESS
2D SESSION

H. R. 8781

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 HOUSE OF REPRESENTATIVES

MAY 13, 2026

Mr. ARRINGTON (for himself, Mr. DOWNING, Mr. McCORMICK, Mr. FULCHER, Mr. SMITH of New Jersey, Mr. BOST, Ms. TENNEY, Mrs. BIGGS of South Carolina, Mr. MOORE of Alabama, Mr. RULLI, Mr. STEUBE, Mr. PFLUGER, Mr. STAUBER, Mr. CARTER of Georgia, Mr. SIMPSON, Mr. MASSIE, Mr. BABIN, Mrs. HARSHBARGER, Mr. MOORE of West Virginia, Mr. SMITH of Nebraska, Mr. McDOWELL, Mrs. FEDORCHAK, and Mr. MANN) introduced the following bill; which was referred to the Committee on Education and Workforce

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Title IX Clarification
3 Act of 2026”.

4 **SEC. 2. AMENDMENTS.**

5 Section 901(c) of the Education Amendments of
6 1972 (20 U.S.C. 1681(c)) is amended—

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

9 “title—

10 “(1) the term ‘educational institution’”,

11 (2) by striking the period at the end and insert-
12 ing a semicolon, and

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

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

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

23 “(4) the term ‘male’, when used with respect to
24 a natural person, means an individual who naturally
25 has, had, will have, or would have, but for a con-
26 genital anomaly, historical accident, or intentional or

1 unintentional disruption, the reproductive system
2 that at some point produces, transports, and utilizes
3 the small gamete (sperm) for fertilization.”.

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

5 (a) **EFFECTIVE DATE.**—Except as provided in sub-
6 section (b), this Act and the amendments made by this
7 Act shall take effect on the date of the enactment of this
8 Act.

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

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