

118TH CONGRESS  
1ST SESSION

# S. RES. 53

Establishing a Women’s Bill of Rights to reaffirm legal protections afforded to women under Federal law.

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 9, 2023

Mrs. HYDE-SMITH (for herself, Mr. RUBIO, Mr. CRUZ, Ms. LUMMIS, Mr. LEE, and Mrs. BRITT) submitted the following resolution; which was referred to the Committee on the Judiciary

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## RESOLUTION

Establishing a Women’s Bill of Rights to reaffirm legal protections afforded to women under Federal law.

Whereas males and females possess unique and immutable biological differences that manifest prior to birth and increase as they age and experience puberty;

Whereas biological differences between the sexes mean that only females may get pregnant, give birth, and breastfeed children;

Whereas biological differences between the sexes mean that males are, on average, larger in size and possess greater body strength than females;

Whereas biological differences between the sexes can expose females to more harm than males from specific forms of violence, including sexual violence;

Whereas women have achieved inspirational and significant accomplishments in education, athletics, and employment; and

Whereas recent misguided court rulings related to the definition of “sex” have led to endangerment of spaces and resources dedicated to women, thereby necessitating clarification of certain terms: Now, therefore, be it

1       *Resolved*, That the Senate reaffirms that—

2               (1) for the purposes of Federal law, the “sex”  
3               of an individual means his or her biological sex (ei-  
4               ther male or female) at birth;

5               (2) for the purposes of Federal laws addressing  
6               sex, the terms “woman” and “girl” refer to human  
7               females, and the terms “man” and “boy” refer to  
8               human males;

9               (3) for the purposes of Federal law, the word  
10              “mother” means a parent of the female sex and “fa-  
11              ther” is defined as a parent of the male sex;

12              (4) there are important reasons to distinguish  
13              between the sexes with respect to athletics, prisons,  
14              domestic violence shelters, restrooms, and other  
15              areas, particularly where biology, safety, and privacy  
16              are implicated;

17              (5) policies and laws that distinguish between  
18              the sexes are subject to intermediate constitutional  
19              scrutiny and permitted when they serve an impor-

1        tant governmental objective and are substantially re-  
2        lated to achieving that objective; and

3            (6) for the purposes of complying with Federal  
4        laws that require State and local government agen-  
5        cies to collect or report data disaggregated by sex,  
6        such as Federal antidiscrimination laws, agencies  
7        are required to base such data on the biological sex  
8        of individuals at birth.

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