

**Washington, D.C.** – U.S. Senator Roger Marshall, M.D. introduced the [Defining Male and Female Act of 2024](https://www.marshall.senate.gov/wp-content/uploads/KIN2463023.pdf) (<https://www.marshall.senate.gov/wp-content/uploads/KIN2463023.pdf>), a bill to codify legal definitions of male, female, and sex to ensure they are based on biology rather than ideology.

During the entirety of the Biden-Harris Administration, there has been an effort to replace biological sex with dangerous radical gender ideology. Specifically women's sports and protecting exclusive spaces for women like bathrooms and locker rooms. Additionally, the reckless pursuit of radical gender ideology exposes America's children to irreparable physical and emotional harm caused by so-called gender-affirming care.

The [Defining Male and Female Act of 2024](https://www.marshall.senate.gov/wp-content/uploads/KIN2463023.pdf) (<https://www.marshall.senate.gov/wp-content/uploads/KIN2463023.pdf>) ensures that the legal definition of sex is based on facts, not feelings. This bill would restore:

- The legal right of girls and women to sex-separate sports and scholarships.
- The sex separation of restrooms, locker and dorm rooms, prisons, and shelters for victims of sexual assault.
- Recognition of the objective difference between males and females, mothers and fathers.

Senator Marshall's bill is co-sponsored in the Senate by Senators Mike Crapo (ID), James Risch (ID), and Cindy Hyde-Smith (MS). U.S. Representative Mary Miller (IL-15) introduced the House companion bill.

“As a physician who has delivered over 5,000 babies, I can confidently say that politicizing children’s gender to use them as pawns in their radical woke agenda is not only wrong, it is extremely dangerous. I didn’t think we would need legislation to tell us that there are only two sexes: male and female, but here we are,” **said Senator Marshall.** “We must codify the legal definition of sex to be based on science rather than feelings. With our legislation, we can fight back against the Biden-Harris Administration’s assault on our children.”

“Since taking office in 2021, the Biden-Harris administration has embarked on a radical transgender agenda, preying on vulnerable youth and endangering women and girls in sports and locker rooms. This agenda was soundly rejected by the American people on November 5th, and we now have a clear mandate to stop this insanity. The Defining Male and Female Act will prevent any future administration from ever again redefining Title IX, and I’m thrilled to work with Senator Marshall in sending it to President Trump’s desk next year,” **said Representative Miller.**

“Men and women have biological differences that must be recognized. Women and girls deserve to feel safe and respected in all spaces, public and private,” **said Senator Crapo.**

“Women in Idaho and across the country have stood up for fairness, scholarship access, and safe athletics,” **said Senator Risch**. “It’s time Congress does the same. The Defining Male and Female Act is a necessary step to protect the rights and opportunities of our daughters and granddaughters.”

“Ensuring that the legal definitions of male and female are based on biological reality is essential to protecting women and girls. This isn’t just about fairness. It’s also about safeguarding our children, upholding the fundamentals of Title IX, and defending women’s rights,” **said Senator Hyde-Smith**.

Senator Marshall’s bill is supported by Heritage Action, Family Research Council, Concerned Women of America, and Alliance Defending Freedom.

“As a trained physician, Doctor Marshall understands the danger in the left’s radical ideologies to erase clear biological differences. The Biden-Harris administration’s illegal overhaul of Title XI and persistent push to force extreme gender ideology in America’s schools have threatened the safety, spaces and opportunity of women and girls across the country,” **said Heritage Action Executive Vice President Ryan Walker**. “Heritage Action applauds Doctor Marshall for his commitment to defend science and protect women and girls in sports. Sen. Marshall has the full support of Heritage Action’s grassroots army and the vast majority of Americans who accept the biological fact that men cannot be women.”

“It’s a shame that we need legislation defining the difference between male and female, but the events of the past few years have shown us that we do. The false ideology of gender identity poses a threat to women everywhere,” **said Penny Nance, CEO and President of Concerned Women for America LAC.**

“From sports teams, locker rooms, women’s prisons, and even shelters for sexual abuse victims – all of these spaces are separated by sex for a reason, and yet gender ideology has allowed men to invade these vulnerable places. It is important for Congress to make clear that men and women are fundamentally different through the Defining Male and Female Act.”

“There are only two sexes—male and female—and denying this basic scientific truth hurts women, children, and families. It results in men taking away athletic opportunities from deserving female athletes, children being pushed toward dangerous gender transition drugs and surgeries, and schools lying to parents about a child experiencing discomfort with his or her sex. Our laws should reflect biological truth, not erase it. We applaud Dr. Roger Marshall for standing up for truth and introducing this critical bill to establish in law clear and consistent biological definitions of male and female. Our government ought to prioritize the well-being of our women, children, and families, not extreme ideology that is out of touch with reality—and common sense” **said Matt Sharp, Alliance Defending Freedom Senior Counsel**

You may click **HERE** (<https://www.marshall.senate.gov/wp-content/uploads/KIN2463023.pdf>) to view the text of the Defining Male and Female Act of 2024.

**BACKGROUND:** In 2020, the Supreme Court ruled in *Bostock v. Clayton County* that Title VII protections extended to cover sexual orientation and gender identity, reversing years of precedent during the Trump Administration. Although Justice Gorsuch argued that *Bostock* did not extend beyond Title VII, lower courts have ruled (<https://www.theconstitution.org/blog/one-year-later-the-impact-of-bostock-v-clayton-county/>), that “Title IX, like Title VII, prohibits discrimination against a person because he is transgender, because this constitutes discrimination based on sex.” While the courts continue to deliberate, the Biden Administration has seized on the ambiguity, further conflating sex and gender identity to nullify the legal rights of girls and women and even force faith-based organizations to provide transgender surgeries (<https://www.marshall.senate.gov/newsroom/press-releases/senator-marshall-fights-back-against-biden-administration-rule-that-would-force-taxpayer-funded-transgender-surgeries/>).

These actions, violating rights Americans hold dear, have prompted calls, including by President-elect Trump

(<https://www.donaldjtrump.com/agenda47/president-trumps-plan-to-protect-children-from-left-wing-gender-insanity>), “to pass a bill establishing that the only genders recognized by the United States government are male and female—and they are assigned at birth.” The Defining Male and Female Act answers this call, ensuring **no future administration can twist words to allow men to invade women’s spaces.**