

AMENDMENT TO RULES COMMITTEE PRINT 119-

33

OFFERED BY MS. MACE OF SOUTH CAROLINA

Add at the end of subtitle F of title XXVIII, the following new section:

1 **SEC. 28__ . PROHIBITION ON THE USE OF SINGLE-SEX FA-**
2 **CILITIES ON MILITARY INSTALLATIONS THAT**
3 **DO NOT CORRESPOND TO THE SEX OF AN IN-**
4 **DIVIDUAL.**

5 (a) **IN GENERAL.**—Notwithstanding any other provi-
6 sion of law, no person may, except as provided in sub-
7 section (b) or subsection (c), access or use a single-sex
8 facility on a military installation that does not correspond
9 to the sex of such person.

10 (b) **EXCEPTION.**—The prohibition in subsection (a)
11 shall not apply with respect to—

12 (1) emergency medical personnel responding to
13 a medical emergency; or

14 (2) law enforcement officers in active pursuit of
15 a suspect, or as part of an active investigation.

16 (c) **NATIONAL SECURITY WAIVER.**—The Secretary of
17 Defense may, on a case-by-case basis, waive the prohibi-
18 tion in subsection (a) if the Secretary determines the waiv-

1 er is necessary to advance the national security interests
2 of the United States.

3 (d) DEFINITIONS.—In this section:

4 (1) The term “female” means an individual who
5 naturally has, had, will have, or would have, but for
6 a developmental or genetic anomaly or historical ac-
7 cident, the reproductive system that at some point
8 produces, transports, and utilizes eggs for fertiliza-
9 tion.

10 (2) The term “male” means an individual who
11 naturally has, had, will have, or would have, but for
12 a developmental or genetic anomaly or historical ac-
13 cident, the reproductive system that at some point
14 produces, transports, and utilizes sperm for fertiliza-
15 tion.

16 (3) The term “military installation” has the
17 meaning given such term in section 2801 of title 10,
18 United States Code.

19 (4) The term “single-sex facility” means a
20 space intended for the use of one biological sex
21 (male or female), including a—

22 (A) restroom;

23 (B) locker room; or

24 (C) changing room.

1 (5) The term “sex” means the biological deter-
2 mination as to whether an individual is male or fe-
3 male.

