

**From:** SAAL  
**Sent:** Thu, 10 Jun 2021 21:17:59 +0000  
**To:** T9PublicHearing  
**Subject:** E.O. 13988 and E.O. 14021

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Dear Department of Education:

As the U.S. Department of Education's Office for Civil Rights (OCR) considers its responsibility to implement President Biden's "Executive Order on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation" (E.O. 13988) and "Guaranteeing an Educational Environment Free From Discrimination on the Basis of Sex, Including Sexual Orientation or Gender Identity" (E.O. 14021), I urge you to provide guidance affirming the permissibility of sex-based classification in certain narrowly drawn circumstances described in Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) and its implementing regulations.

This is important because girls and women are discriminated against specifically based on their innate, immutable sex, not whether they identify with that sex or not. Girls and women do not choose their sex; sex is set at conception and cannot be changed. Because of this, girls and women are in unique positions regarding their bodily safety and their opportunities in sports. Please do not allow a rush to protect people based on their identities obscure these realities for girls and women. It is possible to promulgate rules that protect all people, including based on their biological sex.

Thank you for the opportunity to comment on this matter. Sincerely,  
S.A.A. Lewis