

Opening Statement of Ranking Member Scott (VA-03)

Full Committee Markup

Protection of Women and Girls in Sports Act of 2023 (H.R. 734)

Parents Bill of Rights Act (H.R. 5)

RHOB 2175

Wednesday, March 8, 2023 | 10:15 a.m.

Thank you, Dr. Foxx, and good morning.

Madam Chair, we all agree that parental engagement is essential for student success, and that Congress has a role in promoting students' participation in sports. Unfortunately, neither of the bills before us today addresses the real challenges facing students, parents, and educators. Those are issues like declining math and science scores, achievement gaps, mental health services, and too few community centers that can provide wrap around services. Instead, the majority has chosen to use our first markup to advance a political agenda by politicizing students' education and scapegoating some of our most vulnerable students as the cause of inequity in athletics.

H.R. 734, the so-called "*Protecting Women and Girls in Sports Act*," is just one example of this extreme agenda. Transgender youth are a tiny fraction of the youth population in this country, and an even smaller fraction of youth in athletics. In fact, there are only 34 documented instances of out trans athletes competing at the collegiate level. That is actually fewer than the number of Members on this committee. It is ludicrous to suggest that such a handful of athletes—who pose no evidentiary threat—justifies national Congressional action.

School sports should be welcoming for all students and serve as an opportunity for student development. As such, we should be doing everything we can to eliminate the barriers students' face to participating in school sports and address the real issues facing student athletes, including unequal pay, sexual abuse, and a lack of resources. To that end, Democrats will introduce several amendments to ensure that every student who wants to play in school sports has a fair and equal opportunity to do so.

H.R. 5 is another example of Republicans' track record of putting politics over people.

In fact, at the outset of the COVID-19 pandemic, Republican politicians sought to force schools to reopen classrooms for full-time, in-person instruction, regardless of whether it was safe or not.

Then, in 2021, despite the schools' and institutions' clear need for additional relief funding, Republican lawmakers did nothing to meaningfully help them reopen safely or help students recover from the pandemic. Not a single Congressional Republican voted for the American Rescue Plan, which Democrats passed anyway to provide funding to reopen the schools safely, keep them open safely, and make up for lost learning.

And now, House Republicans are advancing today's bills.

First, let me be clear: House Democrats believe parental engagement is central to student success. Parental engagement in schools is closely linked to better student behavior, higher academic achievement, and enhanced social skills.

Unfortunately, H.R. 5 does not take any meaningful steps to increase or support parental engagement. In fact, the Cato Institute—a conservative think-tank that supports policies to *limit* government—stated that H.R. 5, “suffers from a fundamental flaw: It is not constitutional. Even if unconstitutional, it would not give parents real power.” If passed, the bill would also create unnecessary and burdensome reporting requirements on schools that would divert essential resources and personnel away from meeting families’ real needs without actually creating any new rights.

This bill is one of many attempts by Republican politicians at the state level—some successful—to give a vocal minority the power to impose their beliefs on *all* parents and students.

In fact, in the past three academic years, legislators in 45 states proposed 283 laws that either sought to ban books; censor curriculum; restrict students’ civil rights; and/or punish teachers for accurately recounting our nation’s history.

Of those proposals, 64 bills have been signed into law across 25 states, covering over 40 percent of the American population.

These bills have real consequences for students and educators. For example, legislation prevented an eighth-grade history teacher in Iowa from teaching his students that “slavery was wrong.” In North Carolina, a high school social studies teacher is no longer allowed to assign reading from certain chapters of Christopher Columbus’ journal because it explains his involvement with slavery. And, a school district in Arkansas banned Anne Franks’ *The Diary of a Young Girl* for all middle and high school students because it is “overly dark and heavy.”

Simply put, H.R. 5 and educational gag orders across the nation prevent students from learning and prevent teachers from teaching. These efforts seek to score political points and scare parents into thinking that schools do not have their best interests at heart. Instead, we should be talking about the support that schools and families actually need to improve parent-teacher partnerships.

Today, Congressional Democrats will focus on offering amendments to promote participation in school sports, improve parental engagement, and ensure that every child receives an inclusive, well-funded, and accurate education.

I urge my colleagues to oppose both H.R. 734 and H.R. 5.