

106TH CONGRESS
2D SESSION

H. R. 5021

To restore the Federal civil remedy for crimes of violence motivated by gender.

IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2000

Mr. CONYERS (for himself, Ms. BALDWIN, Mrs. MALONEY of New York, Mr. GEPHARDT, Mrs. MORELLA, Mr. FRANK of Massachusetts, Mr. BERMAN, Mr. BOUCHER, Mr. NADLER, Ms. JACKSON-LEE of Texas, Mr. MEEHAN, Mr. DELAHUNT, Mr. WEINER, Mr. CROWLEY, Ms. SLAUGHTER, Mr. POMEROY, Mr. WU, Ms. SCHAKOWSKY, Ms. RIVERS, Mr. ANDREWS, Mr. INSLEE, Mrs. LOWEY, Mrs. JONES of Ohio, Mr. SANDERS, Mr. HINCHEY, Mr. WYNN, Mr. STARK, Mr. ABERCROMBIE, Mr. BACA, Mr. BLAGOJEVICH, Mr. STUPAK, Ms. ROYBAL-ALLARD, Ms. CARSON, Mr. FROST, Mr. BRADY of Pennsylvania, Mr. KIND, Ms. DELAURO, Mr. FOLEY, Mr. DEFazio, Mr. ETHERIDGE, Mrs. MEEK of Florida, Mr. MOORE, Mr. THOMPSON of California, and Mr. TIERNEY) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To restore the Federal civil remedy for crimes of violence motivated by gender.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Violence Against
5 Women Civil Rights Restoration Act of 2000”.

1 **SEC. 2. FEDERAL CIVIL REMEDY FOR CRIMES OF VIO-**
2 **LENCE MOTIVATED BY GENDER.**

3 Section 40302 of the Violence Against Women Act
4 (42 U.S.C. 13981) is amended:

5 (1) by amending subsection (c) to read as fol-
6 lows:

7 “(c) CAUSE OF ACTION.—A person who, in any cir-
8 cumstance described in subsection (d), commits a crime
9 of violence motivated by gender and thus deprives another
10 of the right declared in subsection (b) shall be liable to
11 the party injured, in an action for the recovery of compen-
12 satory and punitive damages, injunctive and declaratory
13 relief, and such other relief as a court may deem appro-
14 priate.”;

15 (2) by redesignating subsections (d) and (e) as
16 subsections (e) and (f), respectively;

17 (3) by inserting after subsection (c) the fol-
18 lowing:

19 “(d) CIRCUMSTANCES.—For purposes of subsection
20 (c), the circumstances described in this subsection are
21 that—

22 “(1) in connection with the offense—

23 “(A) the defendant or the victim travels in
24 interstate or foreign commerce;

1 “(B) the defendant or the victim uses a fa-
2 cility or instrumentality of interstate or foreign
3 commerce; or

4 “(C) the defendant employs a firearm, ex-
5 plosive, incendiary device, or other weapon, or
6 a narcotic or drug listed pursuant to section
7 202 of the Controlled Substances Act, or other
8 noxious or dangerous substance, that has trav-
9 eled in interstate or foreign commerce;

10 “(2) the offense interferes with commercial or
11 other economic activity in which the victim is en-
12 gaged at the time of the conduct; or

13 “(3) the offense was committed with intent to
14 interfere with the victim’s commercial or other eco-
15 nomic activity.”; and

16 (4) by inserting after subsection (f) the fol-
17 lowing:

18 “(g) DISCRETIONARY AUTHORITY OF ATTORNEY
19 GENERAL.—Whenever the Attorney General has reason-
20 able cause to believe that any State or political subdivision
21 of a State, official, employee, or agent thereof, or other
22 person acting on behalf of a State or political subdivision
23 of a State has discriminated on the basis of gender in the
24 investigation or prosecution of gender-based crimes and
25 that discrimination is pursuant to a pattern or practice

1 of resistance to investigating or prosecuting gender-based
2 crimes, the Attorney General, for or in the name of the
3 United States, may institute a civil action in any appro-
4 priate United States district court against such party for
5 such equitable relief as may be appropriate to ensure the
6 elimination of such discriminatory practices.”.

○