

107TH CONGRESS
1ST SESSION

H. R. 429

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

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2001

Mr. CONYERS (for himself, Ms. BALDWIN, Mrs. MALONEY of New York, Mrs. MORELLA, Mr. GEPHARDT, Mr. BONIOR, Mr. FRANK, Mr. BERMAN, Mr. BOUCHER, Mr. NADLER, Ms. JACKSON-LEE of Texas, Mr. MEEHAN, Mr. DELAHUNT, Mr. ROTHMAN, Mr. WEXLER, Mr. WEINER, Mr. CROWLEY, Mr. POMEROY, Mr. WU, Ms. RIVERS, Mr. ANDREWS, Mrs. LOWEY, Mr. SANDERS, Mr. HINCHEY, Mr. WYNN, Mr. STARK, Mr. ABERCROMBIE, Mr. BACA, Mr. BLAGOJEVICH, Ms. ROYBAL-ALLARD, Ms. CARSON of Indiana, Mr. FROST, Mr. BRADY of Pennsylvania, Ms. DELAURO, Mr. FOLEY, Mr. DEFazio, Mr. ETHERIDGE, Mrs. MEEK of Florida, Mr. MOORE, Mr. THOMPSON of California, Mr. TIERNEY, Ms. NORTON, Mr. GEORGE MILLER of California, Ms. LEE, Mr. DICKS, Mr. ACKERMAN, Mrs. JONES of Ohio, Ms. KAPTUR, Mr. BARCIA, Ms. MCKINNEY, Mr. LANTOS, Mr. DOOLEY of California, Mr. FILNER, Mr. CARDIN, Ms. SCHAKOWSKY, Mr. BROWN of Ohio, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. COYNE, Mr. PALLONE, Ms. HARMAN, Mr. WAXMAN, Mr. TOWNS, Mrs. MINK of Hawaii, Mrs. THUMAN, and Mr. KUCINICH) 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Violence Against
3 Women Civil Rights Restoration Act of 2001”.

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

6 Section 40302 of the Violence Against Women Act
7 (42 U.S.C. 13981) is amended—

8 (1) so that subsection (c) reads as follows:

9 “(c) CAUSE OF ACTION.—

10 “(1) GENERALLY.—Whoever, in any cir-
11 cumstance described in paragraph (2), commits a
12 crime of violence motivated by gender and thus de-
13 prives another of the right declared in subsection (b)
14 shall be liable to the party injured, in an action for
15 the recovery of compensatory and punitive damages,
16 injunctive and declaratory relief, and such other re-
17 lief as a court may deem appropriate.

18 “(2) CIRCUMSTANCES.—The circumstances re-
19 ferred to in paragraph (1) are that—

20 “(A) in connection with the offense—

21 “(i) the defendant or the victim trav-
22 els in interstate or foreign commerce;

23 “(ii) the defendant or the victim uses
24 a facility or instrumentality of interstate or
25 foreign commerce; or

1 “(iii) the defendant employs a fire-
2 arm, explosive, incendiary device, or other
3 weapon, or a narcotic or drug listed pursu-
4 ant to section 202 of the Controlled Sub-
5 stances Act, or other noxious or dangerous
6 substance, that has traveled in interstate
7 or foreign commerce;

8 “(B) the offense interferes with commer-
9 cial or other economic activity in which the vic-
10 tim is engaged at the time of the conduct; or

11 “(C) the offense was committed with intent
12 to interfere with the victim’s commercial or
13 other economic activity.”; and

14 (2) by inserting after subsection (f) the fol-
15 lowing:

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

1 United States, may institute a civil action in any appro-
2 priate United States district court against such party for
3 such equitable relief as may be appropriate to ensure the
4 elimination of such discriminatory practices.”.

