

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5145

To amend section 1977A of the Revised Statutes of the United States to repeal the authority to award punitive damages for violations of title VII of the Civil Rights Act of 1964 and the Americans With Disabilities Act of 1990, for the purposes of equalizing damages between the Congress and the private sector under these laws.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 30, 1994

Mr. GOODLING (for himself, Mr. FAWELL, Mr. BALLENGER, Mr. BOEHNER, Mr. HOEKSTRA, and Mr. MCKEON), introduced the following bill; which was referred jointly to the Committees on the Judiciary and Education and Labor

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## A BILL

To amend section 1977A of the Revised Statutes of the United States to repeal the authority to award punitive damages for violations of title VII of the Civil Rights Act of 1964 and the Americans With Disabilities Act of 1990, for the purposes of equalizing damages between the Congress and the private sector under these laws.

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 “Equity in Remedies  
5 Act of 1994”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds that—

3 (1) Congress should, absent manifest constitu-  
4 tional limitations, place itself under the same laws it  
5 imposes on private sector employers, including liabil-  
6 ity for damages,

7 (2) while the Congress has recently undertaken  
8 steps to extend coverage under these laws to itself,  
9 it has become apparent that the Congress will not  
10 allow for recovery for punitive damages, even though  
11 private sector employers are subject to such damages  
12 under title VII of the Civil Rights Act of 1964 and  
13 the Americans With Disabilities Act of 1990,

14 (3) therefore to in fact achieve equal coverage  
15 under these laws between the Congress and the pri-  
16 vate sector, it is necessary to amend the Revised  
17 Statutes of the United States to eliminate punitive  
18 damages authorized for violations of title VII of the  
19 Civil Rights Act of 1964 and the Americans With  
20 Disabilities Act of 1990, and

21 (4) doing so would also achieve conformity with  
22 State and local governments and the Executive  
23 Branch which are also not subject to punitive dam-  
24 ages.

1 **SEC. 3. STATEMENT OF PURPOSE.**

2 The purpose of this Act is to eliminate punitive dam-  
3 ages authorized for violations of title VII of the Civil  
4 Rights Act of 1964 and the Americans With Disabilities  
5 Act of 1990.

6 **SEC. 4. AMENDMENTS.**

7 Section 1977A of the Revised Statutes of the United  
8 States is amended—

9 (1) in paragraphs (1) and (2) of subsection (a)  
10 by striking “and punitive”,

11 (2) in subsection (b)—

12 (A) in the heading of such subsection by  
13 striking “AND PUNITIVE”,

14 (B) in paragraph (3) by striking “, and  
15 the amount of punitive damages awarded under  
16 this section,”, and

17 (C) by striking paragraph (1), and redesignig-  
18 nating paragraphs (2), (3), and (4) as para-  
19 graphs (1), (2), and (3), respectively, and

20 (3) in subsection (c)—

21 (A) by striking “or punitive”, and

22 (B) by striking “subsection (b)(3)” and in-  
23 serting “subsection (b)(2)”.

1 **SEC. 5. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.**

2 (a) EFFECTIVE DATE.—Except as provided in sub-  
3 section (b), the amendments made by section 4 shall take  
4 effect on the date of the enactment of this Act.

5 (b) APPLICATION OF AMENDMENTS.—The amend-  
6 ments made by section 4 shall apply only to civil actions  
7 commenced after the date of the enactment of this Act.

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