

117TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To amend the civil rights remedies equalization provision of the Rehabilitation Act Amendments of 1986 to clarify civil rights remedies.

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IN THE SENATE OF THE UNITED STATES

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Mrs. MURRAY (for herself, Mr. DURBIN, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Mr. CASEY, Ms. DUCKWORTH, Mrs. FEINSTEIN, Mr. KAINÉ, Mr. SANDERS, and Mr. WHITEHOUSE) introduced the following bill; which was read twice and referred to the Committee on

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**A BILL**

To amend the civil rights remedies equalization provision of the Rehabilitation Act Amendments of 1986 to clarify civil rights remedies.

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 “Clarifying Civil Rights  
5 Remedies Act of 2022”.

6 **SEC. 2. PURPOSES.**

7 (a) PURPOSES.—The purposes of this Act are—

1           (1) to remedy and deter violations of rights  
2           guaranteed under section 504 of the Rehabilitation  
3           Act of 1973, section 1557 of the Patient Protection  
4           and Affordable Care Act, title IX of the Education  
5           Amendments of 1972, the Age Discrimination Act of  
6           1975, and title VI of the Civil Rights Act of 1964,  
7           by safeguarding the availability of damages for emo-  
8           tional harm in actions alleging violations of these  
9           laws; and

10           (2) to invoke the sweep of congressional author-  
11           ity, including the power to enforce the Equal Protec-  
12           tion Clause of the 14th Amendment to the Constitu-  
13           tion of the United States and to set the terms on  
14           which Congress disburses Federal money under the  
15           Spending Clause of section 8 of article I of the Con-  
16           stitution, in order to remedy and deter discrimina-  
17           tion on the basis of disability, race, color, national  
18           origin, age, and sex that people face every day.

19 **SEC. 3. CIVIL RIGHTS REMEDIES.**

20           Section 1003 of the Rehabilitation Act Amendments  
21 of 1986 (42 U.S.C. 2000d-7) is amended—

22           (1) by redesignating subsection (b) as sub-  
23           section (c);

24           (2) by inserting after subsection (a) the fol-  
25           lowing:

1       “(b) COMPENSATORY DAMAGES.—Remedies at law  
2 available for a violation of a section or other provision re-  
3 ferred to in subsection (a)(1), in a suit against any entity,  
4 private or public, including a State, shall include all types  
5 of compensatory damages, including damages for emo-  
6 tional harm.”; and

7               (3) by amending subsection (c), as amended by  
8 paragraph (1), to read as follows:

9       “(c) EFFECTIVE DATE.—The provisions of sub-  
10 section (a) shall take effect with respect to violations that  
11 occur in whole or in part after October 21, 1986. Sub-  
12 section (b) shall take effect with respect to violations for  
13 which a court has not rendered a final decision on the  
14 date of enactment of the Clarifying Civil Rights Remedies  
15 Act of 2022.”.