119TH CONGRESS
2D SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

Mrs. MURRAY (for herself, Mr. DURBIN, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Ms. CANTWELL, Ms. DUCKWORTH, Mr. KAINE, Mr. SANDERS, Mr. VAN HOLLEN, Mr. WELCH, and Mr. WHITEHOUSE) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Clarifying Civil Rights Remedies Act of 2026''.

SEC. 2. PURPOSES.

The purposes of this Act are—

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

(2) to invoke the sweep of congressional authority, including the power to enforce the Equal Protection Clause of the 14th Amendment to the Constitution of the United States and to set the terms on which Congress disburses Federal money under the Spending Clause of section 8 of article I of the Constitution, in order to remedy and deter discrimination on the basis of disability, race, color, national origin, age, and sex that people face every day.

SEC. 3. CIVIL RIGHTS REMEDIES.

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

(1) by redesignating subsection (b) as subsection (c);

(2) by inserting after subsection (a) the following:

''(b) COMPENSATORY DAMAGES.—Remedies at law available for a violation of a section or other provision referred to in subsection (a)(1), in a suit against any entity, private or public, including a State, shall include all types of compensatory damages, including damages for emotional harm.''; and

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

''(c) EFFECTIVE DATE.—The provisions of subsection (a) shall take effect with respect to violations that occur in whole or in part after October 21, 1986. Subsection (b) shall take effect with respect to violations for which a court has not rendered a final decision on the date of enactment of the Clarifying Civil Rights Remedies Act of 2026.''.