

S 1284

Employment Non-Discrimination Act of 2002

Congress: 107 (2001–2003, Ended)

Chamber: Senate

Policy Area: Civil Rights and Liberties, Minority Issues

Introduced: Jul 31, 2001

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 763.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 763. (Nov 15, 2002)

Official Text: <https://www.congress.gov/bill/107th-congress/senate-bill/1284>

Sponsor

Name: Sen. Kennedy, Edward M. [D-MA]

Party: Democratic • **State:** MA • **Chamber:** Senate

Cosponsors (44 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Akaka, Daniel K. [D-HI]	D · HI		Jul 31, 2001
Sen. Baucus, Max [D-MT]	D · MT		Jul 31, 2001
Sen. Bayh, Evan [D-IN]	D · IN		Jul 31, 2001
Sen. Biden, Joseph R., Jr. [D-DE]	D · DE		Jul 31, 2001
Sen. Bingaman, Jeff [D-NM]	D · NM		Jul 31, 2001
Sen. Boxer, Barbara [D-CA]	D · CA		Jul 31, 2001
Sen. Cantwell, Maria [D-WA]	D · WA		Jul 31, 2001
Sen. Carper, Thomas R. [D-DE]	D · DE		Jul 31, 2001
Sen. Chafee, Lincoln [R-RI]	R · RI		Jul 31, 2001
Sen. Cleland, Max [D-GA]	D · GA		Jul 31, 2001
Sen. Clinton, Hillary Rodham [D-NY]	D · NY		Jul 31, 2001
Sen. Corzine, Jon S. [D-NJ]	D · NJ		Jul 31, 2001
Sen. Daschle, Thomas A. [D-SD]	D · SD		Jul 31, 2001
Sen. Dayton, Mark [D-MN]	D · MN		Jul 31, 2001
Sen. Dodd, Christopher J. [D-CT]	D · CT		Jul 31, 2001
Sen. Durbin, Richard J. [D-IL]	D · IL		Jul 31, 2001
Sen. Edwards, John [D-NC]	D · NC		Jul 31, 2001
Sen. Feingold, Russell D. [D-WI]	D · WI		Jul 31, 2001
Sen. Feinstein, Dianne [D-CA]	D · CA		Jul 31, 2001
Sen. Harkin, Tom [D-IA]	D · IA		Jul 31, 2001
Sen. Inouye, Daniel K. [D-HI]	D · HI		Jul 31, 2001
Sen. Jeffords, James M. [I-VT]	I · VT		Jul 31, 2001
Sen. Kerry, John F. [D-MA]	D · MA		Jul 31, 2001
Sen. Kohl, Herb [D-WI]	D · WI		Jul 31, 2001
Sen. Landrieu, Mary L. [D-LA]	D · LA		Jul 31, 2001
Sen. Leahy, Patrick J. [D-VT]	D · VT		Jul 31, 2001
Sen. Levin, Carl [D-MI]	D · MI		Jul 31, 2001
Sen. Lieberman, Joseph I. [D-CT]	D · CT		Jul 31, 2001
Sen. Mikulski, Barbara A. [D-MD]	D · MD		Jul 31, 2001
Sen. Murray, Patty [D-WA]	D · WA		Jul 31, 2001
Sen. Nelson, Bill [D-FL]	D · FL		Jul 31, 2001
Sen. Reed, Jack [D-RI]	D · RI		Jul 31, 2001
Sen. Reid, Harry [D-NV]	D · NV		Jul 31, 2001
Sen. Sarbanes, Paul S. [D-MD]	D · MD		Jul 31, 2001
Sen. Schumer, Charles E. [D-NY]	D · NY		Jul 31, 2001
Sen. Smith, Gordon H. [R-OR]	R · OR		Jul 31, 2001
Sen. Specter, Arlen [R-PA]	R · PA		Jul 31, 2001
Sen. Stabenow, Debbie [D-MI]	D · MI		Jul 31, 2001
Sen. Torricelli, Robert G. [D-NJ]	D · NJ		Jul 31, 2001
Sen. Wellstone, Paul D. [D-MN]	D · MN		Jul 31, 2001
Sen. Wyden, Ron [D-OR]	D · OR		Jul 31, 2001

Cosponsor	Party / State	Role	Date Joined
Sen. Carnahan, Jean [D-MO]	D · MO		Sep 4, 2001
Sen. Breaux, John B. [D-LA]	D · LA		Oct 9, 2001
Sen. Collins, Susan M. [R-ME]	R · ME		Jun 6, 2002

Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Reported By	Nov 15, 2002

Subjects & Policy Tags

Policy Area:

Civil Rights and Liberties, Minority Issues

Related Bills

Bill	Relationship	Last Action
107 HR 2692	Identical bill	Nov 2, 2001: Referred to the Subcommittee on Employer-Employee Relations.

Employment Non-Discrimination Act of 2002 - (Sec. 4) Prohibits employment agencies, labor organizations, and training programs from engaging in specified unlawful employment practices (discrimination) based upon sexual orientation.

Provides that only disparate treatment claims may be brought under this Act. Prohibits retaliation and coercion based upon any action taken by an individual under this Act.

Declares this Act inapplicable to the provision of employee benefits to an individual for the benefit of such individual's domestic partner.

(Sec. 7) Prohibits the Equal Employment Opportunity Commission from collecting or compelling collection of statistics on sexual orientation from an employer, employment agency, labor organization, or joint labor-management committee ("covered entity").

(Sec. 8) Prohibits a covered entity from: (1) adopting or implementing a quota on the basis of sexual orientation; or (2) granting preferential treatment on the basis of sexual orientation.

(Sec. 9) States that this Act shall not apply to: (1) a religious organization; (2) members of the Armed Forces; or (3) any law creating a special right or preference concerning employment for a veteran.

(Sec. 11) States that this Act shall not be construed to prohibit any association, or infringe upon any right of association, of any nonprofit, voluntary membership organization (as guaranteed by the first amendment to the Constitution).

(Sec. 12) Specifies procedures and remedies under title VII of the Civil Rights Act of 1964 to enforce this Act. Prohibits imposition of affirmative action for a violation of this Act.

(Sec. 13) Denies the States immunity under the 11th amendment to the U.S. Constitution from suit brought in Federal court for a violation of this Act.

States that a State's use of Federal funds for a State activity shall constitute a waiver of State sovereign immunity if suit is brought by an aggrieved party for a remedy authorized under this Act.

Makes the United States or a State liable for remedies to the same extent as under the Civil Rights Act of 1964, but denies punitive damages. Limits compensatory damages and attorneys' fees.

Actions Timeline

- **Nov 15, 2002:** Committee on Health, Education, Labor, and Pensions. Reported by Senator Kennedy with an amendment in the nature of a substitute. With written report No. 107-341. Minority views filed.
- **Nov 15, 2002:** Committee on Health, Education, Labor, and Pensions. Reported by Senator Kennedy with an amendment in the nature of a substitute. With written report No. 107-341. Minority views filed.
- **Nov 15, 2002:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 763.
- **Apr 24, 2002:** Committee on Health, Education, Labor, and Pensions. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Feb 27, 2002:** Committee on Health, Education, Labor, and Pensions. Hearings held. Hearings printed: S.Hrg. 107-307.
- **Jul 31, 2001:** Introduced in Senate
- **Jul 31, 2001:** Sponsor introductory remarks on measure. (CR S8480)
- **Jul 31, 2001:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.