

106TH CONGRESS
2D SESSION

H. R. 3691

To provide that the inferior courts of the United States do not have jurisdiction to hear partial-birth abortion-related cases.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 2000

Mr. PAUL (for himself, Mr. BAKER, and Mr. RYUN of Kansas) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide that the inferior courts of the United States do not have jurisdiction to hear partial-birth abortion-related cases.

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 “Partial Birth Abortion
5 and Judicial Limitation Act of 2000”.

1 **SEC. 2. REMOVAL OF PARTIAL-BIRTH ABORTION-RELATED**
2 **CASES FROM FEDERAL DISTRICT COURT JU-**
3 **RISDICTION.**

4 (a) IN GENERAL.—Chapter 85 of title 28, United
5 States Code, is amended by adding at the end the fol-
6 lowing new section:

7 **“§ 1369. Removal of jurisdiction over partial-birth**
8 **abortion-related cases**

9 “(a) IN GENERAL.—The district courts of the United
10 States, the District Court of Guam, the District Court of
11 the Virgin Islands, and the District Court for the North-
12 ern Mariana Islands shall not have jurisdiction to hear or
13 determine any partial-birth abortion-related case.

14 “(b) DEFINITION.—For purposes of this section, the
15 term ‘partial-birth abortion-related case’ means any action
16 in which any requirement, prohibition, or other provision
17 relating to partial-birth abortion that is contained in a
18 State or Federal statute is at issue.”.

19 (b) CONFORMING AMENDMENT.—The table of con-
20 tents for chapter 85 of title 28, United States Code, is
21 amended by adding at the end the following new item:

“1369. Removal of jurisdiction over partial-birth abortion-related cases.”.

1 **SEC. 3. REMOVAL OF PARTIAL-BIRTH ABORTION-RELATED**
2 **CASES FROM FEDERAL CLAIMS COURT JU-**
3 **RISDICTION.**

4 (a) IN GENERAL.—Chapter 91 of title 28, United
5 States Code, is amended by adding at the end the fol-
6 lowing new section:

7 **“§ 1510. Removal of jurisdiction over partial-birth**
8 **abortion-related cases**

9 “(a) IN GENERAL.—The United States Court of Fed-
10 eral Claims shall not have jurisdiction to hear or deter-
11 mine any partial-birth abortion-related case.

12 “(b) DEFINITION.—For purposes of this section, the
13 term ‘partial-birth abortion-related case’ means any action
14 in which any requirement, prohibition, or other provision
15 relating to partial-birth abortion that is contained in a
16 State or Federal statute is at issue.”.

17 (b) CONFORMING AMENDMENT.—The table of con-
18 tents for chapter 91 of title 28, United States Code, is
19 amended by adding at the end the following new item:

“1510. Removal of jurisdiction over partial-birth abortion-related cases.”.

20 **SEC. 4. CONSTITUTIONAL JURISDICTION.**

21 This Act is proposed in accordance with article 3, sec-
22 tion 2, of the Constitution of the United States of Amer-
23 ica.

1 **SEC. 5. EFFECTIVE DATE.**

2 The amendments made by this Act shall apply to
3 cases filed on or after the date of the enactment of this
4 Act.

