

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2436, AS REPORTED
OFFERED BY MS. LOFGREN OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Motherhood Protection
3 Act of 1999”.

4 **SEC. 2. CRIMES AGAINST A WOMAN—TERMINATING HER
5 PREGNANCY.**

6 (a) Whoever engages in any violent or assaultive con-
7 duct against a pregnant woman resulting in the conviction
8 of the person so engaging for a violation of any of the
9 provisions of law set forth in subsection (c), and thereby
10 causes an interruption to the normal course of the preg-
11 nancy resulting in prenatal injury (including termination
12 of the pregnancy), shall, in addition to any penalty im-
13 posed for the violation, be punished as provided in sub-
14 section (b).

15 (b) The punishment for a violation of subsection (a)
16 is—

17 (1) if the relevant provision of law set forth in
18 subsection (c) is set forth in paragraph (1), (2), or
19 (3) of that subsection, a fine under title 18, United

1 States Code, or imprisonment not more than 20
2 years, or both, but if the interruption terminates the
3 pregnancy, a fine under title 18, United States
4 Code, or imprisonment for any term of years or for
5 life, or both; and

6 (2) if the relevant provision of law is set forth
7 in subsection (c)(4), the punishment shall be the
8 such punishment (other than the death penalty) as
9 the court martial may direct.

10 (c) The provisions of law referred to in subsection (a)
11 are the following:

12 (1) Sections 36, 37, 43, 111, 112, 113, 114,
13 115, 229, 242, 245, 247, 248, 351, 831, 844(d), (f),
14 (h)(1), and (i), 924(j), 930, 1111, 1112, 1114,
15 1116, 1118, 1119, 1120, 1121, 1153(a), 1201(a),
16 1203(a), 1365(a), 1501, 1503, 1505, 1512, 1513,
17 1751, 1864, 1951, 1952(a)(1)(B), (a)(2)(B), and
18 (a)(3)(B), 1958, 1959, 1992, 2113, 2114, 2116,
19 2118, 2119, 2191, 2231, 2241(a), 2245, 2261,
20 2261A, 2280, 2281, 2332, 2332a, 2332b, 2340A,
21 and 2441 of title 18, United States Code.

22 (2) Section 408(e) of the Controlled Substances
23 Act of 1970 (21 U.S.C. 848).

24 (3) Section 202 of the Atomic Energy Act of
25 1954 (42 U.S.C. 2283).

1 (4) Sections 918, 919(a), 919(b)(2), 920(a),
2 922, 924, 926, and 928 of title 10, United States
3 Code (articles 118, 119(a), 119(b)(2), 120(a), 122,
4 124, 126, and 128).