

112TH CONGRESS
1ST SESSION

H. R. 2633

To amend title 28, United States Code, to clarify the time limits for appeals in civil cases to which United States officers or employees are parties.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2011

Mr. COBLE (for himself and Mr. COHEN) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 28, United States Code, to clarify the time limits for appeals in civil cases to which United States officers or employees are parties.

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 “Appeal Time Clarifica-
5 tion Act of 2011”.

6 **SEC. 2. TIME FOR APPEALS IN CERTAIN CASES.**

7 Section 2107 of title 28, United States Code, is
8 amended—

9 (1) in subsection (a)—

1 (A) by striking “order or decree” each
2 place it appears and inserting “order, or de-
3 cree”;

4 (B) by striking “suit or proceeding” and
5 inserting “suit, or proceeding”; and

6 (C) by striking “filed, within thirty” and
7 inserting “filed within 30”; and

8 (2) by amending subsection (b) to read as fol-
9 lows:

10 “(b) In any such action, suit, or proceeding, the time
11 as to all parties shall be 60 days from such entry if one
12 of the parties is—

13 “(1) the United States;

14 “(2) an agency of the United States;

15 “(3) an officer or employee of the United States
16 who is sued in an official capacity; or

17 “(4) a current or former officer or employee of
18 the United States who is sued in an individual ca-
19 pacity for an act or omission occurring in connection
20 with duties performed on behalf of the United
21 States, including any instance in which the United
22 States represents that person when the judgment,
23 order, or decree is entered or files the appeal for
24 that person.”.

1 **SEC. 3. EFFECTIVE DATE.**

2 The amendments made by this Act shall take effect

3 on December 1, 2011.

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