

Union Calendar No. 128

112TH CONGRESS
1ST SESSION

H. R. 2633

[Report No. 112-199]

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

SEPTEMBER 7, 2011

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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)—

10 (A) by striking “order or decree” each
11 place it appears and inserting “order, or de-
12 cree”;

13 (B) by striking “suit or proceeding” and
14 inserting “suit, or proceeding”; and

15 (C) by striking “filed, within thirty” and
16 inserting “filed within 30”; and

17 (2) by amending subsection (b) to read as fol-
18 lows:

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

22 “(1) the United States;

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

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

1 “(4) a current or former officer or employee of
2 the United States who is sued in an individual ca-
3 pacity for an act or omission occurring in connection
4 with duties performed on behalf of the United
5 States, including any instance in which the United
6 States represents that person when the judgment,
7 order, or decree is entered or files the appeal for
8 that person.”.

9 **SEC. 3. EFFECTIVE DATE.**

10 The amendments made by this Act shall take effect
11 on December 1, 2011.

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