

116TH CONGRESS
1ST SESSION

H. R. 4219

To amend title 28, United States Code, to provide that an appeal of an order granting a nationwide injunction issued by a district court of the United States shall lie to the Supreme Court.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 30, 2019

Mr. JOHN W. ROSE of Tennessee introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 28, United States Code, to provide that an appeal of an order granting a nationwide injunction issued by a district court of the United States shall lie to the Supreme Court.

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. APPEAL OF ORDER GRANTING A NATIONWIDE**
4 **INJUNCTION.**

5 (a) IN GENERAL.—Chapter 155 of title 28, United
6 States Code, is amended by adding at the end the fol-
7 lowing:

1 **“§ 2285. Appeal of order granting a nationwide in-**
2 **junction**

3 “(a) IN GENERAL.—In the case that a district court
4 of the United States grants a nationwide injunction, the
5 appeal from the order granting such injunction shall lie
6 to the Supreme Court.

7 “(b) DEFINITION.—In this section, the term ‘nation-
8 wide injunction’ means an order issued by a Federal court
9 that purports to restrain the enforcement of a Federal
10 statute, regulation, order, or similar authority against a
11 non-party, unless the non-party is represented by a party
12 acting in a representative capacity pursuant to the Federal
13 Rules of Civil Procedure.”.

14 (b) CLERICAL AMENDMENT.—The table of sections
15 for chapter 155 of title 28, United States Code is amended
16 by inserting after the item relating to section 2285 the
17 following:

“2285. Appeal of order granting a nationwide injunction.”.

○