

117TH CONGRESS
2D SESSION

H. R. 8569

To require a direct causal nexus to remove certain cases to Federal court,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2022

Mrs. LURIA introduced the following bill; which was referred to the Committee
on the Judiciary

A BILL

To require a direct causal nexus to remove certain cases
to Federal court, and for other purposes.

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 “Removal Adjustment
5 Act of 2022”.

6 **SEC. 2. FEDERAL OFFICERS OR AGENCIES SUED OR PROS-**
7 **ECUTED.**

8 (a) IN GENERAL.—Section 1442 of title 28, United
9 States Code, is amended—

1 (1) by redesignating subsections (b) and (c) as
2 subsections (c) and (d), respectively;

3 (2) by redesignating subsection (d) as sub-
4 section (f);

5 (3) by inserting after subsection (a) the fol-
6 lowing:

7 “(b) With respect to an action under subsection
8 (a)(1), no such action may be removed unless the remov-
9 ing party demonstrates a direct causal nexus between the
10 removing party’s actions taken under the color of Federal
11 office and the actions or omissions that are the subject
12 of the plaintiff’s or prosecutor’s claim.”; and

13 (4) by inserting before subsection (f), as redesi-
14 gnated, the following:

15 “(e) Removal under this section shall be strictly con-
16 strued and doubts regarding the propriety of removal shall
17 be resolved in favor of remanding the case to State
18 court.”.

19 (b) EFFECTIVE DATE.—The amendments made by
20 this Act shall take effect on January 1, 2023.

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