

117TH CONGRESS
1ST SESSION

H. R. 893

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

FEBRUARY 5, 2021

Mr. ROSE (for himself, Mr. BROOKS, Mr. FLEISCHMANN, Mr. DESJARLAIS, Mr. BIGGS, Mr. BURCHETT, and Mr. STEUBE) 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. SHORT TITLE.**

4 This Act may be cited as the “Court Shopping Deter-
5 rence Act”.

1 **SEC. 2. APPEAL OF ORDER GRANTING A NATIONWIDE IN-**
 2 **JUNCTION.**

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

6 **“§ 2285. Appeal of order granting a nationwide in-**
 7 **junction**

8 “(a) IN GENERAL.—In the case that a district court
 9 of the United States grants a nationwide injunction, the
 10 appeal from the order granting such injunction shall lie
 11 to the Supreme Court.

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

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

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

