

109TH CONGRESS
2^D SESSION

H. R. 5511

To amend title 28, United States Code, to ensure that the validity of foreign judgments against United States citizens is adjudicated in Federal courts.

IN THE HOUSE OF REPRESENTATIVES

MAY 25, 2006

Mr. ROHRABACHER introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 28, United States Code, to ensure that the validity of foreign judgments against United States citizens is adjudicated in Federal courts.

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 Fair Enforcement of
5 Foreign Judgments Amendment of 2006”.

6 **SEC. 2. DIVERSITY JURISDICTION.**

7 Section 1332 of title 28, United States Code, is
8 amended by adding at the end the following:

9 “(f)(1) The district court shall have original and ex-
10 clusive jurisdiction of any action to enforce a foreign judg-

1 ment against a citizen of the United States, in which the
2 matter in controversy exceeds the sum or value of
3 \$75,000, exclusive of interest and costs, and in which—

4 “

5 “(A) any plaintiff is a citizen of a State dif-
6 ferent from any defendant;

7 “(B) any plaintiff is a foreign state or a citizen
8 or subject of a foreign state and any defendant is a
9 citizen of a State; or

10 “(C) any plaintiff is a citizen of a State and
11 any defendant is a foreign state or a citizen or sub-
12 ject of a foreign state.

13 “(2) For purposes of this subsection, the term ‘for-
14 eign judgment’ means any judgment or order of the court
15 of a foreign state granting or denying a sum of money,
16 or determining a legal controversy.”.

17 **SEC. 3. REMOVAL.**

18 (a) IN GENERAL.—Chapter 89 of title 28, United
19 States Code, is amended by adding at the end the fol-
20 lowing:

21 **“§ 1454. Removal of actions to enforce foreign judge-
22 ments.**

23 “An action to enforce a foreign judgment over which
24 a district court may exercise jurisdiction under section
25 1332(f) may be removed to a district court of the United

1 States in accordance with section 1446, without regard to
2 whether any defendant is a citizen of the State in which
3 the action is brought, except that such action may be re-
4 moved by any defendant without the consent of all defend-
5 ants.”.

6 (b) CONFORMING AMENDMENT.—The table of sec-
7 tions for chapter 89 of title 28, United States Code, is
8 amended by adding at the end the following new item:

“1454. Renewal of actions to enforce foreign judgments.”.

9 **SEC. 4. EFFECTIVE DATE.**

10 This Act and the amendments made by this Act shall
11 take effect on the date of enactment of this Act, and shall
12 apply to any action to enforce a foreign judgment against
13 a citizen of the United States that is brought on or after
14 March 1, 2006.

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