

Public Law 96-486
96th Congress

An Act

To eliminate the amount in controversy requirement for Federal question jurisdiction.

Dec. 1, 1980

[S. 2357]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Question Jurisdictional Amendments Act of 1980".

SEC. 2. (a) Section 1331 of title 28, United States Code, is amended to read as follows:

Federal
Question
Jurisdictional
Amendments
Act of 1980.
28 USC 1 note.

"§ 1331. Federal question

"The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States."

(b) The item relating to section 1331 in the table of sections for chapter 85 of title 28, United States Code, is amended by striking out "; amount in controversy; costs."

SEC. 3. (a) Section 23(a) of the Consumer Product Safety Act (15 U.S.C. 2072(a)) is amended—

(1) by striking out "subject to the provisions of section 1331 of title 28, United States Code, as to the amount in controversy,"; and

(2) by striking out the period at the end thereof and inserting in lieu thereof ": *Provided*, That the matter in controversy exceeds the sum or value of \$10,000, exclusive of interest and costs, unless such action is brought against the United States, any agency thereof, or any officer or employee thereof in his official capacity."

(b) Section 23 of the Consumer Product Safety Act (15 U.S.C. 2072) is amended by redesignating subsection (b) as subsection (c) and by inserting immediately after subsection (a) the following new subsection:

Plaintiff's costs.

"(b) Except when express provision is made in a statute of the United States, in any case in which the plaintiff is finally adjudged to be entitled to recover less than the sum or value of \$10,000, computed without regard to any setoff or counterclaim to which the defendant may be adjudged to be entitled, and exclusive of interests and costs, the district court may deny costs to the plaintiff and, in addition, may impose costs on the plaintiff."

28 USC 1331
note.

SEC. 4. This Act shall apply to any civil action pending on the date of enactment of this Act.

Approved December 1, 1980.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 96-1461 (Comm. on the Judiciary).
SENATE REPORT No. 96-827 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 126 (1980):
June 28, considered and passed Senate.
Nov. 17, considered and passed House.