

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3487
OFFERED BY MR. KING OF IOWA**

Strike all that follows after the enacting clause and
insert the following:

1 SECTION 1. DIVERSITY OF CITIZENSHIP JURISDICTION.

2 (a) DIVERSITY JURISDICTION DESCRIBED.—Section
3 1332(a)(1) of title 28, United States Code, is amended
4 by striking “citizens of different States” and inserting
5 “not less than 1 plaintiff and 1 defendant who are citizens
6 of different States”.

7 (b) REMOVAL BASED ON DIVERSITY JURISDIC-
8 TION.—Section 1441(b)(2) of title 28, United States
9 Code, is amended by striking “if any of the parties in in-
10 terest properly joined and served as defendants is a citizen
11 of the State” and inserting “if all of the parties in interest
12 properly joined and served as defendants are citizens of
13 the State”.

14 (c) REQUIREMENTS FOR REMOVAL.—Section
15 1446(b)(2) of title 28, United States Code, is amended—
16 (1) in subparagraph (A), by striking “When a
17 civil action is removed solely under section 1441(a)”
18 and inserting “When a civil action arising under the

1 Constitution, laws, or treaties of the United States
2 is removed under section 1441(a)”; and

3 (2) in subparagraph (C), by inserting after “If
4 defendants are served at different times” the fol-
5 lowing: “in a civil action arising under the Constitu-
6 tion, laws, or treaties of the United States”.

7 **SEC. 2. FILING FEES FOR REMOVAL OF DIVERSITY JURIS-**
8 **DICTION CASES AND ELIMINATION OF PACER**
9 **FEES.**

10 (a) **FILING FEES FOR REMOVAL OF DIVERSITY JU-**
11 **RISDICTION CASES.**—Section 1914(a) of title 28, United
12 States Code, is amended—

13 (1) by striking “except that on application for
14 a writ of habeas corpus the filing fee shall be \$5.”
15 and inserting the following: “except that—

16 “(1) on application for a writ of habeas corpus
17 the filing fee shall be \$5; and

18 “(2) on notice of removal of a civil action from
19 a State court to district court pursuant to the juris-
20 diction under section 1332(a), the defendant’s filing
21 fee shall be \$700.”.

22 (b) **EXPENDITURE LIMITATION.**—There is estab-
23 lished in the general fund of the Treasury a separate ac-
24 count to be known as the “Judicial Resources Fund”.
25 Amounts collected pursuant to section 1914(a)(2) of title

1 28, United States Code, shall be deposited in the Judicial
2 Resources Fund, and shall be available for the purposes
3 specified in section 1931(a) of title 28, United States
4 Code, but only to the extent specifically appropriated by
5 an Act of Congress enacted after the date of enactment
6 of this Act, and for the cost of providing electronic public
7 access to court records pursuant to section 303 of the Ju-
8 diciary Appropriations Act, 1992 (28 U.S.C. 1913 note)
9 and section 205 of the E-Government Act of 2002 (Pub.
10 L. No. 107-347, 116 Stat. 2899).

