

for the Federal Circuit shall have jurisdiction over a petition for review of a final decision under chapter 5 of title 3 of—

- (1) an appropriate agency (as determined under section 454 of title 3);
- (2) the Federal Labor Relations Authority made under part D of subchapter II of chapter 5 of title 3, notwithstanding section 7123 of title 5; or
- (3) the Secretary of Labor or the Occupational Safety and Health Review Commission, made under part C of subchapter II of chapter 5 of title 3.

(b) **FILING OF PETITION.**—Any petition for review under this section must be filed within 30 days after the date the petitioner receives notice of the final decision.

(Added Pub. L. 104-331, §3(a)(1), Oct. 26, 1996, 110 Stat. 4068.)

#### PRIOR PROVISIONS

A prior section 1296, added Pub. L. 97-164, title I, §127(a), Apr. 2, 1982, 96 Stat. 39, related to precedence of cases in United States Court of Appeals for the Federal Circuit, prior to repeal by Pub. L. 98-620, title IV, §402(29)(C), Nov. 8, 1984, 98 Stat. 3359.

#### EFFECTIVE DATE

Pub. L. 104-331, §3(d), Oct. 26, 1996, 110 Stat. 4071, provided that: “The amendments made by this section [enacting this section and sections 1413 and 3901 to 3908 of this title and amending sections 1346 and 2402 of this title] shall take effect on October 1, 1997.”

### CHAPTER 85—DISTRICT COURTS; JURISDICTION

Sec.	
1330.	Actions against foreign states.
1331.	Federal question.
1332.	Diversity of citizenship; amount in controversy; costs.
1333.	Admiralty, maritime and prize cases.
1334.	Bankruptcy cases and proceedings.
1335.	Interpleader.
1336.	Surface Transportation Board's orders.
1337.	Commerce and antitrust regulations; amount in controversy, costs.
1338.	Patents, plant variety protection, copyrights, mask works, designs, trademarks, and unfair competition.
1339.	Postal matters.
1340.	Internal revenue; customs duties.
1341.	Taxes by States.
1342.	Rate orders of State agencies.
1343.	Civil rights and elective franchise.
1344.	Election disputes.
1345.	United States as plaintiff.
1346.	United States as defendant.
1347.	Partition action where United States is joint tenant.
1348.	Banking association as party.
1349.	Corporation organized under federal law as party.
1350.	Alien's action for tort.
1351.	Consuls, vice consuls, and members of a diplomatic mission as defendant.
1352.	Bonds executed under federal law.
1353.	Indian allotments.
1354.	Land grants from different states.
1355.	Fine, penalty or forfeiture.
1356.	Seizures not within admiralty and maritime jurisdiction.
1357.	Injuries under Federal laws.
1358.	Eminent domain.
1359.	Parties collusively joined or made.

Sec.	
1360.	State civil jurisdiction in actions to which Indians are parties.
1361.	Action to compel an officer of the United States to perform his duty.
1362.	Indian tribes.
1363.	Jurors' employment rights.
1364.	Direct actions against insurers of members of diplomatic missions and their families.
1365.	Senate actions.
1366.	Construction of references to laws of the United States or Acts of Congress.
1367.	Supplemental jurisdiction.
1368.	Counterclaims in unfair practices in international trade.
1369.	Multiparty, multiforum jurisdiction.

#### AMENDMENTS

2002—Pub. L. 107-273, div. C, title I, §11020(b)(1)(B), Nov. 2, 2002, 116 Stat. 1827, added item 1369.

1999—Pub. L. 106-113, div. B, §1000(a)(9) [title III, §3009(2)], Nov. 29, 1999, 113 Stat. 1536, 1501A-552, substituted “trademarks” for “trade-marks” in item 1338.

1998—Pub. L. 105-304, title V, §503(b)(2)(B), Oct. 28, 1998, 112 Stat. 2917, inserted “designs,” after “mask works,” in item 1338.

1995—Pub. L. 104-88, title III, §305(a)(4), Dec. 29, 1995, 109 Stat. 944, substituted “Surface Transportation Board's” for “Interstate Commerce Commission's” in item 1336.

1994—Pub. L. 103-465, title III, §321(b)(3)(B), Dec. 8, 1994, 108 Stat. 4947, added item 1368.

1990—Pub. L. 101-650, title III, §310(b), Dec. 1, 1990, 104 Stat. 5114, added item 1367.

1988—Pub. L. 100-702, title X, §1020(a)(7), Nov. 19, 1988, 102 Stat. 4672, substituted “Actions” for “Action” in item 1330, inserted a period after “question” in item 1331, substituted “plant variety protection, copyrights, mask works, trade-marks,” for “copyrights, and trademarks” in item 1338, and inserted “and elective franchise” in item 1343.

1986—Pub. L. 99-336, §6(a)(1)(A), June 19, 1986, 100 Stat. 638, renumbered item 1364 “Senate actions” and item 1364 “Construction of references to laws of the United States or Acts of Congress” as items 1365 and 1366, respectively.

1984—Pub. L. 98-353, title I, §101(b), July 10, 1984, 98 Stat. 333, substituted “cases” for “matters” in item 1334.

1980—Pub. L. 96-486, §2(b), Dec. 1, 1980, 94 Stat. 2369, struck out “; amount in controversy; costs.” after “question” in item 1331.

1978—Pub. L. 95-598, title II, §238(b), Nov. 6, 1978, 92 Stat. 2668, directed the substitution of “Bankruptcy appeals” for “Bankruptcy matters and proceedings” in item 1334, which amendment did not become effective pursuant to section 402(b) of Pub. L. 95-598, as amended, set out as an Effective Date note preceding section 101 of Title 11, Bankruptcy.

Pub. L. 95-572, §6(b)(2), Nov. 2, 1978, 92 Stat. 2457, added item 1363 and redesignated former item 1363 “Construction of references to laws of the United States or Acts of Congress”, as 1364.

Pub. L. 95-521, title VII, §705(f)(2), Oct. 26, 1978, 92 Stat. 1880, added item 1364 “Senate actions”.

Pub. L. 95-486, §9(c), Oct. 20, 1978, 92 Stat. 1634, substituted “Commerce and antitrust regulations; amount in controversy, costs” for “Commerce and antitrust regulations” in item 1337.

Pub. L. 95-393, §§7(b), 8(a)(2), Sept. 30, 1978, 92 Stat. 810, substituted “Consuls, vice consuls, and members of a diplomatic mission as defendant” for “Consuls and vice consuls as defendants” in item 1351 and added item 1364 “Direct actions against insurers of members of diplomatic missions and their families”.

1976—Pub. L. 94-583, §2(b), Oct. 21, 1976, 90 Stat. 2891, added item 1330.

1970—Pub. L. 91-358, title I, §172(c)(2), July 29, 1970, 84 Stat. 591, added item 1363.

1966—Pub. L. 89-635, §2, Oct. 10, 1966, 80 Stat. 880, added item 1362.