

H.R. 3502: Mr. NADLER.  
 H.R. 3582: Ms. ROS-LEHTINEN.  
 H.R. 3616: Mr. SIMMONS.  
 H.R. 3705: Mr. LEACH.  
 H.R. 3715: Mr. GERLACH.  
 H.R. 3776: Mr. GOODLATTE.  
 H.R. 3782: Mr. LEACH.  
 H.R. 3795: Mr. KIND and Mr. McNULTY.  
 H.R. 3868: Mr. CARTER and Mr. CALVERT.  
 H.R. 3889: Mr. ISTOOK, Mr. FILNER, Mr. SALAZAR, and Mr. SESSIONS.  
 H.R. 3944: Mr. HIGGINS, Mr. SALAZAR, and Mr. MCINTYRE.  
 H.R. 3973: Mrs. NAPOLITANO.  
 H.R. 3986: Mr. MENENDEZ.  
 H.R. 4029: Mr. CLAY, Mr. BRADY of Pennsylvania, and Ms. LEE.  
 H.R. 4032: Mr. MARCHANT, Mr. FOLEY, Mr. WELDON of Florida, and Mr. PRICE of Georgia.  
 H.R. 4050: Mr. SALAZAR.  
 H.R. 4079: Mr. ISTOOK.  
 H.R. 4089: Mr. KUHLMANN of New York.  
 H.R. 4093: Ms. GINNY BROWN-WAITE of Florida and Mr. HASTINGS of Washington.  
 H.R. 4098: Mr. MARSHALL, Ms. ROS-LEHTINEN, Mr. COLE of Oklahoma, Mr. WYNN, Mr. WAMP, Mr. STRICKLAND, Mr. BROWN of South Carolina, and Mr. CLAY.  
 H.R. 4126: Mr. CASE.  
 H.R. 4134: Mr. BRADLEY of New Hampshire.  
 H.R. 4145: Mr. HOLT, Mr. BONNER, Mr. EVERETT, Mr. ADERHOLT, Mr. CRAMER, Mr. BACHUS, Mr. SCHIFF, and Mr. KNOLLENBERG.  
 H.R. 4168: Mr. MURPHY, Mr. ALEXANDER, and Mrs. JO ANN DAVIS of Virginia.  
 H.R. 4194: Mr. LANGEVIN, Ms. WATSON, Mr. INSLEE, Mr. TIERNEY, Ms. DEGETTE, and Mr. UDALL of New Mexico.  
 H.R. 4200: Mr. GALLEGLY, Mr. MCHUGH, Mr. LUCAS, Mr. MORAN of Kansas, and Mr. MANZULLO.  
 H.R. 4232: Mr. McDERMOTT.  
 H.R. 4238: Mr. SAM JOHNSON of Texas and Ms. HARRIS.  
 H.R. 4239: Mrs. EMERSON and Mr. EDWARDS.  
 H. Con. Res. 42: Mr. MATHESON.  
 H. Con. Res. 52: Mr. ISTOOK.  
 H. Con. Res. 230: Mr. CAPUANO, Mr. STEARNS, Mr. BASS, Mr. MARKEY, Mr. SHIMKUS, Mr. KELLER, Mr. WESTMORELAND, Mr. INGLIS of South Carolina, Mr. MEEK of Florida, Mr. LEWIS of Kentucky, and Mr. GONZALEZ.  
 H. Con. Res. 268: Mrs. MUSGRAVE, Mr. BARRETT of South Carolina, Mr. REHBERG, Mr. UPTON, Mr. BEAUPREZ, Mr. PENCE, Mrs. JO ANN DAVIS of Virginia, and Mr. FLAKE.  
 H. Con. Res. 280: Mr. McNULTY and Mr. MEEKS of New York.  
 H. Con. Res. 284: Mr. BLUMENAUER and Mr. MEEKS of New York.  
 H. Con. Res. 285: Mr. WELDON of Florida and Mr. UPTON.  
 H. Res. 302: Mr. COSTA and Ms. NORTON.  
 H. Res. 335: Mr. BAIRD, Mr. EHLERS, and Mr. SHAYS.  
 H. Res. 458: Mr. CUMMINGS.  
 H. Res. 466: Mr. FITZPATRICK of Pennsylvania.  
 H. Res. 479: Mr. FRANK of Massachusetts and Mr. McDERMOTT.  
 H. Res. 505: Mr. HOLT, Mr. UDALL of Colorado, Ms. ZOE LOFGREN of California, Mr. CLYBURN, Mr. WAXMAN, Ms. CARSON, Mr. MICHAUD, Mr. WU, Mr. MENENDEZ, Mr. SHERMAN, Ms. DEGETTE, Mr. DOYLE, Ms. BALDWIN, Mr. CLEAVER, Mr. FATTAH, Mr. MEEHAN, Mr. NEAL of Massachusetts, Mr. COSTELLO, Mr. DICKS, Ms. HOOLEY, Mr. OBERSTAR, Mr. OLVER, Mr. PASTOR, Mr. RUSH, Mr. VIS-CLOSKY, Ms. LINDA T. SANCHEZ of California, Mr. ENGEL, Mrs. MCCARTHY, Mr. EVANS, Mr. WEINER, Mr. LARSON of Connecticut, Mr. RYAN of Ohio, Mr. UDALL of New Mexico, Mr. BAIRD, Ms. BERKLEY, Mr. AL GREEN of Texas, and Ms. WATERS.  
 H. Res. 507: Mr. MORAN of Virginia.  
 H. Res. 535: Mr. CONYERS, Mr. McNULTY, Ms. SCHAKOWSKY, Mr. CROWLEY, Mr.

ETHERIDGE, Mrs. MCCARTHY, Mr. NADLER, Mr. GRIJALVA, Mr. HIGGINS, Mr. WEINER, Mrs. MALONEY, Mr. WEXLER, Mr. DOGGETT, Mr. McDERMOTT, Ms. ZOE LOFGREN of California, Mr. EMANUEL, Mr. MENENDEZ, Mr. BERMAN, Mr. FALCOMA, Mr. MCCOTTER, Mrs. CAPPS, Mr. KIRK, and Mr. LEACH.

#### DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2048: Mr. BARTLETT of Maryland.  
 H.R. 3146: Mr. PRICE of Georgia.

#### AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 1751

OFFERED BY: Mr. FLAKE

AMENDMENT NO. 1: Add at the end the following:

#### SEC. \_\_\_\_ COLLATERAL REVIEW IN CAPITAL CASES.

(a) REVIEW BY ATTORNEY GENERAL.—

(1) APPLICABILITY.—Section 2261 of title 28, United States Code, is amended by striking subsection (b) and inserting the following:

“(b) COUNSEL.—This chapter is applicable if—

“(1) the Attorney General of the United States certifies that a State has established a mechanism for providing counsel in postconviction proceedings as provided in section 2265; and

“(2) counsel was appointed pursuant to that mechanism, petitioner validly waived counsel, petitioner retained counsel, or petitioner was found not to be indigent.”.

(2) SCOPE OF PRIOR REPRESENTATION.—Section 2261(d) of title 28, United States Code, is amended by striking “or on direct appeal”.

(3) CERTIFICATION AND JUDICIAL REVIEW.—

(A) IN GENERAL.—Chapter 154 of title 28, United States Code, is amended by striking section 2265 and inserting the following:

#### “§ 2265. Certification and judicial review

“(a) CERTIFICATION.—

“(1) IN GENERAL.—If requested by an appropriate State official, the Attorney General of the United States shall determine—

“(A) whether the State has established a mechanism for the appointment, compensation, and payment of reasonable litigation expenses of competent counsel in State postconviction proceedings brought by indigent prisoners who have been sentenced to death;

“(B) the date on which the mechanism described in subparagraph (A) was established; and

“(C) whether the State provides standards of competency for the appointment of counsel in proceedings described in subparagraph (A).

“(2) EFFECTIVE DATE.—The date the mechanism described in paragraph (1)(A) was established shall be the effective date of the certification under this subsection.

“(3) REQUIREMENTS.—

“(A) IN GENERAL.—To qualify for certification under paragraph (1)—

“(i) any mechanism described in subsection (1)(A) that was created on or after the effective date of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104-132) shall be created by statute, rule of the court of last resort, or rule of an agency authorized by State law to promulgate statewide rules of court and must meet the requirements of section 2261(c); and

“(ii) for any mechanism described in subsection (1)(A) that was created prior to the effective date of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104-132), all or part of the qualifying mechanism and standards may have been created by published policies, practices, and standards of the court of last resort or of a statewide judicial administrative agency, and the State must have substantially complied with the requirements of this section and section 2261 in providing qualified counsel to indigent prisoners sentenced to death who did not validly waive counsel.

“(B) ONLY EXPRESS REQUIREMENTS.—There are no requirements for certification or for application of this chapter other than those expressly stated in this chapter.

“(b) REGULATIONS.—The Attorney General shall promulgate regulations to implement the certification procedure under subsection (a).

“(c) REVIEW OF CERTIFICATION.—

“(1) IN GENERAL.—The determination by the Attorney General regarding whether to certify a State under this section is subject to review exclusively as provided under chapter 158 of this title.

“(2) VENUE.—The Court of Appeals for the District of Columbia Circuit shall have exclusive jurisdiction over matters under paragraph (1), subject to review by the Supreme Court under section 2350 of this title.

“(3) STANDARD OF REVIEW.—The determination by the Attorney General regarding whether to certify a State under this section shall be conclusive, unless manifestly contrary to the law and an abuse of discretion.”.

(B) CLERICAL AMENDMENT.—The table of sections for chapter 154 of title 28, United States Code, is amended by striking the item related to section 2265 and inserting the following:

“2265. Certification and judicial review.”.

(b) TIME LIMITS.—Section 2266(b)(1)(A) of title 28, United States Code, is amended by striking “180 days after the date on which the application is filed.” and inserting “450 days after the date on which the application is filed, or 60 days after the date on which the case is submitted for decision, whichever is earlier.”.

(c) TOLLING.—Section 2263(b) of title 28, United States Code, is amended—

(1) by redesignating paragraphs (1) through (3) as paragraphs (2) through (4), respectively; and

(2) by inserting before paragraph (2) the following:

“(1) if counsel is offered to a State prisoner under section 2261(c)(1), during the period prior to such offer;”.

(d) SCOPE OF REVIEW.—Section 2264 of title 28, United States Code, is amended by redesignating subsection (b) as subsection (d) and inserting after subsection (a) the following:

“(b) VALIDITY OF CONVICTION.—A court, justice, or judge shall not have jurisdiction to consider a claim in an application under this chapter unless the claim concerns the validity of the conviction of the applicant for the underlying offense for which the applicant was sentenced to death. For a claim involving the offense of murder, conviction for the underlying offense means conviction for murder in any degree.

“(c) RELIEF.—For any claim brought under this section, relief shall not be granted, unless the denial of relief—

“(1) is contrary to, or would entail an unreasonable application of, clearly established Federal law, as determined by the Supreme Court of the United States; or

“(2) would entail an unreasonable determination of a factual matter.”.

(e) PRIORITY TO CAPITAL CASES.—Section 2251 of title 28, United States Code, is amended—