

Union Calendar No. 374

108TH CONGRESS
2D SESSION

H. R. 3313

[Report No. 108-614]

To amend title 28, United States Code, to limit Federal court jurisdiction over questions under the Defense of Marriage Act.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 16, 2003

Mr. HOSTETTLER (for himself, Mr. PENCE, Mr. SMITH of Michigan, Mr. GARRETT of New Jersey, Mr. GOODE, Mr. AKIN, Mr. GUTKNECHT, Mr. WELDON of Florida, Mr. JONES of North Carolina, Mr. BARTLETT of Maryland, Mr. FORBES, and Mr. PAUL) introduced the following bill; which was referred to the Committee on the Judiciary

JULY 19, 2004

Additional sponsors: Mr. NORWOOD, Mr. BARRETT of South Carolina, Mr. NEUGEBAUER, Mr. SAM JOHNSON of Texas, Mr. WILSON of South Carolina, Mr. TIAHRT, Mr. TERRY, Mr. WAMP, Mr. MILLER of Florida, Mr. HENSARLING, Mrs. NORTHUP, Mr. BISHOP of Utah, Mrs. JO ANN DAVIS of Virginia, Mr. DUNCAN, Mr. STEARNS, Mr. DEMINT, Mr. HUNTER, Mr. HERGER, Mr. POMBO, Mr. HALL, Mr. KINGSTON, Mr. COLLINS, Mr. CUNNINGHAM, Mr. RYUN of Kansas, Mr. PETRI, Mr. RAHALL, Mr. McCOTTER, Mr. JENKINS, Mr. SIMPSON, Mr. OTTER, Mr. LEWIS of Kentucky, Mr. SESSIONS, Mr. MANZULLO, Mr. ROGERS of Alabama, Mr. TOM DAVIS of Virginia, Mr. KING of Iowa, and Mr. HASTINGS of Washington

JULY 19, 2004

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To amend title 28, United States Code, to limit Federal court jurisdiction over questions under the Defense of Marriage Act.

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 “Marriage Protection
 5 Act of 2003”.

6 **SEC. 2. LIMITATION ON JURISDICTION.**

7 (a) IN GENERAL.—Chapter 99 of title 28, United
 8 States Code, is amended by adding at the end the fol-
 9 lowing:

10 **“§ 1632. Limitation on jurisdiction**

11 “No court created by Act of Congress shall have any
 12 jurisdiction, and the Supreme Court shall have no appel-
 13 late jurisdiction, to hear or determine any question per-
 14 taining to the interpretation of section 1738e of this title
 15 or of this section. Neither the Supreme Court nor any
 16 court created by Act of Congress shall have any appellate
 17 jurisdiction to hear or determine any question pertaining
 18 to the interpretation of section 7 of title 1.”.

1 (b) ~~AMENDMENT TO TABLE OF SECTIONS.~~—The
 2 table of sections at the beginning of chapter 99 of title
 3 28, United States Code, is amended by adding at the end
 4 the following new item:

“~~1632. Limitation on jurisdiction.~~”.

5 **SECTION 1. SHORT TITLE.**

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 7 *of 2004”.*

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 15 *the interpretation of, or the validity under the Constitution*
 16 *of, section 1738C or this section.”.*

17 (b) *AMENDMENTS TO THE TABLE OF SECTIONS.*—The
 18 table of sections at the beginning of chapter 99 of title 28,
 19 United States Code, is amended by adding at the end the
 20 following new item:

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