



The Daily Whip

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THURSDAY, SEPTEMBER 21, 2006

House Meets At...	Last Vote Predicted At...
10:00 a.m.: Morning Hour Five "One Minutes" Per Side	6:00 – 7:00 p.m.

*(264th Calendar Day of the Year – 74th Voting Day of the Year – 5 Voting Days until Target Adjournment)***FLOOR SCHEDULE AND BILL SUMMARY**

H.Res. 1018 - Rule providing for consideration of the three immigration bills: **H.R. 4830** – Border Tunnel Prevention Act, **H.R. 6094** – Community Protection Act, **H.R. 6095** - Immigration Law Enforcement Act (*Rep. Gingrey - Rules*). The Rules Committee has recommended a single closed rule for all three bills that provides one hour of general debate and one motion to recommit for each of the bills.

H.R. 4830 – Border Tunnel Prevention Act (*Rep. Dreier – Judiciary*) (*Subject to a Rule*). This bill authorizes penalties for individuals that construct or finance the construction of a tunnel or passage into the U.S. (up to 20 years in prison); know about or recklessly disregard the construction or use of a border tunnel on land they own (up to 10 years in prison); or use a tunnel to smuggle aliens or goods into the U.S. This bill was not considered by the Judiciary Committee.

H.R. 6094 – Community Protection Act (*Rep. Sensenbrenner – Judiciary*) (*Subject to a Rule*). This bill authorizes new grounds for allowing indefinite detention of certain immigrants who cannot be removed to their country of origin or are stateless (this provision is similar to Section 602 of the Sensenbrenner Immigration bill – **H.R. 4437**). **H.R. 6094** creates a new, broad definition of "gang member" for noncitizens only; creates a new ground for deportability and inadmissibility for alleged gang members, even if they have not committed a crime; bars gang members from asylum and withholding of removal regardless of extenuating circumstances; and requires mandatory detention for alleged gang members (this provision is similar to Section 608 of the Sensenbrenner Immigration bill – **H.R. 4437**). This bill also allows the Secretary of Homeland Security to utilize his discretion to use expedited removal procedures to remove immigrants who are subject to removal on criminal grounds and who are not eligible for relief – individuals being deported under this process would only have seven days after the order is issued before they can be removed (this provision is similar to Section 610 of **H.R. 4437**). This bill was not considered by the Judiciary Committee.

H.R. 6095 - Immigration Law Enforcement Act (*Rep. Sensenbrenner – Judiciary*) (*Subject to a Rule*). This bill would declare that state and local law enforcement officials have the inherent authority to enforce immigration laws and shifts the Federal government's responsibility for enforcement of immigration laws onto local and state officers (this provision is similar to language adopted as a Norwood amendment to **H.R. 4437** by a 237-180 vote, which also included funding for training of police officers and for the State Criminal Alien Assistance Program). **H.R. 6095** also authorizes at least 20 attorneys in the U.S. Attorneys office per year (2008-2013) to prosecute smugglers. This bill also imposes new limitations on the prospective relief a court may grant in any civil action pertaining to the enforcement or administration of immigration law -- new requirements include requesting judges to attach a written explanation of the impact of the immigration relief granted on national security, border security, immigration administration and enforcement, and public safety. This bill also mandates that any preliminary injunctive relief granted to aliens in



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immigration cases would automatically expire 90 days after the date the injunctive relief is issued and is intended to reverse the *Orantes* injunction (in 1988, a federal district court issued a permanent injunction to end coercive practices by INS/DHS and protect the constitutional and statutory rights of Salvadorans to apply for asylum, retain counsel, prepare their legal cases, and have immigration court hearings). This bill was not considered by the Judiciary Committee.

Postponed Suspension Votes (2 bills):

- 1) [S. 418](#) - Military Personnel Financial Services Protection Act (*Sen. Enzi - Financial Services*)
- 2) [S. 2832](#) - Appalachian Regional Development Act Amendments of 2006 (*Sen. Voinovich - Transportation and Infrastructure*)

TOMORROW'S OUTLOOK

The GOP Leadership has announced the following schedule: on Friday, no votes are expected in the House.

Daily Quote...

"Two-thirds [of those polled] said Congress had accomplished less than it typically did in a two-year session; most said they could not name a single major piece of legislation that cleared this Congress. Just 25 percent said they approved of the way Congress was doing its job."

- From *The New York Times* this morning, regarding the latest findings of the Times/CBS Poll