



The Daily Whip

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WEDNESDAY, SEPTEMBER 27, 2006

House Meets At...	Last Vote Predicted At...
10:00 a.m.: Legislative Business Unlimited "One Minutes"	6:00 - 7:00 p.m.

*(270th Calendar Day of the Year – 79th Voting Day of the Year – 2 Voting Days until Target Adjournment)***FLOOR SCHEDULE AND BILL SUMMARY**

**** MEMBERS ARE URGED TO SIGN THE BARROW DISCHARGE PETITION (#16)** to force consideration of legislation by Reps. Peterson (MN), Etheridge, and Herseth, [H.R.5099](#), regarding emergency agriculture disaster assistance.

**** MEMBERS ARE URGED TO SIGN THE LOWEY DISCHARGE PETITION (#17)** on [H.R. 5147](#) to hold seniors harmless on the surcharges imposed by the Prescription Drug bill.

[H.Res. 1042](#) - Rule providing for consideration of [H.R. 6166](#) – Military Commissions Act (Rules). The Rules Committee has recommended a closed rule that provides two hours of debate and one motion to recommit with or without instructions. The Rule also self-executes a manager's amendment by Chairman Hunter.

[H.R. 6166](#) – Military Commissions Act (Rep. Hunter-Armed Services) (Subject to a Rule). This bill is the response to both the June 29th *Hamdan v. Rumsfeld* Supreme Court ruling that stated that the administration's current procedures for trying enemy combatants violates both U.S. law (Uniformed Code of Military Justice) and international treaty obligations (Geneva Conventions), as well as the President's decision to move 14 high-value terrorist detainees from secret CIA prisons to Guantanamo for trial. An earlier Hunter bill, [H.R.6054](#), which closely tracked the President's concept of a new tribunal system and explicitly defined U.S. adherence with the Geneva Conventions was approved by the Armed Services Committee on September 15th and the Judiciary Committee on September 20th. In the Senate, John McCain and John Warner introduced competing legislation, [S.3901](#), which eliminated the provision defining U.S. adherence with Common Article 3 of the Geneva Conventions and laid out a different set of legal protections for both interrogators and detainees. That bill was approved on a bipartisan vote by the Senate Armed Services Committee on September 14th. Subsequent to these committee actions the White House and lead Republicans negotiated a "compromise" that resulted in [H.R. 6166](#).

[H.R. 6166](#) establishes procedures governing the interrogation and trial of unlawful enemy combatants under U.S. custody anywhere in the world. The bill: 1) authorizes the President to interpret the meaning and application of the Geneva Conventions, although certain "grave breaches" of Article 3 are explicitly defined in the bill; 2) expands the definition of unlawful enemy combatant to include any individual who "purposefully and materially" supported hostilities against the United States; 3) prohibits the accused from invoking the right of Habeas Corpus; and 4) allows the admission of reliable and probative evidence obtained through torture or coercion before the passage of the Detainee Treatment Act (December 30, 2005) but through coercion only after that date. This bill also establishes rules of quorum and revamps the existing appeals process by establishing a new Court of Military Commission Review, with appeals to the D.C. Circuit, and by certiorari to the Supreme Court.

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Suspensions (66 bills):

- 1) [H.R. 5637](#) - Nonadmitted and Reinsurance Reform Act of 2006 (*Rep. Brown-Waite - Financial Services*)
- 2) [S. 3850](#) - Credit Rating Agency Reform Act of 2006 (*Sen. Shelby - Financial Services*)
- 3) [H.R. 6115](#) - Mark-to-Market Extension Act of 2006 (*Rep. Pryce - Financial Services*)
- 4) [S. 2856](#) - Financial Services Regulatory Relief Act of 2006 (*Sen. Crapo - Financial Services*)
- 5) [H.R. 5347](#) - HOPE VI Reauthorization Act of 2006 (*Rep. Shays - Financial Services*)
- 6) [H.R. 6079](#) - Hedge Fund Study Act (*Rep. Castle - Financial Services*)
- 7) [H.R. 5503](#) - FHA Multifamily Loan Limit Adjustment Act of 2006 (*Rep. Gary Miller - Financial Services*)
- 8) [H.R. 5585](#) - Financial Netting Improvements Act of 2006 (*Rep. McHenry - Financial Services*)
- 9) [H.R. 6062](#) - Community Development Investment Enhancements Act of 2006 (*Rep. Frank - Financial Services*)
- 10) [H.R. 6072](#) - Financial Services Regulatory Relief Amendments Act (*Rep. Ross - Financial Services*)
- 11) [H.R. 6138](#) - To temporarily extend the programs under the Higher Education Act of 1965, and for other purposes (*Rep. Keller - Education and the Workforce*)
- 12) [H.R. 4766](#) - Native American Languages Preservation Act of 2006 (*Rep. Wilson (NM) - Education and the Workforce*)
- 13) [H.Res. 1009](#) - Supporting efforts to promote greater public awareness of effective runaway youth prevention programs and the need for safe and productive alternatives, resources, and supports for homeless youth and youth in other high-risk situations (*Rep. Porter - Education and the Workforce*)
- 14) [H.R. 6106](#) - To extend the waiver authority for the Secretary of Education under title IV, section 105, of Public Law 109-148 (*Rep. Jindal - Education and the Workforce*)
- 15) [H.Res. 295](#) - Expressing the sense of the House of Representatives supporting the establishment of September as Campus Fire Safety Month, and for other purposes (*Rep. Jones (OH) - Education and the Workforce*)
- 16) [H.Con.Res. 478](#) - Supporting the goals and ideals of "Lights On Afterschool!", a national celebration of after-school programs (*Rep. Lowey - Education and the Workforce*)
- 17) [H.R. 5483](#) - Railroad Retirement Disability Earnings Act (*Rep. Young (AK) - Transportation and Infrastructure*)
- 18) [H.R. 4981](#) - Dam Safety Act of 2006 (*Rep. Kuhl - Transportation and Infrastructure*)
- 19) [H.R. 5546](#) - Carroll A. Campbell, Jr. Federal Courthouse Designation Act (*Rep. Inglis - Transportation and Infrastructure*)
- 20) [H.R. 5606](#) - William M. Steger Federal Building and United States Courthouse Designation Act (*Rep. Hall - Transportation and Infrastructure*)
- 21) [H.R. 5026](#) - Andres Toro Building Designation Act (*Resident Commissioner Fortuño - Transportation and Infrastructure*)
- 22) [H.R. 6051](#) - John F. Seiberling Federal Building Designation Act (*Rep. Ryan (OH) - Transportation and Infrastructure*)
- 23) [H.R. 1556](#) - Clyde S. Cahill Memorial Park Designation Act (*Rep. Clay - Transportation and Infrastructure*)
- 24) [H.R. 2322](#) - Kika de la Garza Federal Building Designation Act (*Rep. Doggett - Transportation and Infrastructure*)
- 25) [S. 362](#) - Marine Debris Research, Prevention, and Reduction Act (*Sen. Inouye - Transportation and Infrastructure*)
- 26) [H.R. 5946](#) - Stevens-Inouye International Fisheries Monitoring and Compliance Legacy Act of 2006 (*Rep. Pombo - Resources*)



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- 27) [H.R. 6014](#) - To authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to improve California's Sacramento-San Joaquin Delta and water supply (*Rep. Pombo - Resources*)
- 28) [H.R. 1711](#) - New Mexico Water Planning Assistance Act (*Rep. Wilson (NM) - Resources*)
- 29) [H.R. 5160](#) - Long Island Sound Stewardship Act of 2006 (*Rep. Simmons - Resources*)
- 30) [H.R. 2069](#) - Utah Recreational Land Exchange Act of 2005 (*Rep. Cannon - Resources*)
- 31) [H.R. 5842](#) - Pueblo of Isleta Settlement and Natural Resources Restoration Act of 2006 (*Rep. Pearce - Resources*)
- 32) [H.R. 4789](#) - To require the Secretary of the Interior to convey certain public land located wholly or partially within the boundaries of the Wells Hydroelectric Project of Public Utility District No. 1 of Douglas County, Washington, to the utility district (*Rep. Hastings (WA) - Resources*)
- 33) [H.R. 3626](#) - Arthur V. Watkins Dam Enlargement Act of 2005 (*Rep. Bishop - Resources*)
- 34) [H.R. 4750](#) - Lower Republican River Basin Study Act (*Rep. Osborne - Resources*)
- 35) [H.R. 5016](#) - Las Cienegas Enhancement Act (*Rep. Kolbe - Resources*)
- 36) [H.R. 5292](#) - Columbia Space Shuttle Memorial Study Act (*Rep. Gohmert - Resources*)
- 37) [S. 56](#) - Rio Grande Natural Area Act (*Sen. Allard - Resources*)
- 38) [S. 2430](#) - Great Lakes Fish and Wildlife Restoration Act of 2006 (*Sen. DeWine - Resources*)
- 39) [H.R. 5690](#) - Ouachita National Forest Boundary Adjustment Act of 2006 (*Rep. Boren - Resources*)
- 40) [H.R. 4876](#) - To ratify a conveyance of a portion of the Jicarilla Apache Reservation to Rio Arriba County, State of New Mexico (*Rep. Udall (NM) - Resources*)
- 41) [H.R. 5516](#) - To allow for the renegotiation of the payment schedule of contracts between the Secretary of the Interior and the Redwood Valley County Water District, and for other purposes (*Rep. Thompson (CA) - Resources*)
- 42) [H.R. 3606](#) - To modify a land grant patent issued by the Secretary of the Interior (*Rep. Stupak - Resources*)
- 43) [H.R. 2134](#) - Commission to Study the Potential Creation of a National Museum of the American Latino Community Act of 2005 (*Rep. Becerra - Resources*)
- 44) [H.R. 5340](#) - Upper Mississippi River Basin Protection Act (*Rep. Kind - Resources*)
- 45) [S. 213](#) - Rio Arriba County Land Conveyance Act (*Sen. Bingaman - Resources*)
- 46) [H.R. 2110](#) - Colorado Northern Front Range Mountain Backdrop Protection Study Act (*Rep. Udall (CO) - Resources*)
- 47) [H.R. 5644](#) - Green Energy Education Act of 2006 (*Rep. McCaul - Science*)
- 48) [H.R. 5658](#) - To facilitate the development of markets for alternative fuels and Ultra Low Sulfur Diesel fuel through research, development, and demonstration and data collection (*Rep. Gordon - Science*)
- 49) [H.R. 6162](#) - Secure Border Initiative Financial Accountability Act of 2006 (*Rep. Rogers (AL) - Homeland Security*)
- 50) [H.R. 4846](#) - To authorize a grant for contributions toward the establishment of the Woodrow Wilson Presidential Library (*Rep. Goodlatte - Government Reform*)
- 51) [S. 2146](#) - A bill to extend relocation expenses test programs for Federal employees (*Sen. Collins - Government Reform*)
- 52) [H.Con.Res. 473](#) - Supporting the goals and ideals of Gynecologic Cancer Awareness Month (*Rep. Issa - Government Reform*)
- 53) [H.Res. 402](#) - Supporting the goals and ideals of Infant Mortality Awareness Month (*Rep. Burgess - Government Reform*)
- 54) [H.Res. 748](#) - Recognizing the 225th anniversary of the American and French victory at Yorktown, Virginia, during the Revolutionary War (*Rep. Jo-Ann Davis - Government Reform*)

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- 55) [H.Con.Res. 222](#) - Supporting the goals and ideals of National Pregnancy and Infant Loss Remembrance Day (*Rep. Latham - Government Reform*)
- 56) [H.Res. 991](#) - Congratulating the Columbus Northern Little League Baseball Team from Columbus, Georgia, on its victory in the 2006 Little League World Series Championship games (*Rep. Westmoreland - Government Reform*)
- 57) [H.R. 5108](#) - Lance Corporal Robert A. Martinez Post Office Building Designation Act (*Rep. Poe - Government Reform*)
- 58) [H.R. 6075](#) - Robert J. Thompson Post Office Building (*Rep. Pitts - Government Reform*)
- 59) [H.R. 6078](#) - Chuck Fortenberry Post Office Building Designation Act (*Rep. Brady (TX) - Government Reform*)
- 60) [H.R. 4720](#) - Beverly J. Wilson Post Office Building Designation Act (*Rep. Doolittle - Government Reform*)
- 61) [H.Res. 973](#) - Recognizing Financial Planning Week (*Rep. Hinojosa - Government Reform*)
- 62) [H.R. 5989](#) - John J. Sinde Post Office Building Designation Act (*Rep. Davis (IL) - Government Reform*)
- 63) [H.R. 5990](#) - Wallace W. Sykes Post Office Building Designation Act (*Rep. Davis (IL) - Government Reform*)
- 64) [S. 3613](#) - Major George Quamo Post Office Building Designation Act (*Sen. Clinton - Government Reform*)
- 65) [S. 3187](#) - Richard L. Cevoli Post Office Designation Act (*Sen. Reed - Government Reform*)
- 66) [H.R. 5418](#) - To establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges (*Rep. Issa - Judiciary*)

TOMORROW'S OUTLOOK

The GOP Leadership has announced the following schedule: on Thursday, the House will meet at 10:00 a.m. for legislative business and may consider numerous bills under Suspension of the Rules. The House will also consider: [H.R. 5825](#) - **Electronic Surveillance Modernization Act** (*Rep. Wilson {NM} - Judiciary*) (*Subject to a Rule*); and may consider [H.R. 5441](#) - **Homeland Security Appropriations Conference Report** (*Rep. Rogers - Appropriations*) (*Subject to a Rule*); and [H.R. 5122](#) - **National Defense Authorization Conference Report** (*Rep. Hunter - Armed Services*) (*Subject to a Rule*).

Daily Quote...

"This part-time Congress has other parallels to the famous "Do-Nothing 80th Congress" that Harry Truman ran against successfully in 1948. The output of the 109th is pathetic measured against its predecessors and considering its priorities, which included a comprehensive immigration bill, tax reform and the research and development tax credit, lobbying and ethics reform, healthcare costs and insurance coverage, trade agreements, procedures for the detention and trial of suspected terrorists, and regulations for the oversight of domestic wiretaps, among many others. With just days to go before Congress adjourns and the fiscal year begins, not a single one of the 11 appropriations bills that make up the range of government programs has been enacted into law. But the big problem with this Congress is not what it didn't do, it is what it did, and did badly."

- Thomas Mann, a senior fellow at the Brookings Institution, and Norman Ornstein, a resident scholar at the American Enterprise Institute, in the *Los Angeles Times* this morning