



# The Daily Whip

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**WEDNESDAY, SEPTEMBER 28, 2005**

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

**FLOOR SCHEDULE AND BILL SUMMARY**

**Motion to go to conference on H.R. 2360 – Department of Homeland Security Appropriations. Democratic Motion to Instruct Conferees.**

**Suspensions (1 bill):**

1) **H.Con.Res. 245** - Expressing the sense of Congress that the United States Supreme Court should speedily find the use of the Pledge of Allegiance in schools to be consistent with the Constitution of the United States (*Rep. Issa - Judiciary Committee*)

**H.Res. 462 Rule Providing for consideration of H.R. 3402 - Department of Justice Appropriations Authorization Act, Fiscal Years 2006 through 2009.** The Rules Committee has recommended a restrictive rule that provides one hour of general debate, makes in order 12 amendments and provides one motion to recommit with or without instructions. All but one of these amendments are debatable for 10 minutes.

**H.R. 3402 – Department of Justice Appropriations Authorization Act, Fiscal Years 2006 through 2009 (*Rep. Sensenbrenner – Judiciary*) (Subject to a Rule).** This bill reauthorizes the programs and agencies of the Justice Department for FY06-09, with some programs authorized through FY10. The bill authorizes a total of \$95 billion (\$84.8 billion for department agencies and offices in FY06-09 and \$10.2 billion for additional programs, including grants for law enforcement and immigration changes). Funding authorized for specific agencies includes: for the FBI \$5.8 billion in FY06, \$5.9 billion in FY07, \$6.2 billion in FY08, and \$6.5 billion in FY09; for the Drug Enforcement Administration \$1.7 billion in FY06, \$1.8 billion in FY07, \$1.85 billion in FY08, and \$1.9 billion in FY09; and for the US Attorneys \$1.6 billion in FY06, \$1.7 billion in FY07, \$1.75 billion in FY08, and \$1.8 billion in FY09. HR 3402 merges the Byrne Grant Program and the Local Law Enforcement Block Grant program and renames it the Edward Byrne Memorial Justice Assistance Grant Program; directs the Attorney General to designate a senior official in the Justice Department to assume primary responsibility for privacy policy (who would evaluate proposals involving the collection, use and disclosure of personally identifiable information by the federal government); requires the Attorney General to submit an annual report to Congress on the number of US citizens and residents detained by the United States on suspicion of terrorism; re-organizes the COPS program by consolidating all the different grant programs into a single block grant program; and authorizes, for the first time, the Weed and Seed Program.

HR 3402 also reauthorizes the domestic violence, sexual assault, and stalking provisions of the Violence Against Women Act and allows the Office of Violence Against Women to provide grants to colleges and universities to prevent dating violence, sexual assault, and stalking on campuses (authorizes \$15 million for each fiscal year 2006 through 2010 for these grants). This bill was reported out of the Judiciary Committee by a voice vote on September 22<sup>nd</sup>.

The 12 amendments made in order by the rule are:

- **Sensenbrenner Manager's Amendment (25 minutes).** Makes various technical changes to the bill requested by various members and the Department of Justice. Among other provisions, it also includes a few miscellaneous fixes for grant programs to ensure Secure our Schools is preserved as a stand alone program and ensures that Native American Tribes are eligible for DOJ grants including the new Justice Assistance Grants programs and the Weed and Seed program grants. In addition, this amendment clarifies that certain grants may be awarded based on the applicant's ability to address the needs of populations underserved because of geographic location, underserved racial and ethnic populations, populations underserved because of special needs, and any other population determined to be underserved by the Attorney General.
- **Cuellar Amendment (#40).** To authorize appropriations for the newly-structured Border Violence Task Force in Laredo, Texas (\$10 million per year for the duration of the bill to provide for equipment, personnel, administrative, and technological costs). And allow the Attorney General to designate the lead on the Border Violence Task Force that is currently being lead by the Bureau of Alcohol, Tobacco, Firearms, and Explosives.
- **Cuellar Amendment (#39).** To authorize the FBI National Gang Intelligence Center (\$10 million in authorization for the Center for each fiscal year of the bill).
- **Poe Amendment.** To establish a fixed annual allocation for State victim assistance grants and Office of Victims of Crime (OVC) discretionary grants equal to the average amount allocated over the previous three years plus 5 percent.



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- **Capuano Amendment.** To authorize the Attorney General, acting through the Bureau of Justice Assistance, to make grants to State and local prosecutors and law enforcement agencies in support of juvenile (17 years of age or younger) and young adult (between 18 and 21 years of age) witness assistance programs (\$3 million for each of fiscal years 2006 through 2009).
- **Kennedy (MN) Amendment.** To require that treatment under the Residential Substance Abuse Treatment (RSAT) program be available to those individuals who have passed a regularly administered drug-screening test for three months. The Amendment also provides that aftercare be provided to prisoners enrolled in the RSAT program as a component of comprehensive substance abuse treatment.
- **Brown-Waite Amendment.** To require the Secretary of Health and Human Services to report to Congress on the correlation between a perpetrator's drug and alcohol abuse and the reported incidence of violence at domestic violence shelters.
- **Slaughter Amendment.** To require the Office of Victims of Crime working with national, state, and local authorities and in collaboration with other federal agencies to develop and implement a plan that allows law enforcement officials to gather evidence of a crime during times of emergency even if the crime occurred outside of their jurisdiction. Furthermore, it requires OVC to coordinate, inform, and educate victims, service providers, and law enforcement officials of the process and mechanisms available for reporting violent crimes and gathering evidence during emergencies.
- **Kolbe/Dreier/Lewis Amendment.** To reauthorize the State Criminal Alien Assistance Program (SCAAP) through FY2011 and increase authorized funding to \$750 million for FY06, \$850 million for FY07, and \$950 million for FY08-11. The amendment also specifies that funds "may be used only for correctional purposes." It also requires the Department of Justice Inspector General submit a report on the state and local governments that receive SCAAP funding and whether they are cooperating with efforts to deport criminal aliens, whether they have policies in violation of current law, and in the case of illegal aliens released without being referred to the Department of Homeland Security, the number of subsequent offense committed and how many of these aliens were released because the state or local governments lack space or funds to detain them.
- **King (IA) Amendment.** To prohibit a person convicted of domestic violence from sponsoring a visa applicant in the future.
- **Ryan (OH) Amendment.** To provide additional federal funding for programs that have received grants by the Department of Justice (Office of Violence Against Women) for providing counseling and shelter for women and children in crisis pregnancies.
- **Slaughter Amendment.** To expand the current federal criminal ban on fake police badges and the misuse of authentic badges to include the uniforms, identification, and all other insignia of all public officials. The use of such badges, uniforms, and insignia would be permitted for dramatic, decorative, display, and recreational purposes.

#### Suspensions (5 bills):

- 1) **H.R. 3864** - Assistance for Individuals with Disabilities Affected by Hurricanes Katrina and Rita Act of 2005 (*Rep. Boustany - Education and the Workforce*)
- 2) **H.Res. 388** - Expressing the sense of the House of Representatives regarding the July, 2005, measures of extreme repression on the part of the Cuban Government (*Rep. Lincoln Diaz-Balart - International Relations*)
- 3) **H.R. 3200** - Servicemembers` Group Life Insurance Enhancement Act of 2005 (*Rep. Miller (FL) - Veterans` Affairs*)
- 4) **S. 1752** - A bill to amend the United States Grain Standards Act to reauthorize that Act (*Sen. Chambliss - Agriculture Committee*)
- 5) **H.Con.Res. 245** - Expressing the sense of Congress that the United States Supreme Court should speedily find the use of the Pledge of Allegiance in schools to be consistent with the Constitution of the United States (*Rep. Issa - Judiciary Committee*)

#### TOMORROW'S OUTLOOK

The GOP Leadership has announced the following schedule: on Thursday, the House is expected to consider **H.R. 3824 – Threatened and Endangered Species Recovery Act of 2005** (*Rep. Pombo – Resources*) (*Subject to a Rule*); and may consider **H.J.Res. \_\_\_\_ – Making continuing Appropriations for the FY06, and for other purposes** (*Rep. Lewis {CA} – Appropriations*).

#### Daily Quote...

"Whether we want to admit it or not, the Republican Congress's failure to discipline itself is sending us all down a flower-strewn path to financial insolvency."

- Republican Rep. Jeff Flake (AZ), in this morning's *Wall Street Journal*