



The Daily Whip

democraticwhip.house.gov • (202) 225-3130

WEDNESDAY, MAY 11, 2005

House Meets At...	Last Vote Predicted At...
10:00 a.m.: Legislative Business Unlimited "One Minutes"	4:00 – 5:00 p.m.

FLOOR SCHEDULE AND BILL SUMMARY

Suspensions (1 bill):

- 1) **S.Con.Res. 31** - Correcting the enrollment of H.R. 1268 (*Sponsored by Sen. Cochran / Appropriations Committee*)

H.R. 1279 – Gang Deterrence and Community Protection Act of 2005 (*Rep. Forbes – Judiciary*) (Subject to a Rule). This bill expands federal criminal jurisdiction over street gangs and authorizes \$388 million over 5 years to support federal, state and local efforts against gangs. HR 1279 defines "criminal street gang" as a formal or informal group of three or more individuals who commit two or more "gang crimes" (one of which is a violent crime) in two or more separate incidents. "Gang crime" is defined as conduct constituting any federal or state crime punishable by more than one year in prison in several categories including: a crime of violence; a crime involving obstruction of justice, tampering with or retaliating against a witness; a crime involving the manufacturing, importing, distributing, possessing, or otherwise dealing in a controlled substance; illegal possession of explosives, firearms or body armor; dealing in fraudulent documents; racketeering and money-laundering; and human trafficking. This bill also redefines "crime of violence" to include drug-trafficking crimes. In addition, HR 1279 authorizes the Attorney General to charge a juvenile (16 years old or older) as an adult for certain violent crimes, and prohibits judicial review of the Attorney General's decision. This bill also sets new mandatory minimum sentences and increases penalties --- including life in prison and the death penalty --- for numerous violent crimes including racketeering, drug-trafficking, murder-for-hire, and carjacking. HR 1279 was ordered to be reported out of the Judiciary Committee on April 20th by a 16-11 vote.

The Rules Committee has recommended a restrictive rule that provides one hour of general debate and provides one motion to recommit with or without instructions. The Rule also makes in order ten amendments with all but two of these debatable for 10 minutes:

- **Sensenbrenner Manager's Amendment.** To make several technical corrections and to exclude property crimes from the crime of violence definition for Gang Crimes under revised 18 USC 521 Gang Crime; to replace current text with revised changes to existing 18 USC 1952, Interstate and Foreign Travel in Aid of Racketeering Enterprises, to retain existing interstate commerce requirement, to add conspiracies as possible violation, and to increase penalties for violations; to modify crime of violence definition under 18 USC 16(b) to clarify that act, by its nature, creates substantial risk that physical injury may result to person or property of another; to clarify the exception to the ban on possession of handguns by juveniles under 18 to permit juveniles to possess a firearm while in the presence of parent or guardian who is not prohibited from possessing such a firearm by Federal, State or local law.
- **Cuellar Amendment.** To establish a National Gang Intelligence Center at the Federal Bureau of Investigation. And to add \$10 in authorization for the National Gang Intelligence Center, which mirrors the \$10 million appropriation given for FY 2005.

The Daily Whip

democraticwhip.house.gov • (202) 225-3130

- **Johnson, Eddie Bernice Amendment.** To establish funding for regional databases that track gang activity in high intensity gang areas.
- **Watson Amendment #3.** To require the Attorney General to seek input from local elected officials before designating an area as a "High-Intensity Interstate Gang Activity Area."
- **Watson Amendment #4.** To add 100 new inspectors and 100 new agents for the Bureau of Alcohol, Tobacco, Firearms and Explosives --- new inspectors and agents would be assigned to the new High-Intensity Interstate Gang Activity Areas.
- **Wynn Amendment.** To authorize the Attorney General to conduct a media campaign about the changes in penalties.
- **Goodlatte Amendment (20 minutes).** To add 5 years to any sentence for violent crimes or drug trafficking offenses when the violator is an illegal alien. And to add 15 years to any such sentence if the illegal alien has been previously deported on the grounds of a criminal offense and has re-entered the country. This amendment requires the Department of Homeland Security to send all the names of individuals who are subject to deportation orders or who have signed voluntary deportation papers to the National Crime Information Center (NCIC).
- **Norwood Amendment #18.** To require the Department of Homeland Security to provide to the National Crime Information Center of the Department of Justice information on three categories of illegal aliens: those with a final order of removal, those who have signed a voluntary departure agreement, and those who have overstayed their visas.
- **Norwood Amendment #17.** To require a study to be conducted by the Department of Justice and the Department of Homeland Security on the link between illegal aliens and gang membership.
- **Waters/Scott (VA) Amendment (20 minutes).** To strike all sections of the bill that set mandatory minimum sentences (sections 102, 103, 104, 105, 106 and 107).

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. The House is expected to consider: **H.R. 1544 – Faster and Smarter Funding for First Responders Act of 2005** (*Rep. Cox – Homeland Security*) (*Subject to a Rule*).

Daily Quote...

"Senate Finance Chairman Charles E. Grassley will have to negotiate a maze of hopes, desires and demands to finish a Social Security overhaul bill in his committee this summer – and that's just among the panel's Republicans. One of them, Gordon H. Smith of Oregon, said Thursday that he doubts Grassley can accomplish his goal. 'It's possible,' Smith said. 'But I wouldn't bet the pea plant on it.'"

- A story this morning in *CQToday*