HR 5541

Fairness in Immigration Litigation Act of 2006

Congress: 109 (2005–2007, Ended)
Chamber: House
Policy Area: Immigration
Introduced: Jun 7, 2006
Current Status: Referred to the House Committee on the Judiciary.
Latest Action: Referred to the House Committee on the Judiciary. (Jun 7, 2006)
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Sponsor

Name: Rep. Bonilla, Henry [R-TX-23]
Party: Republican • **State:** TX • **Chamber:** House

Cosponsors (24 total)

Cosponsor	Party / State	Role	Date Joined
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Rep. Poe, Ted [R-TX-2]	R · TX		Jun 7, 2006
Rep. Sessions, Pete [R-TX-32]	R · TX		Jun 7, 2006
Rep. Smith, Lamar [R-TX-21]	R · TX		Jun 7, 2006
Rep. Thornberry, Mac [R-TX-13]	R · TX		Jun 7, 2006
Rep. Hayworth, J. D. [R-AZ-5]	R · AZ		Sep 12, 2006
Rep. Pryce, Deborah [R-OH-15]	R · OH		Sep 12, 2006
Rep. Myrick, Sue Wilkins [R-NC-9]	R · NC		Sep 25, 2006
Rep. Edwards, Chet [D-TX-17]	D · TX		Sep 28, 2006

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred To	Jun 7, 2006

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

No related bills are listed.

Summary (as of Jun 7, 2006)

Fairness in Immigration Litigation Act of 2006 - Prohibits any court from certifying an action as a class action under Rule 23 of the Federal Rules of Civil Procedure in any civil immigration action.

Sets forth the requirements under which a court may order prospective relief in such an action. Provides that preliminary injunctive relief shall expire 90 days after entry unless otherwise determined by the court.

Requires a court to promptly rule on any government motion to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief in a civil immigration action. Provides for an automatic 15-day stay of the prospective relief order. Authorizes a court to enter an order to postpone for up to 15 days the effective date of an automatic stay.

Provides that: (1) whenever a higher court remands a decision on a motion to a lower court the order granting prospective relief that is the subject of the motion shall be automatically stayed until the district court grants or denies such motion; and (2) any order staying, suspending, delaying, or otherwise barring the effective date of an automatic stay, other than an order to postpone the effective date, shall be treated as an order refusing to vacate, modify, dissolve, or otherwise terminate an injunction and shall be appealable.

States that: (1) no court has jurisdiction to grant or continue an order affecting an expedited removal action against an alien; (2) upon the government's filing of a motion to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief in a civil immigration action, the court involved shall determine whether it continues to have jurisdiction and shall vacate any order or part of a relief order that is not within its jurisdiction; and (3) sections (1) and (2) of this paragraph shall not apply to a relief order that was entered before the date of the enactment of this Act to remedy a violation of constitutional rights.

Sets forth consent decree and private settlement agreement provisions.

Actions Timeline

- **Jun 7, 2006:** Introduced in House
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