

HR 6095

Immigration Law Enforcement Act of 2006

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Immigration

Introduced: Sep 19, 2006

Current Status: Received in the Senate and Read twice and referred to the Committee on the Judiciary.

Latest Action: Received in the Senate and Read twice and referred to the Committee on the Judiciary. (Sep 21, 2006)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/6095>

Sponsor

Name: Rep. Sensenbrenner, F. James, Jr. [R-WI-5]

Party: Republican • **State:** WI • **Chamber:** House

Cosponsors (14 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Davis, Geoff [R-KY-4]	R · KY		Sep 21, 2006
Rep. Drake, Thelma D. [R-VA-2]	R · VA		Sep 21, 2006
Rep. Foxx, Virginia [R-NC-5]	R · NC		Sep 21, 2006
Rep. Hostettler, John N. [R-IN-8]	R · IN		Sep 21, 2006
Rep. Issa, Darrell E. [R-CA-49]	R · CA		Sep 21, 2006
Rep. King, Steve [R-IA-5]	R · IA		Sep 21, 2006
Rep. Marchant, Kenny [R-TX-24]	R · TX		Sep 21, 2006
Rep. McCotter, Thaddeus G. [R-MI-11]	R · MI		Sep 21, 2006
Rep. Miller, Gary G. [R-CA-42]	R · CA		Sep 21, 2006
Rep. Musgrave, Marilyn N. [R-CO-4]	R · CO		Sep 21, 2006
Rep. Royce, Edward R. [R-CA-40]	R · CA		Sep 21, 2006
Rep. Sessions, Pete [R-TX-32]	R · TX		Sep 21, 2006
Rep. Smith, Lamar [R-TX-21]	R · TX		Sep 21, 2006
Rep. Souder, Mark E. [R-IN-3]	R · IN		Sep 21, 2006

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred To	Sep 19, 2006
Judiciary Committee	Senate	Referred To	Sep 21, 2006

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

Bill	Relationship	Last Action
109 HRES 1018	Related bill	Sep 21, 2006: Motion to reconsider laid on the table Agreed to without objection.

(This measure has not been amended since it was introduced. The summary has been expanded because action occurred on the measure.)

Immigration Law Enforcement Act of 2006 - **Title I: State and Local Enforcement Cooperation in the Enforcement of Immigration Law Act** - (Sec. 101) Affirms that state and local law enforcement personnel have the inherent authority to investigate, identify, arrest, detain, or transfer to federal custody aliens in the United States (including the transportation of such aliens across state lines to detention centers) for purposes of assisting in the enforcement of U.S. immigration laws in the course of carrying out routine duties.

States that such provision shall not be construed to require state or local law enforcement personnel to: (1) report the identity of a victim of, or a witness to, a criminal offense to the Secretary of Homeland Security for immigration enforcement purposes; or (2) arrest such victim or witness for an immigration violation.

Title II: Alien Smuggler Prosecution Act - (Sec. 201) Expresses the sense of Congress that the Attorney General should adopt uniform guidelines for the prosecution of smuggling offenses.

Directs the Attorney General, subject to the availability of appropriations, to increase the number of U.S. attorneys employed to prosecute alien smuggling cases by at least 20 in each of FY2008-FY2013.

Title III: Ending Catch and Release Act of 2006 - (Sec. 301) States that if a court determines that prospective relief should be ordered against the government in any civil immigration action the court shall in writing and in sufficient detail to permit review by another court: (1) limit the relief to the minimum necessary to correct the violation; (2) adopt the least intrusive means to correct the violation; (3) minimize, to the greatest extent practicable, the adverse impact on national security, border security, immigration administration and enforcement, and public safety; and (4) provide for relief expiration on a specific date which is not later than the earliest date necessary for the government to remedy the violation.

Provides that preliminary injunctive relief shall expire 90 days after entry unless the court: (1) makes the findings required for the entry of permanent prospective relief; and (2) makes the order final before expiration of such 90-day period.

Requires a court to promptly rule on any government motion to vacate, modify, or otherwise terminate a prospective relief order 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 an automatic stay's effective date for up to 15 days.

Provides that any order staying, suspending, delaying, or otherwise barring an automatic stay's effective date, other than an order to postpone the effective date for up to 15 days, shall be treated as an order refusing to vacate, modify, or otherwise terminate an injunction and shall be appealable.

Prohibits a court in a civil immigration action from entering, approving, or continuing a consent decree that does not comply with the prospective relief requirements under this section.

Permits private settlement agreements not complying with the requirements for an order granting prospective relief against the government if the terms of the agreement are not subject to court enforcement other than reinstatement of the civil proceedings that the agreement settled.

(Sec. 302) States that: (1) this title shall apply with respect to all orders granting prospective relief in any civil immigration

action whether such relief was ordered before, on, or after the date of enactment of this Act; and (2) every pending motion to vacate, modify, dissolve or otherwise terminate an order granting prospective relief pending on the date of enactment of this Act shall be treated as if it had been filed on such date of enactment.

States that: (1) an automatic stay of prospective relief shall take effect without further order of the court ten days after the date of the enactment of this Act if the motion was pending for 45 days as of the date of the enactment of this Act and is still pending ten days after such date of enactment; (2) such automatic stay shall continue until the court enters an order granting or denying the government's motion, with no further postponement; and (3) any order, staying, suspending, delaying or otherwise barring the effective date of such automatic stay shall be subject to immediate appeal.

Actions Timeline

- **Sep 21, 2006:** Rule H. Res. 1018 passed House.
- **Sep 21, 2006:** Considered under the provisions of rule H. Res. 1018. (consideration: CR H6880-6894)
- **Sep 21, 2006:** Rule provides for consideration of H.R. 4830, H.R. 6094 and H.R. 6095. In each case, the bill shall be considered as read; no amendments shall be in order; and the previous question shall be considered as ordered to final passage, without intervening motion, except one motion to recommit.
- **Sep 21, 2006:** DEBATE - The House proceeded with one hour of debate on H.R. 6095.
- **Sep 21, 2006:** The previous question was ordered pursuant to the rule. (consideration: CR H6891)
- **Sep 21, 2006:** Mr. Gutierrez moved to recommit with instructions to Judiciary. (consideration: CR H6891; text: CR H6891)
- **Sep 21, 2006:** Point of order sustained against the motion to recommit with instructions.
- **Sep 21, 2006:** Mr. Sensenbrenner raised a point of order against the motion to recommit with instructions. Mr. Sensenbrenner stated that the provisions of the instructions were not germane to the bill. Sustained by the Chair.
- **Sep 21, 2006:** Mr. Reyes moved to recommit with instructions to Judiciary. (consideration: CR H6892; text: CR H6892)
- **Sep 21, 2006:** DEBATE - The House proceeded with 10 minutes of debate on the Reyes motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back to the House with amendments relating to alien smuggling.
- **Sep 21, 2006:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H6893)
- **Sep 21, 2006:** On motion to recommit with instructions Failed by the Yeas and Nays: 196 - 226 (Roll no. 467).
- **Sep 21, 2006:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 277 - 140 (Roll no. 468).(text: CR H6880-6881)
- **Sep 21, 2006:** On passage Passed by the Yeas and Nays: 277 - 140 (Roll no. 468). (text: CR H6880-6881)
- **Sep 21, 2006:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 21, 2006:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.
- **Sep 20, 2006:** Rules Committee Resolution H. Res. 1018 Reported to House. Rule provides for consideration of H.R. 4830, H.R. 6094 and H.R. 6095. In each case, the bill shall be considered as read; no amendments shall be in order; and the previous question shall be considered as ordered to final passage, without intervening motion, except one motion to recommit.
- **Sep 19, 2006:** Introduced in House
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- **Sep 19, 2006:** Referred to the House Committee on the Judiciary.