



The Daily Whip

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WEDNESDAY, FEBRUARY 9, 2005

House Meets At...	Last Vote Predicted At...
10:00 a.m.: Legislative Business Unlimited "One Minutes"	3:00 – 4:00 p.m.

FLOOR SCHEDULE AND BILL SUMMARY**Suspensions (4 bills):**

- 1) **H.Con.Res. 6** - Expressing the sense of the Congress that the Department of Defense should continue to exercise its statutory authority to support the activities of the Boy Scouts of America, in particular the periodic national and world Boy Scout Jamborees (Rep. Hefley - Armed Services)
- 2) **H.Con.Res. 26** - Honoring the Tuskegee Airmen for their bravery in fighting for our freedom in World War II, and for their contribution in creating an integrated United States Air Force (Rep. Rogers (AL) - Armed Services)
- 3) **H.Con.Res. 30** - Supporting the goals and ideals of National Black HIV/AIDS Awareness Day (Rep. Lee - Energy & Commerce)
- 4) **H.Res. 69** - Honoring the life and accomplishments of the late Ossie Davis (Rep. Bishop (GA) / Government Reform Committee)

H.R. 418 - REAL ID Act of 2005 (Rep. Sensenbrenner - Judiciary) (Debate Only - Subject to a Rule). This bill recycles numerous controversial provisions that were rejected from the Intelligence Reform Act adopted two months ago. These provisions expand evidentiary standards for asylum seekers; impose new requirements on states for the issuance of driver's licenses and IDs; expand grounds of inadmissibility and deportability; and waive all laws to construct security fences and barriers at the borders.

HR 418 sets new evidentiary standards that would prevent legitimate asylum-seekers from finding refuge in the U.S. This bill would (1) require applicants to prove that the "central reason" for their persecution was their: race, religion, national origin, political opinion, or social group – currently, asylum claims based on "mixed-motive" persecution are allowed; (2) allow asylum applicants to be denied if they are unable to present "corroborating evidence"; and (3) permit credibility determinations to be based on demeanor or the consistency of an applicant's written or oral statements made at any time to any individual and whether or not under oath. **HR 418 hurts asylees not terrorists.** Terrorists, suspected terrorists, persons who have committed certain crimes here and abroad and those deemed a "security risk" are already barred from asylum. None of the 9/11 Hijackers were pursuing claims for asylum.

HR 418 would call on states to require all applicants for a driver's license or ID to prove their US citizenship or lawful presence in the US. This bill would also require that for applicants with temporary visas the expiration date on the driver's license or ID match the visa's expiration date.

- **HR 418 would not have prevented 9/11 Hijackers from obtaining a driver's license or ID.** The central breach of our security was a result of the hijackers having been issued legal visas to come to the US, which many of them used to apply for driver's licenses and identification cards. Even if HR 418 had been in place before the 9/11 attacks, the hijackers would have been able to obtain a driver's license or state-issued ID.

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- **HR 418 would upset the regime enacted in the 9/11 Intelligence Reform Bill two months ago.** Among the new driver's license standards established last year are requirements that: licenses contain a digital photograph, employ machine readable technology, contain physical security features to prevent counterfeiting, or duplication; the documents used to establish an applicant's identity are secure; the process for verifying the information on documents used to obtain a driver's license or ID is secure; and that the process of processing and issuing driver's licenses is secure.
- **HR 418 would undermine our intelligence and law enforcement efforts by depriving law enforcement officials of critical information on many adults who are physically in the US.** Because undocumented immigrants would not be in any government database, this bill would eliminate an important opportunity to screen and determine the identity of millions of people and assist law enforcement to separate otherwise law abiding, undocumented workers from terrorists or criminals.
- **HR 418 interferes with what is inherently a state responsibility and imposes an unfunded mandate on the states.** The Intelligence Reform Act sets important minimum standards for the use of foreign documents for the purposes of applying for a license or ID, and allows states to continue to set eligibility requirements. State control of the licensing process and related regulatory activities are crucial for maintaining public safety, bolstering security, reducing fraud and protecting privacy.

HR 418 gives the Secretary of Homeland Security the power to waive ALL laws to expedite the construction of physical barriers and roads designed to curb illegal crossings along the borders.

The Rules Committee has recommended a rule for general debate only that provides 1 hour and 40 minutes of general debate. It is expected that the Rules Committee will meet today and recommend a second Rule for possible amendments to HR 418 which will be considered tomorrow.

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 complete consideration of **H.R. 418 - REAL ID Act of 2005 (Rep. Sensenbrenner - Judiciary) (Subject to a Rule)**.

Daily Quote...

"Even though Bush's address last week highlighted Social Security, he failed to convince more Americans that the retirement program is in a state of crisis or that his approach is the right way to fix it. In early January, 18% of those polled called it a crisis. Now 17% do. Support for Bush's plan — creating individual investment accounts and reducing guaranteed benefits — is unchanged from January: 40% call it a good idea; 55% say it's a bad one."

- A story in USATODAY on the latest *USATODAY/CNN/Gallup* Poll

"In presenting its plan to let working Americans divert part of their payroll taxes into private retirement accounts, the Bush administration now says the proposal will do nothing to solve Social Security's financial problems."

- A story in *The New York Times* today