

103^D CONGRESS
2^D SESSION

H. R. 3872

To require the Federal Government to incarcerate or to reimburse State and local governments for the cost of incarcerating criminal aliens.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 22, 1994

Mr. CONDIT (for himself, Mr. PETERSON of Florida, Ms. SCHENK, Mr. CUNNINGHAM, and Mr. CANADY) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To require the Federal Government to incarcerate or to reimburse State and local governments for the cost of incarcerating criminal aliens.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Criminal Aliens
5 Federal Responsibility Act of 1994”.

1 **SEC. 2. INCARCERATION OF CRIMINAL ALIENS BY OR AT**
2 **THE EXPENSE OF THE FEDERAL GOVERN-**
3 **MENT.**

4 (a) DEFINITION.—In this section, “criminal alien
5 who has been convicted of a felony and is incarcerated in
6 a State or local correctional facility” means an alien
7 who—

8 (1)(A) is in the United States in violation of the
9 immigration laws; or

10 (B) is deportable or excludable under the Immi-
11 gration and Nationality Act (8 U.S.C. 1101 et seq.);
12 and

13 (2) has been convicted of a felony under State
14 or local law and incarcerated in a correctional facil-
15 ity of the State or a subdivision of the State.

16 (b) FEDERAL CUSTODY.—At the request of a State
17 or political subdivision of a State, the Attorney General
18 shall—

19 (1)(A) take custody of a criminal alien who has
20 been convicted of a felony and is incarcerated in a
21 State or local correctional facility; and

22 (B) provide for the imprisonment of the crimi-
23 nal alien in a Federal prison in accordance with the
24 sentence of the State court; or

25 (2) enter into a contractual arrangement with
26 the State or local government to compensate the

- 1 State or local government for incarcerating alien
- 2 criminals for the duration of their sentences.

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