

103^D CONGRESS
2^D SESSION

H. R. 4765

To provide for the negotiation of bilateral prisoner transfer treaties with foreign countries and to provide for the training in the United States of border management personnel from foreign countries.

IN THE HOUSE OF REPRESENTATIVES

JULY 14, 1994

Mr. HORN (for himself, Mr. BEILENSON, Mr. CANADY, Mr. CONDIT, Mr. GALLEGLY, Mr. PETE GEREN of Texas, Mr. KYL, Mr. THOMAS of California, Mrs. THURMAN, and Ms. WOOLSEY) introduced the following bill; which was referred jointly to the Committees on Foreign Affairs and the Judiciary

A BILL

To provide for the negotiation of bilateral prisoner transfer treaties with foreign countries and to provide for the training in the United States of border management personnel from foreign countries.

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 “Illegal Alien Prisoner
5 Transfer and Border Enforcement Act of 1994”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to relieve overcrowding in
3 Federal and State prisons and costs borne by American
4 taxpayers by providing for the transfer of aliens unlawfully
5 in the United States who have been convicted of commit-
6 ting crimes in the United States to their native countries
7 to be incarcerated for the duration of their sentences.

8 **SEC. 3. FINDINGS.**

9 The Congress makes the following findings:

10 (1) The cost of incarcerating an alien unlaw-
11 fully in the United States in a Federal or State pris-
12 on averages \$20,803 per year.

13 (2) There are approximately 58,000 aliens con-
14 victed of crimes incarcerated in United States pris-
15 ons, including 41,000 aliens in State prisons and
16 17,000 aliens in Federal prisons.

17 (3) Many of these aliens convicted of crimes are
18 also unlawfully in the United States, but the Immi-
19 gration and Naturalization Service does not have
20 exact data on how many.

21 (4) The combined cost to Federal and State
22 governments for the incarceration of such criminal
23 aliens is approximately \$1,200,000,000, including—

24 (A) for State governments, \$760,000,000;

25 and

1 (B) for the Federal Government,
2 \$440,000,000.

3 **SEC. 4. PRISONER TRANSFER TREATIES.**

4 Not later than 90 days after the date of enactment
5 of this Act, the President should begin to negotiate and
6 renegotiate bilateral prisoner transfer treaties. The focus
7 of such negotiations shall be to expedite the transfer of
8 aliens unlawfully in the United States who are incarcer-
9 ated in United States prisons, to ensure that a transferred
10 prisoner serves the balance of the sentence imposed by the
11 United States courts, and to eliminate any requirement
12 of prisoner consent to such a transfer.

13 **SEC. 5. CERTIFICATION.**

14 The President shall certify whether each prisoner
15 transfer treaty is effective in returning aliens unlawfully
16 in the United States who are incarcerated in the United
17 States to their country of citizenship.

18 **SEC. 6. TRAINING OF PERSONNEL FROM FOREIGN COUN-**
19 **TRIES.**

20 Subject to a certification under section 5, the Presi-
21 dent shall direct the appropriate Federal programs provid-
22 ing training and education in border management to enroll
23 for training certain foreign border management personnel.
24 The President shall authorize the enrollment of foreign
25 border management personnel to such Federal programs

1 and cooperative State programs as will enhance the follow-
2 ing United States law enforcement goals:

3 (1) Drug interdiction and other cross-border
4 criminal activity.

5 (2) Preventing illegal transit of people and
6 goods.

