

cedural right or benefit that is legally enforceable by any party against the United States or its agencies or officers or any other person.

SEC. 13. STUDY OF PRISONER TRANSFER TREATY WITH MEXICO.

(a) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State and the Attorney General shall submit to the Congress a report that describes the use and effectiveness of the Prisoner Transfer Treaty with Mexico (in this section referred to as the "Treaty") to remove from the United States aliens who have been convicted of crimes in the United States.

(b) USE OF TREATY.—The report under subsection (a) shall include the following information:

(1) The number of aliens convicted of a criminal offense in the United States since November 30, 1977, who would have been or are eligible for transfer pursuant to the Treaty.

(2) The number of aliens described in paragraph (1) who have been transferred pursuant to the Treaty.

(3) The number of aliens described in paragraph (2) who have been incarcerated in full compliance with the Treaty.

(4) The number of aliens who are incarcerated in a penal institution in the United States who are eligible for transfer pursuant to the Treaty.

(5) The number of aliens described in paragraph (4) who are incarcerated in State and local penal institutions.

(c) EFFECTIVENESS OF TREATY.—The report under subsection (a) shall include the recommendations of the Secretary of State and the Attorney General to increase the effectiveness and use of, and full compliance with, the Treaty. In considering the recommendations under this subsection, the Secretary and the Attorney General shall consult with such State and local officials in areas disproportionately impacted by aliens convicted of criminal offenses as the Secretary and the Attorney General consider appropriate. Such recommendations shall address the following areas:

(1) Changes in Federal laws, regulations, and policies affecting the identification, prosecution, and deportation of aliens who have committed a criminal offense in the United States.

(2) Changes in State and local laws, regulations, and policies affecting the identification, prosecution, and deportation of aliens who have committed a criminal offense in the United States.

(3) Changes in the Treaty that may be necessary to increase the number of aliens convicted of crimes who may be transferred pursuant to the Treaty.

(4) Methods for preventing the unlawful reentry into the United States of aliens who have been convicted of criminal offenses in the United States and transferred pursuant to the Treaty.

(5) Any recommendations of appropriate officials of the Mexican Government on programs to achieve the goals of, and ensure full compliance with, the Treaty.

(6) An assessment of whether the recommendations under this subsection require the renegotiation of the Treaty.

(7) The additional funds required to implement each recommendation under this subsection.

SEC. 14. JUSTICE DEPARTMENT ASSISTANCE IN BRINGING TO JUSTICE ALIENS WHO FLEE PROSECUTION FOR CRIMES IN THE UNITED STATES.

(a) ASSISTANCE TO STATES.—The Attorney General, in cooperation with the Commissioner of Immigration and Naturalization and the Secretary of State, shall designate an office within the Department of Justice

to provide technical and prosecutorial assistance to States and political subdivisions of States in efforts to bring to justice aliens who flee prosecution for crimes in the United States.

(b) REPORT TO CONGRESS.—Not later than one year after the date of the enactment of this Act, the Attorney General shall compile and submit to the Congress a report which assesses the nature and extent of the problem of bringing to justice aliens who flee prosecution for crimes in the United States.

SEC. 15. PRISONER TRANSFER TREATIES.

(a) NEGOTIATION.—Congress advises the President to begin to negotiate and renegotiate, not later than 90 days after the date of the enactment of this Act, bilateral prisoner transfer treaties. The focus of such negotiations shall be to expedite the transfer of aliens unlawfully in the United States who are incarcerated in United States prisons, to ensure that a transferred prisoner serves the balance of the sentence imposed by the United States courts, and to eliminate any requirement of prisoner consent to such a transfer.

(b) CERTIFICATION.—The President shall submit to the Congress, annually, a certification as to whether each prisoner transfer treaty in force is effective in returning aliens unlawfully in the United States who have committed offenses for which they are incarcerated in the United States to their country of nationality for further incarceration.

SEC. 16. INTERIOR REPATRIATION PROGRAM.

Not later than 180 days after the date of enactment of this Act, the Attorney General and the Commissioner of Immigration and Naturalization shall develop and implement a program in which aliens who previously have illegally entered the United States not less than 3 times and are deported or returned to a country contiguous to the United States will be returned to locations not less than 500 kilometers from that country's border with the United States.

SEC. 17. DEPORTATION OF NONVIOLENT OFFENDERS PRIOR TO COMPLETION OF SENTENCE OF IMPRISONMENT.

(a) IN GENERAL.—Section 242(h) of the Immigration and Nationality Act (8 U.S.C. 1252(h)) is amended to read as follows:

"(h)(1) Except as provided in paragraph (2), an alien sentenced to imprisonment may not be deported until such imprisonment has been terminated by the release of the alien from confinement. Parole, supervised release, probation, or possibility of rearrest or further confinement in respect of the same offense shall not be a ground for deferral of deportation.

"(2) The Attorney General is authorized to deport an alien in accordance with applicable procedures under this Act prior to the completion of a sentence of imprisonment—

"(A) in the case of an alien in the custody of the Attorney General, if the Attorney General determines that (i) the alien is confined pursuant to a final conviction for a nonviolent offense (other than alien smuggling), and (ii) such deportation of the alien is appropriate and in the best interest of the United States; or

"(B) in the case of an alien in the custody of a State (or a political subdivision of a State), if the chief State official exercising authority with respect to the incarceration of the alien determines that (i) the alien is confined pursuant to a final conviction for a nonviolent offense (other than alien smuggling), (ii) such deportation is appropriate and in the best interest of the State, and (iii) submits a written request to the Attorney General that such alien be so deported.

"(3) Any alien deported pursuant to this subsection shall be notified of the penalties under the laws of the United States relating

to the reentry of deported aliens, particularly the expanded penalties for aliens deported under paragraph (2)."

(b) REENTRY OF ALIEN DEPORTED PRIOR TO COMPLETION OF TERM OF IMPRISONMENT.—Section 276 of the Immigration and Nationality Act (8 U.S.C. 1326) amended by adding at the end the following new subsection:

"(c) Any alien deported pursuant to section 242(h)(2) who enters, attempts to enter, or is at any time found in, the United States (unless the Attorney General has expressly consented to such alien's reentry) shall be incarcerated for the remainder of the sentence of imprisonment which was pending at the time of deportation without any reduction for parole or supervised release. Such alien shall be subject to such other penalties relating to the reentry of deported aliens as may be available under this section or any other provision of law."

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, *viva voce*,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. BILIRAKIS, announced that the yeas had it.

Mr. MCCOLLUM, objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared

{	Yeas	380
}	Nays	20

¶24.18

[Roll No. 118]

YEAS—380

Abercrombie	Chabot	English
Ackerman	Chambliss	Ensign
Allard	Chapman	Eshoo
Andrews	Chenoweth	Evans
Archer	Christensen	Everett
Armey	Chrysler	Ewing
Bachus	Clayton	Farr
Baesler	Clement	Fawell
Baker (CA)	Clinger	Fazio
Baker (LA)	Coburn	Fields (LA)
Baldacci	Coleman	Fields (TX)
Barcia	Collins (GA)	Filner
Barr	Collins (IL)	Flanagan
Barrett (NE)	Combest	Foglietta
Barrett (WI)	Condit	Foley
Bartlett	Cooley	Forbes
Barton	Costello	Ford
Bass	Cox	Fowler
Bateman	Coyne	Fox
Beilenson	Cramer	Frank (MA)
Bentsen	Crane	Franks (CT)
Bereuter	Crapo	Franks (NJ)
Bevill	Creameans	Frelinghuysen
Bilbray	Cubin	Frisa
Bilirakis	Cunningham	Funderburk
Bishop	Danner	Furse
Blute	Davis	Gallegly
Boehlert	de la Garza	Ganske
Boehner	Deal	Gekas
Bonilla	DeFazio	Gephardt
Bonior	DeLauro	Geren
Bono	DeLay	Gilchrist
Borski	Diaz-Balart	Gillmor
Browder	Dickey	Gilman
Brown (CA)	Dicks	Gonzalez
Brown (OH)	Dingell	Goodlatte
Brownback	Dixon	Gordon
Bryant (TN)	Doggett	Goss
Bryant (TX)	Dooley	Graham
Bunn	Doolittle	Green
Bunning	Dornan	Gunderson
Burr	Doyle	Gutierrez
Burton	Dreier	Gutknecht
Buyer	Duncan	Hall (TX)
Callahan	Dunn	Hamilton
Calvert	Durbin	Hancock
Camp	Ehlers	Hansen
Canady	Ehrlich	Harman
Cardin	Emerson	Hastert
Castle	Engel	Hastings (WA)

Hayes	McHale	Sawyer
Hayworth	McHugh	Saxton
Hefley	McInnis	Scarborough
Hefner	McIntosh	Schaefer
Heineman	McKeon	Schiff
Herger	McKinney	Schroeder
Hilleary	Meek	Schumer
Hinchey	Menendez	Seastrand
Hobson	Meyers	Sensenbrenner
Hoekstra	Mfume	Serrano
Hoke	Mica	Shadegg
Holden	Miller (CA)	Shays
Horn	Miller (FL)	Shuster
Hostettler	Mineta	Skaggs
Hoyer	Minge	Skeen
Hunter	Mink	Skelton
Hutchinson	Moakley	Slaughter
Hyde	Molinari	Smith (MI)
Inglis	Mollohan	Smith (NJ)
Istook	Montgomery	Solomon
Jackson-Lee	Moorhead	Souder
Jacobs	Moran	Spence
Jefferson	Morella	Spratt
Johnson (CT)	Murtha	Stearns
Johnson (SD)	Myers	Stenholm
Johnson, E. B.	Myrick	Stockman
Jones	Neal	Stokes
Kanjorski	Nethercutt	Studds
Kaptur	Neumann	Stump
Kasich	Ney	Stupak
Kelly	Norwood	Talent
Kennedy (MA)	Nussle	Tanner
Kennedy (RI)	Oberstar	Tate
Kennelly	Obey	Tauzin
Kildee	Olver	Taylor (MS)
Kim	Ortiz	Taylor (NC)
King	Orton	Tejeda
Kingston	Oxley	Thomas
Kleccka	Packard	Thornberry
Klink	Pallone	Thornton
Klug	Pastor	Thurman
Knollenberg	Paxon	Tiahrt
Kolbe	Payne (VA)	Torkildsen
LaFalce	Pelosi	Torres
LaHood	Peterson (FL)	Torricelli
Largent	Peterson (MN)	Traficant
Latham	Petri	Tucker
LaTourette	Pickett	Upton
Laughlin	Pombo	Velazquez
Lazio	Pomeroy	Vento
Leach	Porter	Visclosky
Levin	Portman	Volkmer
Lewis (CA)	Poshard	Vucanovich
Lewis (GA)	Pryce	Waldholtz
Lewis (KY)	Quinn	Walker
Lightfoot	Radanovich	Walsh
Lincoln	Rahall	Wamp
Linder	Ramstad	Ward
Lipinski	Reed	Waters
Livingston	Regula	Waxman
LoBiondo	Richardson	Weldon (FL)
Longley	Riggs	Weldon (PA)
Lowe	Rivers	Weller
Lucas	Roberts	White
Luther	Roemer	Whitfield
Maloney	Rogers	Wicker
Manton	Rohrabacher	Wilson
Manzullo	Ros-Lehtinen	Wise
Markey	Roth	Wolf
Martinez	Roukema	Wyden
Martini	Roybal-Allard	Wynn
Mascara	Royce	Yates
Matsui	Rush	Young (AK)
McCarthy	Sabo	Young (FL)
McCollum	Salmon	Zeliff
McCreery	Sanders	Zimmer
McDade	Sanford	

NAYS—20

Clay	Hastings (FL)	Reynolds
Clyburn	Hilliard	Scott
Conyers	McDermott	Thompson
Dellums	Nadler	Towns
Fattah	Owens	Watt (NC)
Flake	Payne (NJ)	Williams
Greenwood	Rangel	

NOT VOTING—34

Ballenger	Gejdenson	Parker
Becerra	Gibbons	Quillen
Berman	Goodling	Rose
Biley	Hall (OH)	Shaw
Boucher	Houghton	Sisisky
Brewster	Johnson, Sam	Smith (TX)
Brown (FL)	Johnston	Smith (WA)
Coble	Lantos	Stark
Collins (MI)	Lofgren	Watts (OK)
Deutsch	McNulty	Woolsey
Edwards	Meehan	
Frost	Metcalf	

So the bill was passed.
A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶24.19 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. MCCOLLUM, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill, the Clerk be authorized to correct section numbers, punctuation, cross references, and to make other technical corrections.

¶24.20 EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS

Mr. LIVINGSTON submitted a privileged report (Rept. No. 104-29) on the bill (H.R. 889) making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes.

When said bill and report were referred to the Union Calendar and ordered printed.

Pursuant to clause 8 of rule XXI all points of order were reserved.

¶24.21 ADJOURNMENT OVER

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, February 13, 1995.

¶24.22 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, February 15, 1995, under clause 7, rule XXIV, the Calendar Wednesday rule, be dispensed with.

¶24.23 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. MCNULTY, after 2:00 p.m. today.

And then,

¶24.24 ADJOURNMENT

On motion of Mr. TAYLOR of Mississippi, pursuant to the special order heretofore agreed to, at 4 o'clock and 56 minutes p.m., the House adjourned until 12:30 p.m. on Monday, February 13, 1995.

¶24.25 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. PRYCE: Committee on Rules. House Resolution 79. Resolution providing for the consideration of the bill (H.R. 728) to control crime by providing enforcement block grants (Rept. No. 104-27). Referred to the House Calendar.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 256. A bill to withdraw and reserve certain public lands and minerals within the State of Colorado for military uses,

and for other purposes (Rept. No. 104-28, Pt. 1). Ordered to be printed.

Mr. LIVINGSTON: Committee on Appropriations. H.R. 889. A bill making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes (Rept. No. 104-29). Referred to the Committee of the Whole House on the State of the Union.

Mr. LIVINGSTON: Committee on Appropriations. H.R. 845. A bill rescinding certain budget authority, and for other purposes (Rept. No. 104-30). Referred to the Committee of the Whole House on the State of the Union.

¶24.26 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GONZALEZ (for himself, Mr. HINCHEY, Mr. MFUME, Mr. WYNN, Mr. TRAFICANT, Mr. FRANK of Massachusetts, and Mr. DEFAZIO):

H.R. 888. A bill to promote accountability and the public interest in the operation of the Federal Reserve System, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. LIVINGSTON:

H.R. 889. A bill making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes; to the Committee on Appropriations.

By Mr. ANDREWS:

H.R. 890. A bill to provide for economic growth by reducing income taxes for most Americans, by encouraging the purchase of American-made products, and by extending transportation-related spending, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, Banking and Financial Services, Government Reform and Oversight, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONYERS (for himself and Mr. MINETA):

H.R. 891. A bill to acknowledge the fundamental injustice, cruelty, brutality, and inhumanity of slavery in the United States and the 13 American colonies between 1619 and 1865 and to establish a commission to examine the institution of slavery, subsequent de jure and de facto racial and economic discrimination against African-Americans, and the impact of these forces on living African-Americans, to make recommendations to the Congress on appropriate remedies, and for other purposes; to the Committee on the Judiciary.

By Mr. DICKEY (for himself, Mr. SHAYS, Mr. INGLIS of South Carolina, and Mr. BONILLA):

H.R. 892. A bill to reauthorize the independent counsel statute, and for other purposes; to the Committee on the Judiciary.

By Mr. GILLMOR (for himself and Mr. BONIOR):

H.R. 893. A bill to require the Secretary of the Treasury to mint coins in commemoration of the sesquicentennial of the birth of Thomas Alva Edison, to redesign the half dollar circulating coin for 1997 to commemorate Thomas Edison, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. MCNULTY:

H.R. 894. A bill to amend title 10, United States Code, to provide military reservists