



Congress Approves Feinstein Bill to Reimburse States for Incarcerating Criminal Illegal Immigrants

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Washington, DC – Congress has approved legislation sponsored by U.S. Senator Dianne Feinstein (D-Calif.) and Senator Jon Kyl (R-Arizona) to reauthorize the State Criminal Alien Assistance Program (SCAAP), which reimburses states and localities for the costs of incarcerating undocumented criminal aliens. SCAAP authorization had expired in October 2004.

“This is a win for California,” Senator Feinstein said. **“Illegal immigration is the responsibility of the federal government. But states and localities have been forced to shoulder the costs associated with incarcerating undocumented criminal aliens. I am very pleased that Congress has taken this important step to help ensure that the Federal government fulfills its responsibility to pay for incarcerating these individuals.”**

The bill was incorporated into the Violence Against Women Act, which Senator Feinstein also co-sponsored. The Violence Against Women Act, which was part of a larger Department of Justice Reauthorization Act was passed by the Senate on Friday and the House of Representatives on Saturday. It will now go to the President for his signature.

“I am pleased that the Violence Against Women Act will soon be signed into law by the President,” Senator Feinstein said. **“This is a significant piece of civil rights protection for women, men and children suffering and harmed by domestic violence. And although it saddens me that in this day and age we continue to require this type of legislation, the reality is that domestic violence is a scourge. Passage of this bill was all the more critical given the fact that authorization for many of the services and grant programs funded by the act expired in September of this year.”**

Background on SCAAP

Enacted as part of the Crime Act of 1994, SCAAP provided states between \$250 million and \$585 million in reimbursement funding annually from 1996 to 2005. It is estimated that states incur approximately \$13 billion in criminal justice costs each year for housing undocumented criminal aliens.

The Government Accountability Office (GAO) released a report showing that California and three other states have been reimbursed less than 25 percent for SCAAP in recent years. The report shows that in FY 2003 California spent \$635 million and received only \$77 million from

the Federal government, and in FY 2002 California spent \$510 million and received only \$66 million from the Federal government.

For the past four years, however, the Bush Administration has proposed no funding for SCAAP and Congress has only provided a fraction of the amount requested by states. In the past three years, Congress has approved the following amounts for SCAAP:

- \$250 million for 2003,
- \$296.8 million for 2004, and
- \$305 million for 2005.

The FY '06 Commerce Justice Science appropriations bill, which passed in November, included \$405 million for the State Criminal Alien Assistance Program.

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