

1 expressly authorized by statute or by a rule prescribed by  
2 the Supreme Court pursuant to statutory authority.

3       “(c) **RULE OF CONSTRUCTION.**—This section shall  
4 not be construed to require or authorize the exclusion of  
5 evidence in any proceeding.”.

6       (b) **CLERICAL AMENDMENT.**—The table of sections  
7 at the beginning of chapter 223 of title 18, United States  
8 Code, is amended by adding at the end the following:

“3510. Admissibility of evidence obtained by search or seizure.”.

9       **TITLE VII—STOPPING ABUSIVE**  
10           **PRISONER LAWSUITS**

11       **SEC. 701. EXHAUSTION REQUIREMENT.**

12       Section 7(a)(1) of the Civil Rights of Institutionalized  
13 Persons Act (42 U.S.C. 1997d) is amended—

14           (1) by striking “in any action brought” and in-  
15           serting “no action shall be brought”;

16           (2) by striking “the court shall” and all that  
17           follows through “require exhaustion of” and insert  
18           “until”; and

19           (3) by inserting “are exhausted” after “avail-  
20           able”.

21       **SEC. 702. FRIVOLOUS ACTIONS.**

22       Section 7(a) of the Civil Rights of Institutionalized  
23 Persons Act (42 U.S.C. 1997d(a)) is amended by adding  
24 at the end the following:

1           “(3) The court shall on its own motion or on  
2 motion of a party dismiss any action brought pursu-  
3 ant to section 1979 of the Revised Statutes of the  
4 United States by an adult convicted of a crime and  
5 confined in any jail, prison, or other correctional fa-  
6 cility if the court is satisfied that the action fails to  
7 state a claim upon which relief can be granted or is  
8 frivolous or malicious.

9 **SEC. 703. MODIFICATION OF REQUIRED MINIMUM STAND-**  
10 **ARDS.**

11           Section 7(b)(2) of the Civil Rights of Institutionalized  
12 Persons Act (42 U.S.C. 1997d(b)(2)) is amended by strik-  
13 ing subparagraph (A) and redesignating subparagraphs  
14 (B) through (E) as subparagraphs (A) through (D), re-  
15 spectively.

16 **SEC. 704. PROCEEDINGS IN FORMA PAUPERIS.**

17           (a) **DISMISSAL.**—Section 1915(d) of title 28, United  
18 States Code, is amended—

19           (1) by inserting “at any time” after “counsel  
20 and may”; and

21           (2) by striking “and may” and inserting “and  
22 shall”;

23           (3) by inserting “fails to state a claim upon  
24 which relief may be granted or” after “that the ac-  
25 tion”; and

1 (4) by inserting "even if partial filing fees have  
2 been imposed by the court" before the period.

3 (b) PRISONER'S STATEMENT OF ASSETS.—Section  
4 1915 of title 28, United States Code, is amended by add-  
5 ing at the end the following:

6 "(f) If a prisoner in a correctional institution files  
7 an affidavit in accordance with subsection (a) of this sec-  
8 tion, such prisoner shall include in that affidavit a state-  
9 ment of all assets such prisoner possesses. The court shall  
10 make inquiry of the correctional institution in which the  
11 prisoner is incarcerated for information available to that  
12 institution relating to the extent of the prisoner's assets.  
13 The court shall require full or partial payment of filing  
14 fees according to the prisoner's ability to pay."

15 **TITLE VIII—FURTHER STREAM-**  
16 **LINING DEPORTATION OF**  
17 **CRIMINAL ALIENS**

18 **SEC. 801. ADDITIONAL EXPANSION OF DEFINITION OF AG-**  
19 **GRAVATED FELONY.**

20 (a) IN GENERAL.—Section 101(a)(43) of the Immi-  
21 gration and Nationality Act (8 U.S.C. 1101(a)(43)), as  
22 amended by section 222 of the Immigration Technical  
23 Amendments Act of 1994 (Public Law 103-416), is  
24 amended—