

“(3) the term ‘prospective relief’ means all relief other than compensatory monetary damages.”.

(b) APPLICATION OF AMENDMENT.—Section 3626 of title 18, United States Code, as amended by this section, shall apply with respect to all relief (as defined in such section) whether such relief was originally granted or approved before, on, or after the date of the enactment of this Act.

(c) CLERICAL AMENDMENT.—The item relating to section 3626 in the table of sections at the beginning of subchapter C of chapter 229 of title 18, United States Code, is amended by striking “crowding” and inserting “conditions”.

TITLE IV—ENHANCING PROTECTION AGAINST INCARCERATED CRIMINALS

SEC. 401. PRISON SECURITY.

(a) IN GENERAL.—Chapter 303 of title 18, United States Code, is amended by adding at the end the following new section:

“§ 4048. Strength-training of prisoners prohibited

“The Bureau of Prisons shall ensure that—
“(1) prisoners under its jurisdiction do not engage in any physical activities designed to increase their fighting ability; and

“(2) all equipment designed for increasing the strength or fighting ability of prisoners promptly be removed from Federal correctional facilities and not be introduced into such facilities thereafter except as needed for a medically required program of physical rehabilitation approved by the Director of the Bureau of Prisons.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 303 of title 18, United States Code, is amended by adding at the end the following new item:

“4048. Strength-training of prisoners prohibited.”.

TITLE V—PRISON CONDITIONS

SEC. 501. PRISON CONDITIONS.

(a) IN GENERAL.—The Attorney General shall by rule establish standards regarding conditions in the Federal prison system that provide prisoners the least amount of amenities and personal comforts consistent with Constitutional requirements and good order and discipline in the Federal prison system.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to establish or recognize any minimum rights or standards for prisoners.

SEC. 502. ANNUAL REPORT.

The director of the Bureau of Prisons shall submit to Congress on or before December 31 of each year, beginning on December 31, 1995, a report setting forth the amount spent at each Federal correctional facility under the jurisdiction of the Bureau of Prisons for each of the following items:

- (1) The minimal requirements necessary to maintain custody and security of prisoners.
- (2) Basic nutritional needs.
- (3) Essential medical services.
- (4) Amenities and programs beyond the scope of the items referred to in paragraphs (1) through (3), including but not limited to—
(A) recreational programs and facilities;
(B) vocational and educational programs; and
(C) counseling services, together with the rationale for spending on each category and empirical data, if any, supporting such rationale.

TITLE VI—COMMUNITY SERVICE PROJECTS

SEC. 601. BUREAU OF PRISONS COMMUNITY SERVICE PROJECTS.

(a) IN GENERAL.—Chapter 303 of title 18, United States Code, is amended by adding at the end the following:

“§ 4047. Community service projects

“(a) Subject to the limitations of subsection (b), the Chief Executive Officer of a

Federal penal or correctional facility may, as part of an inmate work program, provide services to private, nonprofit organizations, as defined in section 501(c)(3) of the Internal Revenue Code of 1986, or to a component of any State government or political subdivision thereof. Such services shall be provided pursuant to rules prescribed by the Attorney General.

“(b) Services provided under subsection (a)—

“(1) shall be used only for the benefit of the recipient entity and not for the benefit of any individual or organization other than the recipient; and

“(2) shall not displace an employee of the recipient or result in a reduction in hours, wages, or employment benefits of any employee of the recipient.”.

(b) CLERICAL AMENDMENT.—The table of chapters at the beginning of chapter 303, title 18, United States Code, is amended by adding at the end the following new item:

“4047. Community service projects.”.

TITLE VII—PRISON COMMISSARY ADMINISTRATION

SEC. 701. ADMINISTRATION OF FEDERAL PRISON COMMISSARIES.

Section 4043 of title 18, United States Code, is amended by striking the current language and inserting the following:

“(a) The Director of the Bureau of Prisons may establish, operate, and maintain commissaries in Federal penal or correctional facilities, from and through which articles and services may be procured, sold, rendered, or otherwise provided or made available for the benefit of inmates confined within those facilities. Only those articles or services authorized by the Director of the Bureau of Prisons may be procured from or through prison commissaries for the use of inmates.

“(b) There is established in the Treasury of the United States a revolving fund to be called the Prison Commissary Fund which shall be available to the Federal Bureau of Prisons without fiscal-year limitation to carry out the purposes, functions and powers authorized by this section. Funds currently on deposit in the ‘Commissary Funds, Federal Prisons’ account of the Treasury shall be transferred to the Prison Commissary Fund.

“(c) The Director of the Federal Bureau of Prisons may accept gifts or bequests of money for credit to the Fund. The Director may also accept gifts or bequests of other property, real or personal, for use or other disposition by the Bureau of Prisons. A gift or bequest under this section is a gift or bequest to or for the use of the United States under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

“(d) Amounts in the Prison Commissary Fund which are not currently needed for operations shall be kept on deposit or invested in obligations of, or guaranteed by, the United States and all earnings on such investments shall be deposited in the Prison Commissary Fund.

“(e) There shall be deposited in the Fund, subject to withdrawal by the Federal Bureau of Prisons—

“(1) revenues received from the sale of articles through prison commissaries;

“(2) revenues received from services rendered by prison commissaries;

“(3) a gift or bequest of money for credit to the Fund;

“(4) proceeds from the sale or disposal of donated property, real or personal, for credit to the Fund; and

“(5) earnings or interest which may be derived from investments of the Fund.

“(f) The Fund shall be available for the payment of any expenses incurred by the Federal Bureau of Prisons in establishing,

operating, and maintaining prison commissaries and the Prison Commissary Fund, including the employment of personnel, the purchase of equipment, security-related or otherwise, and those expenses incurred in the provision of articles or services procured, sold, rendered, or otherwise provided or made available to inmates.

“(g) The Director of the Bureau of Prisons is authorized to use monies from the Prison Commissary Fund for the general welfare of inmates. No inmate shall be entitled to any portion of the Fund.

“(h) Employees compensated by or through the Prison Commissary Fund may be assigned additional duties other than those directly related to commissary activities.

“(i) The provisions of sections 554 and 555 and 701 through 706 of title 5, United States Code, do not apply to the making of any determination, decision, or order under this section.”.

SEC. 702. TECHNICAL AMENDMENT.

Section 1321(b) of title 31, United States Code, is amended by striking “Commissary Funds, Federal Prisons”.

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

Mr. CONYERS moved to recommit the bill to the Committee on the Judiciary with instructions to report the bill back to the House forthwith with the following amendment:

Page 9, after line 6, insert the following:

“(7) UNALLOCATED FUNDS FOR PUBLIC SAFETY AND COMMUNITY POLICING.—Notwithstanding any other provision of this title, funds transferred under paragraph (6) may only be made available for the program under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1965.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. BULLY, announced that the nays had it.

Mr. CONYERS demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by fogronic device.

It was decided in the { Yeas 193
negative } Nays 227

¶24.12 [Roll No. 116]
YEAS—193

Abercrombie	Cardin	Dicks
Ackerman	Chapman	Dingell
Baessler	Clay	Dixon
Baldacci	Clayton	Doggett
Barcia	Clement	Dooley
Barrett (WI)	Clyburn	Doyle
Beilenson	Coleman	Durbin
Bentsen	Collins (IL)	Edwards
Bevill	Condit	Engel
Bishop	Conyers	Eshoo
Bonior	Costello	Evans
Borski	Coyne	Farr
Brewster	Cramer	Fattah
Browder	Danner	Fazio
Brown (CA)	de la Garza	Fields (LA)
Brown (FL)	Deal	Filner
Brown (OH)	DeFazio	Flake
Bryant (TX)	DeLauro	Foglietta
Camp	Dellums	Ford (TN)

Frank (MA) McCarthy
 Furse McDermott
 Gejdenson McHale
 Gephardt McKinney
 Geren McNulty
 Gonzalez Meehan
 Gordon Meek
 Green Menendez
 Gutierrez Mfume
 Hall (TX) Miller (CA)
 Hamilton Mineta
 Harman Minge
 Hastings (FL) Mink
 Hayes Moakley
 Hefner Mollohan
 Hilliard Montgomery
 Hinchey Moran
 Johnson, E.B. Morella
 Kanjorski Olver
 Kaptur Ortiz
 Kennedy (MA) Orton
 Kennedy (RI) Owens
 Kennelly Pallone
 Kildee Parker
 Kleczka Pastor
 Klink Payne (NJ)
 LaFalce Payne (VA)
 Lantos Pelosi
 Laughlin Peterson (FL)
 Levin Peterson (MN)
 Lewis (GA) Pickett
 Lincoln Pomeroy
 Lipinski Poshard
 Lowey Rahall
 Luther Rangel
 Maloney Reed
 Manton Reynolds
 Markey Richardson
 Martinez Rivers
 Mascara Roemer
 Matsui Rose

NAYS—227

Allard Deutsch
 Andrews Diaz-Balart
 Archer Dickey
 Arney Doolittle
 Bachus Dornan
 Baker (CA) Dreier
 Baker (LA) Duncan
 Ballenger Dunn
 Barr Ehlers
 Barrett (NE) Ehrlich
 Bartlett Emerson
 Barton English
 Bass Ensign
 Bateman Everett
 Bereuter Ewing
 Bilbray Fawell
 Bilirakis Fields (TX)
 Bliley Flanagan
 Blute Foley
 Boehlert Forbes
 Boehner Fowler
 Bonilla Fox
 Bono Franks (CT)
 Brownback Franks (NJ)
 Bryant (TN) Frelinghuysen
 Bunn Frisa
 Bunning Funderburk
 Burr Gallegly
 Burton Ganske
 Buyer Gekas
 Callahan Gilchrest
 Calvert Gillmor
 Canady Gilman
 Castle Goodlatte
 Chabot Goodling
 Chambliss Goss
 Chenoweth Graham
 Christensen Greenwood
 Chrysler Gunderson
 Clinger Gutknecht
 Coble Hancock
 Collins (GA) Hansen
 Combest Hastert
 Cooley Hastings (WA)
 Cox Hayworth
 Crane Hefley
 Crapo Heineman
 Creameans Herger
 Cubin Hilleary
 Cunningham Hobson
 Davis Hoekstra
 DeLay Hoke

Neumann Royce
 Ney Salmon
 Norwood Sanford
 Nussle Saxton
 Oxley Scarborough
 Packard Schaefer
 Paxon Schiff
 Petri Seastrand
 Pombo Sensenbrenner
 Porter Shadegg
 Portman Shaw
 Pryce Shuster
 Quillen Skeen
 Quinn Smith (MI)
 Radanovich Smith (NJ)
 Ramstad Solomon
 Regula Souder
 Riggis Spence
 Roberts Stearns
 Rogers Stockman
 Rohrabacher Stump
 Ros-Lehtinen Talent
 Roth Tate
 Roukema Taylor (NC)

NOT VOTING—14

Becerra Frost
 Berman Gibbons
 Boucher Hall (OH)
 Coburn Johnston
 Collins (MI) Lofgren

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce, Will the House pass said bill?

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

Mr. CONYERS demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 265
 Nays 156

24.13

[Roll No. 117]

YEAS—265

Allard Collins (GA)
 Andrews Combest
 Archer Condit
 Arney Cooley
 Bachus Costello
 Baesler Cox
 Baker (CA) Cramer
 Baker (LA) Crane
 Ballenger Crapo
 Barr Creameans
 Barrett (NE) Cunningham
 Bartlett Davis
 Barton Deal
 Bass DeLay
 Bateman Diaz-Balart
 Bereuter Dickey
 Bevil Doggett
 Bilbray Dooley
 Bilirakis Doolittle
 Bliley Dornan
 Boehner Dreier
 Bonilla Duncan
 Bono Dunn
 Borski Ehrlich
 Boucher Emerson
 Brewster Engel
 Browder English
 Brownback Ensing
 Bryant (TN) Everett
 Bunn Ewing
 Bunning Fawell
 Burr Fields (TX)
 Burton Flanagan
 Buyer Foley
 Callahan Forbes
 Calvert Fowler
 Canady Fox
 Canady Franks (CT)
 Chabot Franks (NJ)
 Chambliss Franks (NJ)
 Chenoweth Frelinghuysen
 Christensen Funderburk
 Chrysler Gallegly
 Clement Ganske
 Coble Gekas
 Coburn Geren

Knollenberg Thornberry
 Kolbe Tiahrt
 LaHood Torildsen
 Largent Traficant
 Latham Upton
 LaTourette Vucanovich
 Laughlin Waldholtz
 Lazio Walker
 Leach Walsh
 Lewis (CA) Wamp
 Lewis (KY) Watts (OK)
 Lightfoot Weldon (FL)
 Lincoln Weldon (PA)
 Linder Weller
 Lipinski White
 Livingston Whitfield
 LoBiondo Wicker
 Lucas Williams
 Manton Wolf
 Manzullo Young (AK)
 Martini Young (FL)
 McCollum Zeliff
 McCrery Zimmer
 McDade
 McHale
 McHugh
 McInnis
 McIntosh
 McKeon
 McNulty
 Menendez
 Metcalf
 Meyers
 Mica
 Miller (FL)
 Molinari
 Montgomery
 Moorhead
 Myers
 Myrick
 Nethercutt
 Neumann
 Ney
 Norwood

NAYS—156

Abercrombie Gejdenson
 Ackerman Gephardt
 Baldacci Gonzalez
 Barcia Green
 Barrett (WI) Gunderson
 Beilenson Gutierrez
 Bentsen Hamilton
 Bishop Hastings (FL)
 Blute Hilliard
 Boehlert Hinchey
 Bonior Hoekstra
 Brown (CA) Holden
 Brown (FL) Hoyer
 Brown (OH) Jackson-Lee
 Bryant (TX) Johnson, E.B.
 Camp Kanjorski
 Cardin Kaptur
 Castle Kennedy (MA)
 Chapman Kennelly
 Clay Kildee
 Clayton Kleczka
 Clinger Klink
 Clyburn Klug
 Coleman LaFalce
 Collins (IL) Lantos
 Conyers Conyers
 Coyne Lewis (GA)
 Cubin Longley
 Danner Lowey
 DeFazio Luther
 de la Garza Maloney
 DeLauro Markey
 Dellums Martinez
 Dicks Dicks
 Dingell Matsui
 Dixon McCarthy
 Doyle McDermott
 Durbin McKinney
 Edwards Meehan
 Ehlers Meek
 Eshoo Mfume
 Evans Miller (CA)
 Farr Mineta
 Fattah Minge
 Fazio Mink
 Fields (LA) Moakley
 Filner Mollohan
 Flake Moran
 Foglietta Morella
 Ford Murtha
 Frank (MA) Nadler
 Furse Neal