

Act of 1981, and the Community Services Block Grant Act to reauthorize and make improvements to those Acts, to establish demonstration projects that provide an opportunity for persons with limited means to accumulate assets, and for other purposes (Rept. No. 105-256).

By Mr. THOMPSON, from the Committee on Governmental Affairs, with amendments:

H.R. 1836: A bill to amend chapter 89 of title 5, United States Code, to improve administration of sanctions against unfit health care providers under the Federal Employees Health Benefits Program, and for other purposes (Rept. No. 105-257).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. FAIRCLOTH:

S. 2332. A bill to limit the ability of prisoners to challenge prison conditions; to the Committee on the Judiciary.

S. 2333. An original bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1999, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. MCCONNELL:

S. 2334. An original bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1999, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. HARKIN (for himself and Mr. HOLLINGS):

S. 2335. A bill to amend title XVIII of the Social Security Act to improve efforts to combat medicare fraud, waste, and abuse; to the Committee on Finance.

By Mr. SANTORUM (for himself and Mr. SPECTER):

S. 2336. A bill to amend chapter 5 of title 28, United States Code, to transfer Schuylkill County, Pennsylvania, from the Eastern Judicial District of Pennsylvania to the Middle Judicial District of Pennsylvania; to the Committee on the Judiciary.

By Mr. SMITH of Oregon (for himself, Mr. WYDEN, Mr. CRAIG, Mr. GRAHAM, Mr. GORTON, Mr. BUMPERS, Mr. HATCH, Mr. MCCONNELL, and Mr. MACK):

S. 2337. A bill to establish a system of registries of temporary agricultural workers to provide for a sufficient supply of such workers and to amend the Immigration and Nationality Act to streamline procedures for the admission and extension of stay of non-immigrant agricultural workers, and for other purposes; to the Committee on the Judiciary.

By Mr. MOYNIHAN (for himself, Mr. D'AMATO, and Mr. SPECTER):

S. 2338. A bill to amend the Harmonized Tariff Schedule of the United States to provide for equitable duty treatment for certain wool used in making suits; to the Committee on Finance.

By Mr. GRAHAM (for himself, Mr. GRASSLEY, Mr. BAUCUS, Mr. HATCH, Mr. BREAUX, Mr. JEFFORDS, and Mr. KERRY):

S. 2339. A bill to provide for pension reform, and for other purposes; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. FAIRCLOTH:

S. 2332. A bill to limit the ability of prisoners to challenge prison conditions; to the Committee on the Judiciary.

CRIME DOESN'T PAY PRISON ACT

• Mr. FAIRCLOTH. Mr. President, today I am introducing the Crime Doesn't Pay Prison Act, a bill to curb the flood of frivolous prisoner lawsuits over prison conditions.

The primary purpose of this act is to articulate an objective national standard for measuring the minimum decency of prison conditions. The Constitution does not dictate a minimum standard of living for inmates, much less an enjoyable comfortable level of living. This should be Congress' job.

In addition to the initial goal of a national prison standard, this bill has other purposes. It would ensure that State governments are required to spend only that amount necessary to achieve the minimum standard for conditions of confinement mandated by the Constitution. It would further ensure that the Federal courts require only that prison conditions do not constitute the unnecessary infliction of pain or neglect upon inmates, such that they are deprived of the minimum civilized measure of life's basic necessities.

Absent a national standard, convicted criminals enjoy a standard of living higher than that of the law-abiding, working poor. According to the federal government, the standard of living for the law-abiding poor is \$8,000 a year. Yet for a convicted criminal, the average expenditure per prisoner amounts to an unbelievably high \$23,000 a year.

Absent a national standard, the standard of living in prison will continue to escalate. Since 1960, the average total state expenditure per inmate has increased almost twice as fast as median income, and more than twice as fast as the poverty threshold. This is unacceptable.

Many unnecessary amenities, such as regulation softball fields, video games, and premium pay cable channels are provided to criminals, contribute to the increasing standard of living in prisons. Other amenities include expensive musical instruments for traveling "choirs," not to mention martial arts training and boxing. Perhaps here is a primary cause of prison violence. How can one counter the violence if taxpayers' dollars are being spent on the very classes which teach and encourage it?

Absent a national standard, criminals will continue to fight for their "right" to amenities in prison, claiming that denial of same "violates" their Eighth Amendment right against "cruel and unusual punishment." Any violation of our Bill of Rights is, most assuredly, a vital concern and should not be tolerated.

Nor, however, should frivolous claims which do nothing but clog our court systems and deny our citizens speedy access to justice for legitimate cases. Several actual cases demonstrate this. One includes a Utah criminal who claimed that his Eighth Amendment rights were violated when he was provided with Converse tennis shoes, rather than L.A. Gear or Reebok. Another case dealt with an Arkansas criminal who was appalled that he was given paper napkins during meals instead of cloth napkins. Yet another ludicrous example involves a Missouri criminal, who claimed cruel and unusual punishment when he was not provided with salad bars or brunches on weekends. This is absolutely preposterous.

The benefits of this "Crime Doesn't Pay Prison" Act are extensive. As of right now, 25% of the state and federal courts' civil dockets are comprised of inmate challenges to conditions of confinement. This bill would reduce this number considerably. It also frees state Attorneys General to pursue litigation on behalf of the citizenry.

The bill would drastically reduce the increasing cost of incarceration, allowing the money saved thereby to be used instead for the expansion of existing prisons.

It puts an end to the injustice of convicted criminals enjoying a higher standard of living, by mere virtue of their imprisonment, than the law-abiding working poor.

In addition to giving the prison administrators the flexibility to find that medium of good order and discipline within the prisons, perhaps most importantly, this bill would demonstrate to prisoners that criminal behavior will not be rewarded with luxuries beyond the reach of law-abiding, poor Americans.

I strongly urge my colleagues to support this bill. •

MEDICARE WASTE TAX REDUCTION ACT OF 1998

• Mr. HARKIN. Mr. President, today I am introducing with my colleague from South Carolina, Senator HOLLINGS, an important piece of legislation that will help to protect and preserve Medicare. The bill is entitled the Medicare Waste Tax Reduction Act of 1998.

For nearly ten years now, I have worked to combat fraud, waste and abuse in the Medicare program. As Chairman and now Ranking Member of the Senate Appropriations Subcommittee with oversight of the administration of Medicare, I've held hearing after hearing and released report after report documenting the extent of this problem. While virtually no one was paying attention to our effort for many years, we've succeeded in bringing greater attention and focus to this problem in the past several years.

Part of our effort has been to try to quantify the scope of the problem. Several years ago, the General Accounting Office reported that up to 10 percent of Medicare funds could be lost to fraud, waste and abuse each year.