

“(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. BLI-LEY, 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
Hinchev
Moran
Holden
Morella
Hoyer
Murtha
Jackson-Lee
Nadler
Jacobs
Neal
Jefferson
Oberstar
Johnson, E.B.
Obey
Kanjorski
Olver
Kaptur
Ortiz
Kennedy (MA)
Orton
Kennedy (RI)
Owens
Kennelly
Pallone
Kildee
Parker
Klecza
Pastor
Klink
Payne (NJ)
LaFalce
Payne (VA)
Lantos
Pelosi
Laughlin
Peterson (FL)
Levin
Peterson (MN)
Lewis (GA)
Pickett
Lincoln
Pomeroy
Lipinski
Poshard
Lowe
Rahall
Luther
Rangel
Maloney
Reed
Manton
Reynolds
Markey
Richardson
Martinez
Rivers
Mascara
Roemer
Matsui
Rose

NAYS—227

Allard
Deutsch
Andrews
Diaz-Balart
Archer
Dickey
Armye
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
Linder
Callahan
Gilchrest
Livingston
Calvert
Gillmor
LoBiondo
Canady
Gilman
Longley
Castle
Goodlatte
Chabot
Gooding
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
Hillery
Cunningham
Hobson
Davis
Hoekstra
DeLay
Hoke

Neumann
Royce
Ney
Salmon
Norwood
Norford
Nussle
Saxton
Oxley
Scarborough
Packard
Schaefer
Paxon
Schiff
Petri
Seastrand
Sensenbrenner
Pombo
Porter
Portman
Shadegg
Pryce
Shuster
Quillen
Skeen
Quinn
Smith (MI)
Radanovich
Smith (NJ)
Ramstad
Solomon
Regula
Souder
Riggs
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
Smith (TX)
Smith (WA)
Stark
Thomas

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

Knollenberg
Thornberry
Kolbe
Tiahrt
LaHood
Torikildsen
Largent
Saxton
Latham
Upton
LaTourette
Vucanovich
Laughlin
Waldholtz
Lazio
Walker
Leach
Walsh
Lewis (CA)
Watts (OK)
Lewis (KY)
Weldon (FL)
Weldon (PA)
Lightfoot
Weller
Lincoln
White
Linder
Whitfield
Lipinski
Wicker
Livingston
Wickham
LoBiondo
Lucas
Williams
Manton
Wolf
Manzullo
Young (AK)
Martini
Young (FL)
Myers
Zeliff
McCollum
Zimmer
McCrery
Richardson
McDade
Riggs
McHale
Roberts
McHugh
Rogers
McInnis
Rohrabacher
McIntosh
Ros-Lehtinen
McKeon
Weldon (PA)
McNulty
Roth
Menendez
Roukema
Metcalf
Royce
Meyers
Salmon
Mica
Sanford
Miller (FL)
Saxton
Molinari
Schaefer
Montgomery
Schiff
Moorhead
Seastrand
Myers
Sensenbrenner
Myrick
Shadegg
Nethercutt
Shaw
Neumann
Shuster
Ney
Sisisky
Norwood
Skeen

NAYS—156

Abercrombie
Gejdenson
Ackerman
Gephardt
Baldacci
Gonzalez
Barcia
Green
Barrett (WI)
Gunderson
Beilenson
Gutierrez
Bentsen
Hamilton
Bishop
Hastings (FL)
Blute
Hilliard
Boehlert
Hinchev
Bonior
Hoekstra
Brown (CA)
Holden
Brown (FL)
Hoyer
Brown (OH)
Jackson-Lee
Bryant (TX)
Johnson, E.B.
Camp
Kanjorski
Roemer
Cardin
Kanjorski
Rush
Castle
Kennedy (MA)
Sabo
Chapman
Kennelly
Sanders
Clay
Kildee
Clayton
Klecza
Clinger
Klink
Clyburn
Schumer
Coleman
LaFalce
Collins (IL)
Lantos
Conyers
Levin
Coyne
Lewis (GA)
Cubin
Longley
Danner
Lowey
DeFazio
Luther
de la Garza
Maloney
DeLauro
Markey
Dellums
Martinez
Dicks
Mascara
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