

104TH CONGRESS
1ST SESSION

H. R. 663

To amend the Violent Crime Control and Law Enforcement Act of 1994
to prevent luxurious conditions in prisons.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 24, 1995

Mr. ZIMMER (for himself, Mr. STUMP, Mrs. MYRICK, and Mr. Rohrabacher)
introduced the following bill; which was referred to the Committee on the
Judiciary

A BILL

To amend the Violent Crime Control and Law Enforcement
Act of 1994 to prevent luxurious conditions in prisons.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “No Frills Prison Act”.

5 **SEC. 2. ELIMINATION OF LUXURIOUS PRISON CONDITIONS.**

6 (a) STATES.—Section 20102(a) of the Violent Crime
7 Control and Law Enforcement Act of 1994 is amended—

8 (1) by inserting “(A)” after “(1)”;

9 (2) by redesignating existing paragraph (2)

10 as subparagraph (B);

1 (3) by redesignating existing subpara-
2 graphs (A) through (D) as clauses (i) through
3 (iv) respectively;

4 (4) by redesignating existing clauses (i)
5 and (ii) as subclauses (I) and (II);

6 (5) by striking the period at the end and
7 inserting “; and”; and

8 (6) by adding at the end the following:

9 “(2) provides living conditions and opportuni-
10 ties to prisoners within its prisons that are not more
11 luxurious than those conditions and opportunities
12 the average prisoner would have experienced if such
13 prisoner were not incarcerated, and does not provide
14 to any such prisoner—

15 “(A)(i) earned good time credits;

16 “(ii) less than 40 hours a week of work
17 that either offsets or reduces the expenses of
18 keeping the prisoner or provides resources to-
19 ward restitution of victims;

20 “(iii) unmonitored phone calls, except when
21 between the prisoner and the prisoner’s imme-
22 diate family or legal counsel;

23 “(iv) in-cell television viewing;

24 “(v) the viewing of R, X, or NC-17 rated
25 movies, through whatever medium presented;

1 “(vi) possession of any pornographic mate-
2 rials;

3 “(vii) any instruction (live or through
4 broadcasts) or training equipment for boxing,
5 wrestling, judo, karate, or other martial art, or
6 any bodybuilding or weightlifting equipment of
7 any sort;

8 “(viii) except for use during required work,
9 the use or possession of any electric or elec-
10 tronic musical instrument, or practice on any
11 musical instrument for more than one hour a
12 day;

13 “(ix) use of personally owned computers or
14 modems;

15 “(x) possession of in-cell coffee pots, hot
16 plates, or heating elements;

17 “(xi) any living or work quarters into
18 which the outside view is obstructed;

19 “(xii) food exceeding in quality or quantity
20 that which is available to enlisted personnel in
21 the United States Army;

22 “(xiii) dress or hygiene, grooming and ap-
23 pearance other than those allowed as uniform
24 or standard in the prison; or

1 “(xiv) equipment or facilities at public ex-
2 pense for publishing or broadcasting content
3 not previously approved by prison officials as
4 consistent with prison order and prisoner dis-
5 cipline; and

6 “(B) in the case of a prisoner who is serving a
7 sentence for a crime of violence which resulted in se-
8 rious bodily injury to another—

9 “(i) housing other than in separate cell
10 blocks intended for violent prisoners and de-
11 signed to emphasis punishment rather than re-
12 habilitation;

13 “(ii) less than 9 hours a day of physical
14 labor, with confinement to cell for any refusing
15 to engage in that labor, but a prisoner not
16 physically able to do physical labor may be as-
17 signed to alternate labor;

18 “(iii) any temporary furlough, leave, excur-
19 sion, or other release from the prison for any
20 purpose, unless the prisoner remains at all
21 times under physical or mechanical restraints,
22 such as handcuffs, and under the constant es-
23 cort and immediate supervision of a least one
24 armed correctional officer;

25 “(iv) any viewing of television;

1 “(v) any inter-prison travel for competitive
2 sports, whether as a participant or spectator;

3 “(vi) more than one hour a day spent in
4 sports or exercise; or”.

5 “(vii) possession of personal property ex-
6 ceeding 75 pounds in total weight or that can-
7 not be stowed in a standard size United States
8 military issue duffel bag.”.

9 (b) FEDERAL.—

10 (1) GENERALLY.—The Attorney General shall
11 by rule establish conditions in the Federal prison
12 system that, as nearly as may be, are the same as
13 those conditions required in State prisons under sec-
14 tion 20102(a) of the Violent Crime Control and Law
15 Enforcement Act of 1994 as amended by this
16 section.

17 (2) CONFORMING AMENDMENT.—Section 3624
18 of title 18, United States Code, is amended by strik-
19 ing subsection (b).

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