

Sec. 615.—The conference agreement includes a new general provision, not in either the House or Senate bill, requiring agencies and Departments funded in this Act to absorb any necessary costs related to downsizing or consolidations within the amounts provided to the agency or Department.

TITLE VII—RESCISSIONS

DEPARTMENT OF JUSTICE GENERAL ADMINISTRATION WORKING CAPITAL FUND (RESCISSION)

The conference agreement includes a rescission of \$65,000,000 from unobligated balances under this heading, instead of \$55,000,000, as proposed by the Senate, and no rescission, as proposed by the House.

DEPARTMENT OF COMMERCE NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION INFORMATION INFRASTRUCTURE GRANTS (RESCISSION)

The conference agreement does not include the proposed rescission of \$36,769,000 proposed by the Senate from anticipated unobligated balances under the NTIA Information Infrastructure Grant program. Prior to the end of fiscal year 1995, these funds were obligated and are no longer available for rescission. The House bill did not include a rescission of funds under this program.

DEPARTMENT OF STATE ADMINISTRATION OF FOREIGN AFFAIRS ACQUISITION AND MAINTENANCE OF BUILDINGS ABROAD (RESCISSION)

The conference agreement includes a rescission of \$60,000,000 from unobligated balances available under this heading, instead of \$140,000,000, as proposed by the Senate, and no rescission, as proposed by the House. The conferees intend that this rescission be applied against any unanticipated carryover funds that are not associated with a specific project, or against the lowest priority projects for which the remainder of the carryover in currently reserved. The conferees expect the Department to report on the manner in which it intends to apply this rescission.

RELATED AGENCIES UNITED STATES INFORMATION AGENCY RADIO CONSTRUCTION (RESCISSION)

The conference agreement includes a rescission of \$7,400,000 against unobligated balances available under the Radio Construction account, as proposed by the Senate, instead of no rescission, as proposed by the House.

The conferees expect the United States Information Agency to report on the manner in which it intends to apply this rescission.

TITLE VIII—PRISON LITIGATION REFORM

The conference agreement includes a separate title containing legislative language to carry out prison litigation reform and is similar to the language proposed by the Senate bill to limit the remedies for prison condition lawsuits and discourage frivolous and abusive prison lawsuits.

Section 801 contains the short title of the bill, the "Prison Litigation Reform Act of 1995", as proposed by the Senate.

Prison conditions remedies.—Section 802 amends 18 U.S.C. 3626 to require that prison condition remedies do not go beyond the measures necessary to remedy federal rights violations and that public safety and criminal justice needs are given appropriate

weight in framing such remedies. Specifically, the section places, limits on the type of prospective relief available to inmate litigants. The relief is generally limited to the minimum necessary to correct the violation of a federal right. Measures limiting prison population such as prison caps or prison release orders can only be imposed as last resort measures after less drastic remedies had proven ineffective. A prison cap in federal proceeding can be ordered only by a three-judge court. These same limitations on prospective relief are applied to preliminary injunctive relief and such relief would expire after a ninety-day period. Prior consent decrees are made terminable upon the motion of either party, and can be continued only if the court finds that the imposed relief is necessary to correct the violation of the federal right. The section also permits the appointment of a disinterested special master to monitor the imposed relief. The special master is intended to assist the court in finding facts and is to place those findings in the record. In addition, the conference agreement contains language, not included in the Senate bill, that provided standing to State legislators to intervene in prison lawsuits.

Prisoner litigation.—The conference agreement includes language proposed by the Senate, with the addition of provisions relating to victim notification and restitution requirements for monetary awards and severability. Section 803 amends the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997a(c)) to require that administrative remedies be exhausted prior to any prison conditions action being brought under any federal law by an inmate in federal court. It also directs the courts to dismiss suits if they are frivolous, malicious, or fail to state a claim and permits the State to waive its right of reply to any action brought by a prisoner.

Section 804 amends 28 U.S.C. 1915 to require the prisoner to list all assets when filing *in forma pauperis* suits. Section 805 adds a new section 1915A to 28 U.S.C. to require early judicial screening and prompt dismissal of clearly meritless suits against governmental entities or employees. Section 806 amends 28 U.S.C. 1346(b) to limit prisoner suits against the Federal government for mental or emotional injury under the Federal Tort Claims Act to instances where the prisoner shows physical injury as well. The legislation also includes new language in Sections 807 and 808, not included in the Senate bill, that mandates that restitution payments must be taken from any award won by the prisoner and that requires victims to be notified whenever a prisoner receives a monetary award from the State. Section 809 adds a new section 1932 to 28 U.S.C. to allow the court to revoke the prisoner's "good time" credit if he files repetitive frivolous, or malicious suits designed to misuse the justice system. The conference agreement also includes a provision on severability in Section 810, which was not included in the Senate bill.

The conferees also understand that approximately eight percent, or 800,000 of the 10.1 million admittances to jails annually, suffer from severe mental illness such as schizophrenia and manic depressive illness. Most of these individuals have not committed violent or serious felonies but rather misdemeanors, or other non-violent offenses. The conferees further understand that eight percent, or 80,000 of the approximately one million people currently incarcerated in our nation's prisons, suffer from severe mental illness. The conferees agree that the care and treatment provided to these individuals is essential to their health and do not intend for any of the provisions in this title to impact adversely on the availability of this care and treatment.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1996 recommended by the Committee of Conference, with comparisons to the fiscal year 1995 amount, the 1996 budget estimates, and the House and Senate bills for 1996 follows:

New budget (obligational) authority, fiscal year 1995	\$26,698,336,000
Budget estimates of new (obligational) authority, fiscal year 1996	31,158,679,000
House bill, fiscal year 1996	27,585,240,000
Senate bill, fiscal year 1996	27,033,679,665
Conference agreement, fiscal year 1996	27,287,525,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1995	+589,189,000
Budget estimates of new (obligational) authority, fiscal year 1996	-3,871,154,000
House bill, fiscal year 1996	-297,715,000
Senate bill, fiscal year 1996	+253,845,335

HAROLD ROGERS,
JIM KOLBE,
CHARLES H. TAYLOR,
RALPH REGULA,
MIKE FORBES,
BOB LIVINGSTON,
ALAN B. MOLLOHAN,

Managers on the Part of the House.

JUDD GREGG,
MARK O. HATFIELD,
TED STEVENS,
PETE V. DOMENICI,
MITCH MCCONNELL,
JAMES M. JEFFORDS,
THAD COCHRAN,
ERNEST F. HOLLINGS (with
reservations),
ROBERT C. BYRD,
DANIEL K. INOUE,

Managers on the Part of the Senate.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Member (at the request of Mr. SKELTON) to revise and extend her remarks and include extraneous material:)

Ms. NORTON, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. SKELTON) and to include extraneous matter:)

Mr. POSHARD.

Mr. WAXMAN.

(The following Members (at the request of Mr. BASS) and to include extraneous matter:)

Mr. GUNDERSON.

Mr. SOLOMON.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that

committee did on the following day present to the President, for his approval, bills of the House of the following title:

On November 30, 1995:

H.R. 2519. An act to facilitate contributions to charitable organizations by codifying certain exemptions from the Federal securities laws, and for other purposes; and

H.R. 2525. An act to modify the operation of the antitrust laws, and of State laws similar to the antitrust laws, with respect to charitable gift annuities.

ADJOURNMENT

Mr. SKELTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 21 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, December 5, 1995, at 12:30 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1743. A letter from the Comptroller General, the General Accounting Office, transmitting a review of the President's first special impoundment message for fiscal year 1995, pursuant to 2 U.S.C. 685 (H. Doc. No. 104-140); to the Committee on Appropriations and ordered to be printed.

1744. A letter from the Chief of Legislative Affairs, Department of the Navy, transmitting notification that the Department intends to renew lease of one naval vessel to the Government of Greece, pursuant to 10 U.S.C. 7307(b)(2); to the Committee on National Security.

1745. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving United States exports to the People's Republic of China, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

1746. A letter from the Secretary of Education, transmitting final regulations—student assistance general provisions regulations—ability to benefit, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Economic and Educational Opportunities.

1747. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a report on the nondisclosure of safeguards information for the quarter ending September 30, 1995, pursuant to 42 U.S.C. 2167(e); to the Committee on Commerce.

1748. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance [LOA] to Turkey for defense articles and services (Transmittal No. 96-07), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

1749. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's report on nuclear nonproliferation in South Asia for the period April 1, 1995, through September 30, 1995, pursuant to 22 U.S.C. 2376(c); to the Committee on International Relations.

1750. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C.

112b(a); to the Committee on International Relations.

1751. A letter from the Secretary of Labor, transmitting the semiannual report of the inspector general for the period April 1, 1995, through September 30, 1995, and the semiannual management report for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); to the Committee on Government Reform and Oversight.

1752. A letter from the Chairman, District of Columbia Financial Responsibility and Management Assistance Authority, transmitting the authority's report pursuant to section 203(a)(1) of Public Law 104-8; to the Committee on Government Reform and Oversight.

1753. A letter from the Chairman, National Credit Union Administration, transmitting the semiannual report on activities of the inspector general for the period April 1, 1995, through September 30, 1995, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); to the Committee on Government Reform and Oversight.

1754. A letter from the Director, Norfolk Naval Shipyard Co-operative Association, transmitting the annual pension plan report for the plan year ending December 31, 1993, for the Norfolk Naval Shipyard Co-operative Association, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform and Oversight.

1755. A letter from the Director, Peace Corps, transmitting the semiannual report on activities of the inspector general for the period April 1, 1995, through September 30, 1995, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); to the Committee on Government Reform and Oversight.

1756. A letter from the Secretary of Education, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(e); to the Committee on Government Reform and Oversight.

1757. A letter from the Chairman, U.S. Equal Employment Opportunity Commission, transmitting the semiannual report on activities of the inspector general for the period April 1, 1995, through September 30, 1995, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); to the Committee on Government Reform and Oversight.

1758. A letter from the Chairman, U.S. Securities and Exchange Commission, transmitting the semiannual report on activities of the inspector general for the period April 1, 1995, through September 30, 1995, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); to the Committee on Government Reform and Oversight.

1759. A letter from the Deputy Associate Director for Compliance, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Resources.

1760. A letter from the Deputy Associate Director for Compliance, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Resources.

1761. A letter from the Deputy Associate Director for Compliance, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Resources.

1762. A letter from the Secretary of Transportation, transmitting the Department's report on tanker navigation safety standards, pursuant to Public Law 101-380, section 411(c) (104 Stat. 516); to the Committee on Transportation and Infrastructure.

1763. A letter from the Secretary of Transportation, transmitting the Department's re-

view and assessment on the safety of the marine environment and the economic viability and operational makeup of the maritime oil transportation industry, pursuant to Public Law 101-380, section 4115(e)(2)(C) (104 Stat. 521); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Omitted from the Record of November 30, 1995]

Mr. HYDE: Committee on the Judiciary. H.R. 2064. A bill to grant the consent of Congress to an amendment of the Historic Chatahoochee Compact between the States of Alabama and Georgia (Rept. 104-376). Referred to the Committee of the Whole House on the State of the Union.

Mr. HYDE: Committee on the Judiciary. House Joint Resolution 78. Resolution to grant the consent of the Congress to certain additional powers conferred upon the Bi-State Development Agency by the States of Missouri and Illinois; with an amendment (Rept. 104-377). Referred to the Committee of the Whole House on the State of the Union.

[Pursuant to the order of the House on November 30, 1995, the following report was filed on December 1, 1995]

Mr. ROGERS: Committee of Conference. Conference report on H.R. 2076. A bill making appropriations for the Department of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996, and for other purposes (Rept. 104-378). Ordered to be printed.

[Submitted December 4, 1995]

Mr. ARCHER: Committee on Ways and Means. H.R. 2684. A bill to amend title II of the Social Security Act to provide for increases in the amounts of allowable earnings under the Social Security earnings limit for individuals who have attained retirement age, and for other purposes; with an amendment (Rept. 104-379). Referred to the Committee of the Whole House on the State of the Union.

SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of Rule X the following action was taken by the Speaker:

[The following action occurred on December 1, 1995]

H.R. 1816. Referral to the Committee on Commerce extended for a period ending not later than December 15, 1995.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

180. By the SPEAKER: Memorial of the Senate of the Commonwealth of Massachusetts, relative to urging the U.S. Congress to propose and submit to the several States an amendment to the Constitution of the United States providing that no court shall have the power to levy or increase taxes; to the Committee on the Judiciary.

181. Also, memorial of the Legislature of the State of Alaska, relative to supporting an exemption from the Jones Act for bulk commodities, such as coal and coal derived