

where they were issued—Arthur led the charge to expose and change this heartless policy.

My time is growing short and I have barely scratched the surface. But I could not close without mentioning Arthur's contribution to other institutions that are fundamental to the values and aspirations of the nation. In between his periods of government service, Arthur was President of three universities—Ohio Wesleyan (his alma mater), The University of Oregon and Macalester College. In these posts among many other things he promoted public service and helped extend opportunity for minority students. Arthur's service is also rooted in his religious convictions which he has made manifest through work in the United Methodist Church and the National Conference of Christians and Jews.

As for the institution of the family, Arthur and Bernice, his wife of 60+ years, have raised a family of 5 children, who have made contributions of their own—although you may not be surprised to hear (after what I've said) that in this area there are those who believe that the lion's share of the credit belongs to Bernice.

So, for all these reasons and many more, Arthur has earned the title bestowed on him by Bernice in her affectionate and occasionally irreverent memoir—"Crusader At Large". His indomitable spirit and his unflagging optimism should serve as an inspiration to all of us who think we may be suffering burnout in these uninspired times. Arthur has richly earned this honor by the ACLU and the admiration of all who care about social justice.●

#### COMPLIMENTING THE POSTAL SERVICE ON A JOB WELL DONE

● Mr. PRYOR. Mr. President, in these days of budget crisis and heated rhetoric, it is very easy to become cynical or disillusioned about government. In fact, some people around here would have you believe that the Government is simply incapable of playing a positive role of any kind.

So, Mr. President, I wanted to rise today and recognize one Government entity, the U.S. Postal Service, for the good work it is doing for Americans.

Earlier this month, the State of Oregon completed the primary phase of the Nation's first mail-in congressional election. That's right, over a 3-week period, Oregon voters mailed in their ballots for the State's open Senate seat.

While vote-by-mail has its skeptics, the results in Oregon were impressive. Some 52 percent of Oregon voters cast their ballots, as compared to the 43 percent who took part in last year's primaries. On January 30, the general election will also be conducted through the mail system.

Mr. President, whether or not vote-by-mail is the wave of the future, we should certainly commend the Postal Service for its critical role in this effort. The hard-working men and women of the Postal Service in Oregon saw to it that the ballots were delivered and returned on time. Without a postal system that could be counted on, neither Oregon nor any other State could even experiment with a mail-in election.

Oregon is not the only place where the Postal Service is getting the job

done for Americans. Right now, millions of Christmas cards and packages are moving through the Nation's mail system. Believe it or not, Postal Service officials are estimating that today, as many as 725 million pieces of mail will be delivered. This is the delivery volume for just 1 day.

While these numbers may sound overwhelming, the men and women of the Postal Service are up to the challenge. As the latest on-time statistics confirm, the vast majority of Americans can drop that card or letter in the box and be confident that their mailing will be delivered on time. In fact, just yesterday, the Postal Service announced that its on-time delivery scores had reached a record high of 88 percent.

Mr. President, the Postal Service, like any organization, has its problems. In the past, I have been critical of both its performance and management decisions. But, I have never had cause to question the dedication of its people. From the Postmaster General on down, the men and women of the Postal Service are getting the job done during this Christmas season. They are a welcome reminder that government can work for America.●

● Mr. MACK. Mr. President, I urge my colleagues to support S. 1260, the Public Housing Reform and Empowerment Act of 1995. S. 1260 represents a major revision of the United States Housing Act of 1937 to reform and consolidate the public and assisted housing programs of the United States and redirect primary responsibility for those programs away from Federal bureaucracy toward the States and localities. This bill represents an important first step towards a complete overhaul of Federal housing programs to address the needs of low-income families more efficiently and effectively.

This legislation addresses a growing crisis in the Nation's public housing system. Over the years, micromanagement by both Congress and the Department of Housing and Urban Development [HUD] have saddled housing authorities with rules and regulations that make it difficult for even the best of them to operate efficiently and effectively. Even more important has been the destructive impact these rules have had on the ability of families to move up and out of public housing and become economically self-sufficient. In far too many places, public housing, which was intended to provide a housing platform from which lower income families could achieve their own aspirations of economic independence, have become warehouses of poverty that rob poor families of their hope and dignity.

Compounding the structural problems of public housing are the dual concerns of budget and HUD capacity. Public housing agencies are facing a significant decline in Federal resources. Given these limited resources, housing authorities need the increased flexibility to use their funds in a manner that helps to maintain decent, safe

and affordable housing for their residents. In addition, HUD itself potentially faces a significant reduction in overall staffing over the next 5 years. The prospect of diminishing staff resources means that HUD will lack the capacity to maintain the same degree of oversight and control that it has exercised over the public housing system in recent decades.

S. 1260 addresses the crisis in public housing by consolidating public housing funding into two flexible block grants and transferring greater responsibility over the operation and management of public housing from HUD to local housing agencies. In addition, it creates a new streamlined voucher program that is more market-friendly and provides greater housing choices for low-income families.

The bill also ends Federal requirements that have prevented housing authorities from demolishing their obsolete housing stock, concentrated, and isolated the poorest of poor, and created disincentives for public housing residents to work and improve their lives.

While allowing well-run housing authorities much more discretion, S. 1260 also cracks down on those housing authorities that are troubled. Although small in number, these authorities with severe management problems control almost 15 percent of the Nation's public housing stock. HUD would be required to take over or appoint a receiver for housing authorities that are unable to make significant improvements in their operations. The legislation would also give HUD expanded powers to break up or reconfigure troubled authorities, dispose of their assets, or abrogate contracts that impede correction of the housing authority's problems.

I would like to express my deep appreciation to Senators D'AMATO and BOND, who cosponsored this bill, for their keen interest and active support of this legislation. I also wish to express my appreciation for the cooperation and support from Senators SARBANES and KERRY. This bill truly reflects bipartisan cooperation, and it specifically addresses many of the concerns that have been raised by minority. Finally, I also want to thank Secretary Cisneros for HUD's participation in the development of this bill. We have endeavored to accommodate the Department's concerns to the greatest extent possible.●

#### RETIREMENT OF BILL NORWOOD FROM UNITED AIRLINES

● Mr. SIMON. Mr. President, Bill Norwood is set to retire as a pilot from United Airlines. During his career, he participated in numerous educational, professional, and civic organizations in the State of Illinois. He also served with distinction on the Southern Illinois University Board of Trustees and the Board of the Illinois State Universities Retirement System.

Illinoisans can take great pride in Mr. Norwood's dedication to Southern Illinois University and the State of Illinois. A former U.S. Air Force pilot who flew B-52's, Mr. Norwood used that experience to go to work for United Airlines in 1965. While a United Airlines pilot, Mr. Norwood received several awards, including a community relations award. Mr. Norwood has served his community and State well.

I wish my friend and his family the best in his retirement. I am sure he will continue to be active in Illinois serving the community and the State.●

#### ORDER OF BUSINESS

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. I would like to, on behalf of the distinguished majority leader, proceed with other matters now pending before the Senate.

#### EXTEND ENROLLMENT MIX REQUIREMENT TO CERTAIN HEALTH MAINTENANCE ORGANIZATIONS PROVIDING SERVICES UNDER DAYTON AREA HEALTH PLAN

Mr. WARNER. Mr. President, I ask unanimous consent that the Finance Committee be discharged from further consideration of H.R. 1878, extending for 2 years certain requirements relating to Dayton Area Health Plan, and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 1878) to extend for 4 years the period of applicability of enrollment mix requirement to certain health maintenance organizations providing services under Dayton Area Health Plan.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. WARNER. Mr. President, I ask unanimous consent that the bill be read a third time, passed, the motion to reconsider be laid upon the table, and that any statements appear at an appropriate place in the RECORD as if read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1878) was deemed to have been read the third time and passed.

#### PENSION INCOME TAXATION

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar number 296, H.R. 394, a bill to amend title 4 of the United States Code to limit State taxation of certain pension income.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 394) to amend title 4 of the United States Code to limit State taxation of certain pension income.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. WARNER. Mr. President, I ask unanimous consent that the bill be deemed read a third time, passed, and the motion to reconsider be laid upon the table. Further, that any statements relating thereto be placed in the RECORD at the appropriate place as if read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 394) was deemed to have been read the third time and passed.

Mr. WARNER. I noted a similar bill has passed the Senate on four occasions.

#### THE VICTIMS JUSTICE ACT OF 1995

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar 257, H.R. 665, the victims restitution bill.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 665) to control crime by mandatory victim restitution.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Victims Justice Act of 1995".

##### SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

##### TITLE I—RESTITUTION

Sec. 101. Order of restitution.

Sec. 102. Conditions of probation.

Sec. 103. Mandatory restitution.

Sec. 104. Order of restitution to victims of other crimes.

Sec. 105. Procedure for issuance and enforcement of restitution order.

Sec. 106. Procedure.

Sec. 107. Juvenile delinquency; dispositional hearing.

Sec. 108. Instruction to Sentencing Commission.

Sec. 109. Justice Department regulations.

Sec. 110. Special assessments on convicted persons.

Sec. 111. Crime Victims Fund.

Sec. 112. Victims of terrorism act.

Sec. 113. Effective date.

##### TITLE II—MISCELLANEOUS PROVISIONS

Sec. 201. Severability.

Sec. 202. Study and report.

##### TITLE I—RESTITUTION

##### SEC. 101. ORDER OF RESTITUTION.

Section 3556 of title 18, United States Code, is amended—

(1) by striking "may" and inserting "shall"; and

(2) by striking "sections 3663 and 3664." and inserting "3663A, and may order restitution in accordance with section 3663. The procedures under section 3664 shall apply to all orders of restitution under this section.".

##### SEC. 102. CONDITIONS OF PROBATION.

Section 3563 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking "and" at the end;

(B) in the first paragraph (4) (relating to conditions of probation for a domestic crime of violence), by striking the period and inserting a semicolon;

(C) by redesignating the second paragraph (4) (relating to conditions of probation concerning drug use and testing) as paragraph (5);

(D) in paragraph (5), as redesignated, by striking the period at the end and inserting a semicolon; and

(E) by inserting after paragraph (5), as redesignated, the following new paragraphs:

"(6) that the defendant—

"(A) make restitution in accordance with sections 2248, 2259, 2264, 3663, 3663A, and 3664;

"(B) pay the assessment imposed in accordance with section 3013; and

"(7) that the defendant will notify the court of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay restitution, fines, or special assessments.";

(2) in subsection (b)—

(A) by striking paragraphs (2) and (3); and

(B) by redesignating paragraphs (4) through (22) as paragraphs (2) through (20), respectively.

##### SEC. 103. MANDATORY RESTITUTION.

(a) IN GENERAL.—Chapter 232 of title 18, United States Code, is amended by inserting immediately after section 3663 the following new section:

##### "§3663A. Mandatory restitution to victims of certain crimes

"(a)(1) Notwithstanding any other provision of law, when sentencing a defendant convicted of an offense described in subsection (c), the court shall order, in addition to any other penalty authorized by law, that the defendant make restitution to the victim of the offense, or, if the victim is deceased, to the victim's estate.

"(2) For purposes of restitution, a victim of an offense that involves as an element a scheme, conspiracy, or pattern of criminal activity means any person directly harmed by the defendant's criminal conduct in the course of the scheme, conspiracy, or pattern, including, in the case of a victim who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the victim or representative of the victim's estate, another family member, or any other person appointed as suitable by the court. In no event shall the defendant be named as such representative or guardian.

"(3) The court shall also order, if agreed to by the parties in a plea agreement, restitution to persons other than the victim of the offense.

"(b) The order of restitution shall require that such defendant—

"(1) in the case of an offense resulting in damage to or loss or destruction of property of a victim of the offense—

"(A) return the property to the owner of the property or someone designated by the owner; or

"(B) if return of the property under subparagraph (A) is impossible, impracticable, or inadequate, pay an amount equal to—

"(i) the greater of—

"(I) the value of the property on the date of the damage, loss, or destruction; or

"(II) the value of the property on the date of sentencing, less

"(ii) the value (as of the date the property is returned) of any part of the property that is returned;