

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