

who are not in the custody of the Bureau of Prisons, including the feasibility of prisoners manufacturing products purchased by Federal agencies that are manufactured overseas;

(B) an assessment of the feasibility of expanding such programs, consistent with the strategy required under subparagraph (A), with the goal that 5 years after the date of enactment of this subchapter, not less than 75 percent of eligible minimum- and low-risk offenders have the opportunity to participate in a prison work program for not less than 20 hours per week; and

(C) a detailed discussion of legal authorities that would be useful or necessary to achieve the goals described in subparagraphs (A) and (B).

(5) An assessment of the Bureau of Prisons' compliance with section 3621(h).

(6) An assessment of progress made toward carrying out the purposes of this subchapter, including any savings associated with—

(A) the transfer of prisoners into pre-release custody or supervised release under section 3624(g), including savings resulting from the avoidance or deferral of future construction, acquisition, and operations costs; and

(B) any decrease in recidivism that may be attributed to the System or the increase in evidence-based recidivism reduction programs required under this subchapter.

(7) An assessment of budgetary savings resulting from this subchapter, including—

(A) a summary of the amount of savings resulting from the transfer of prisoners into prerelease custody under this chapter, including savings resulting from the avoidance or deferral of future construction, acquisition, or operations costs;

(B) a summary of the amount of savings resulting from any decrease in recidivism that may be attributed to the implementation of the risk and needs assessment system or the increase in recidivism reduction programs and productive activities required by this subchapter;

(C) a strategy to reinvest the savings described in subparagraphs (A) and (B) in other—

(i) Federal, State, and local law enforcement activities; and

(ii) expansions of recidivism reduction programs and productive activities in the Bureau of Prisons; and

(D) a description of how the reduced expenditures on Federal corrections and the budgetary savings resulting from this subchapter are currently being used and will be used to—

(i) increase investment in law enforcement and crime prevention to combat gangs of national significance and high-level drug traffickers through the High Intensity Drug Trafficking Areas Program and other task forces;

(ii) hire, train, and equip law enforcement officers and prosecutors; and

(iii) promote crime reduction programs using evidence-based practices and strate-

gic planning to help reduce crime and criminal recidivism.

(8) Statistics on—

(A) the prevalence of dyslexia among prisoners in prisons operated by the Bureau of Prisons; and

(B) any change in the effectiveness of dyslexia mitigation programs among such prisoners that may be attributed to the incorporation of dyslexia screening into the System and of dyslexia treatment into the evidence-based recidivism reduction programs, as required under this chapter.

(Added Pub. L. 115-391, title I, §101(a), Dec. 21, 2018, 132 Stat. 5205.)

REFERENCES IN TEXT

The date of enactment of this subchapter, referred to in text, is the date of enactment of Pub. L. 115-391, which was approved Dec. 21, 2018.

This Act, referred to in par. (1), is Pub. L. 115-391, Dec. 21, 2018, 132 Stat. 5194, known as the First Step Act of 2018. For complete classification of this Act to the Code, see Short Title of 2018 Amendment note under section 1 of this title and Tables.

§ 3635. Definitions

In this subchapter the following definitions apply:

(1) **DYSLEXIA.**—The term “dyslexia” means an unexpected difficulty in reading for an individual who has the intelligence to be a much better reader, most commonly caused by a difficulty in the phonological processing (the appreciation of the individual sounds of spoken language), which affects the ability of an individual to speak, read, and spell.

(2) **DYSLEXIA SCREENING PROGRAM.**—The term “dyslexia screening program” means a screening program for dyslexia that is—

(A) evidence-based (as defined in section 8101(21) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(21))) with proven psychometrics for validity;

(B) efficient and low-cost; and

(C) readily available.

(3) **EVIDENCE-BASED RECIDIVISM REDUCTION PROGRAM.**—The term “evidence-based recidivism reduction program” means either a group or individual activity that—

(A) has been shown by empirical evidence to reduce recidivism or is based on research indicating that it is likely to be effective in reducing recidivism;

(B) is designed to help prisoners succeed in their communities upon release from prison; and

(C) may include—

(i) social learning and communication, interpersonal, anti-bullying, rejection response, and other life skills;

(ii) family relationship building, structured parent-child interaction, and parenting skills;

(iii) classes on morals or ethics;

(iv) academic classes;

(v) cognitive behavioral treatment;

(vi) mentoring;

(vii) substance abuse treatment;

(viii) vocational training;

- (ix) faith-based classes or services;
- (x) civic engagement and reintegrative community services;
- (xi) a prison job, including through a prison work program;
- (xii) victim impact classes or other restorative justice programs; and
- (xiii) trauma counseling and trauma-informed support programs.

(4) **PRISONER.**—The term “prisoner” means a person who has been sentenced to a term of imprisonment pursuant to a conviction for a Federal criminal offense, or a person in the custody of the Bureau of Prisons.

(5) **PRODUCTIVE ACTIVITY.**—The term “productive activity” means either a group or individual activity that is designed to allow prisoners determined as having a minimum or low risk of recidivating to remain productive and thereby maintain a minimum or low risk of recidivating, and may include the delivery of the programs described in paragraph (1)¹ to other prisoners.

(6) **RISK AND NEEDS ASSESSMENT TOOL.**—The term “risk and needs assessment tool” means an objective and statistically validated method through which information is collected and evaluated to determine—

(A) as part of the intake process, the risk that a prisoner will recidivate upon release from prison;

(B) the recidivism reduction programs that will best minimize the risk that the prisoner will recidivate upon release from prison; and

(C) the periodic reassessment of risk that a prisoner will recidivate upon release from prison, based on factors including indicators of progress and of regression, that are dynamic and that can reasonably be expected to change while in prison.

(Added Pub. L. 115–391, title I, §101(a), Dec. 21, 2018, 132 Stat. 5207.)

[CHAPTER 231—REPEALED]

[§§ 3651 to 3656. Repealed or Renumbered. Pub. L. 98–473, title II, §212(a)(1), (2), Oct. 12, 1984, 98 Stat. 1987]

Section 3651, acts June 25, 1948, ch. 645, 62 Stat. 842; June 20, 1958, Pub. L. 85–463, §1, 72 Stat. 216; Aug. 23, 1958, Pub. L. 85–741, 72 Stat. 834; Oct. 22, 1970, Pub. L. 91–492, §1, 84 Stat. 1090; May 11, 1972, Pub. L. 92–293, §1, 86 Stat. 136; Oct. 27, 1978, Pub. L. 95–537, §2, 92 Stat. 2038; Oct. 12, 1984, Pub. L. 98–473, title II, §§235(a)(1), 238(b), (c), (i), 98 Stat. 2031, 2038, 2039; Oct. 30, 1984, Pub. L. 98–596, §§4, 12(a)(2), (3), (9), (b), 98 Stat. 3136, 3139, 3140, related to suspension of sentence and probation.

Section 3652, act June 25, 1948, ch. 645, 62 Stat. 842, related to probation—(Rule).

Section 3653, acts June 25, 1948, ch. 645, 62 Stat. 842; May 24, 1949, ch. 139, §56, 63 Stat. 96, related to report of probation officer and arrest of probationer.

Section 3654, acts June 25, 1948, ch. 645, 62 Stat. 843; Aug. 2, 1949, ch. 383, §2, 63 Stat. 491, related to appointment and removal of probation officers.

Section 3655, acts June 25, 1948, ch. 645, 62 Stat. 843; Mar. 15, 1976, Pub. L. 94–233, §14, 90 Stat. 233; Oct. 12, 1984, Pub. L. 98–473, title II, §§235(a)(1), 238(d), (i), 98 Stat. 2031, 2038, 2039; Oct. 30, 1984, Pub. L. 98–596, §§5, 12(a)(4), (9), (b), 98 Stat. 3136, 3139, 3140, related to duties of probation officers.

¹ So in original. Probably should be “paragraph (3)”.

Section 3656 renumbered section 3672 of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Nov. 1, 1987, and applicable only to offenses committed after the taking effect of such repeal, see section 235(a)(1) of Pub. L. 98–473, set out as an Effective Date note under section 3551 of this title.

CHAPTER 232—MISCELLANEOUS SENTENCING PROVISIONS

Sec. 3661. 3662. 3663. 3663A. 3664. 3665. 3666. 3667. 3668. 3669. 3670. 3671. 3672. 3673.	Use of information for sentencing. Conviction records. Order of restitution. Mandatory restitution to victims of certain crimes. Procedure for issuance and enforcement of order of restitution. Firearms possessed by convicted felons. Bribe moneys. Liquors and related property; definitions. Remission or mitigation of forfeitures under liquor laws; possession pending trial. Conveyances carrying liquor. Disposition of conveyances seized for violation of the Indian liquor laws. Vessels carrying explosives and steerage passengers. Duties of Director of Administrative Office of the United States Courts. Definitions for sentencing provisions.
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AMENDMENTS

1996—Pub. L. 104–132, title II, §§204(b), 206(b), Apr. 24, 1996, 110 Stat. 1229, 1236, added item 3663A and substituted “issuance and enforcement of order of restitution” for “issuing order of restitution” in item 3664.

1990—Pub. L. 101–647, title XXXV, §3594, Nov. 29, 1990, 104 Stat. 4931, substituted “Conveyances” for “Conveyance” in item 3669.

1984—Pub. L. 98–473, title II, §§212(a)(5), 235(a)(1), Oct. 12, 1984, 98 Stat. 2010, 2031, as amended, added chapter heading and analysis of sections for chapter 232 consisting of items 3661 to 3673, effective Nov. 1, 1987.

EFFECTIVE DATE

Pub. L. 98–473, title II, §§212(a)(1), (3)–(5), 235(a)(1), Oct. 12, 1984, 98 Stat. 1987, 2010, 2031, as amended, enacted heading, analysis, and section 3673 of this chapter (§§ 3661 to 3673), provided that sections 3577, 3578, 3579, 3580, 3611, 3612, 3615, 3617, 3618, 3619, 3620, and 3656 of this title are renumbered as sections 3661, 3662, 3663, 3664, 3665, 3666, 3667, 3668, 3669, 3670, 3671, and 3672, respectively, of this chapter, and amended section 3663 of this chapter, effective Nov. 1, 1987, and applicable only to offenses committed after the taking effect of this chapter. Section 235 of Pub. L. 98–473, as amended, relating to effective dates, is set out as a note under section 3551 of this title.

§ 3661. Use of information for sentencing

No limitation shall be placed on the information concerning the background, character, and conduct of a person convicted of an offense which a court of the United States may receive and consider for the purpose of imposing an appropriate sentence.

(Added Pub. L. 91–452, title X, §1001(a), Oct. 15, 1970, 84 Stat. 951, §3577; renumbered §3661, Pub. L. 98–473, title II, §212(a)(1), Oct. 12, 1984, 98 Stat. 1987.)

SHORT TITLE OF 1990 AMENDMENT

Pub. L. 101–421, §1, Oct. 12, 1990, 104 Stat. 909, provided that: “This Act [amending provisions set out as a note under section 3672 of this title] may be cited as the