

Subsec. (e)(1). Pub. L. 105-119, §123(a)(3)(A), inserted at end “Mandamus shall lie to remedy any failure to issue a prompt ruling on such a motion.”

Subsec. (e)(2). Pub. L. 105-119, §123(a)(3)(B), substituted “Any motion to modify or terminate prospective relief made under subsection (b) shall operate as a stay” for “Any prospective relief subject to a pending motion shall be automatically stayed”.

Subsec. (e)(3), (4). Pub. L. 105-119, §123(a)(3)(C), added pars. (3) and (4).

1996—Pub. L. 104-134 amended section generally, substituting provisions relating to appropriate remedies with respect to prison conditions for former provisions relating to appropriate remedies with respect to prison crowding.

EFFECTIVE DATE OF 1997 AMENDMENT

Pub. L. 105-119, title I, §123(b), Nov. 26, 1997, 111 Stat. 2471, provided that: “The amendments made by this Act [probably should be “section”, amending this section] shall take effect upon the date of the enactment of this Act [Nov. 26, 1997] and shall apply to pending cases.”

EFFECTIVE DATE OF 1996 AMENDMENT

Pub. L. 104-134, title I, §101[(a)] [title VIII, §802(b)(1)], Apr. 26, 1996, 110 Stat. 1321, 1321-70, provided that: “Section 3626 of title 18, United States Code, as amended by this section, shall apply with respect to all prospective relief whether such relief was originally granted or approved before, on, or after the date of the enactment of this title [Apr. 26, 1996].”

EFFECTIVE AND TERMINATION DATES

Pub. L. 103-322, title II, §20409(b), Sept. 13, 1994, 108 Stat. 1828, which provided that this section applied to all court orders outstanding on Sept. 13, 1994, and Pub. L. 103-322, title II, §20409(d), Sept. 13, 1994, 108 Stat. 1828, which provided for the repeal of this section 5 years after Sept. 13, 1994, were repealed by Pub. L. 104-134, title I, §101[(a)] [title VIII, §802(b)(2)], Apr. 26, 1996, 110 Stat. 1321, 1321-70; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327.

SEVERABILITY

Pub. L. 104-134, title I, §101[(a)] [title VIII, §810], Apr. 26, 1996, 110 Stat. 1321, 1321-77, provided that: “If any provision of this title [see Short Title of 1996 Amendment note set out under section 3601 of this title], an amendment made by this title, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this title, the amendments made by this title, and the application of the provisions of such to any person or circumstance shall not be affected thereby.”

SPECIAL MASTERS APPOINTED PRIOR TO APRIL 26, 1996; PROHIBITION ON USE OF FUNDS

Pub. L. 104-208, div. A, title I, §101(a) [title III, §306], Sept. 30, 1996, 110 Stat. 3009, 3009-45, provided that: “None of the funds available to the Judiciary in fiscal years 1996 and 1997 and hereafter shall be available for expenses authorized pursuant to section 802(a) of title VIII of section 101(a) of title I of the Omnibus Consolidated Rescissions and Appropriations Act of 1996, Public Law 104-134 [amending this section], for costs related to the appointment of Special Masters prior to April 26, 1996.”

PAYMENT OF DAMAGE AWARD IN SATISFACTION OF PENDING RESTITUTION ORDERS

Pub. L. 104-134, title I, §101[(a)] [title VIII, §807], Apr. 26, 1996, 110 Stat. 1321, 1321-75, provided that: “Any compensatory damages awarded to a prisoner in connection with a civil action brought against any Federal, State, or local jail, prison, or correctional facility or against any official or agent of such jail, prison, or correctional facility, shall be paid directly to satisfy any outstanding restitution orders pending against the prisoner. The

remainder of any such award after full payment of all pending restitution orders shall be forwarded to the prisoner.”

NOTICE TO CRIME VICTIMS OF PENDING DAMAGE AWARD

Pub. L. 104-134, title I, §101[(a)] [title VIII, §808], Apr. 26, 1996, 110 Stat. 1321, 1321-76, provided that: “Prior to payment of any compensatory damages awarded to a prisoner in connection with a civil action brought against any Federal, State, or local jail, prison, or correctional facility or against any official or agent of such jail, prison, or correctional facility, reasonable efforts shall be made to notify the victims of the crime for which the prisoner was convicted and incarcerated concerning the pending payment of any such compensatory damages.”

SUBCHAPTER D—RISK AND NEEDS ASSESSMENT SYSTEM

Sec.	
3631.	Duties of the Attorney General.
3632.	Development of risk and needs assessment system.
3633.	Evidence-based recidivism reduction program and recommendations.
3634.	Report.
3635.	Definitions.

§ 3631. Duties of the Attorney General

(a) IN GENERAL.—The Attorney General shall carry out this subchapter in consultation with—

- (1) the Director of the Bureau of Prisons;
- (2) the Director of the Administrative Office of the United States Courts;
- (3) the Director of the Office of Probation and Pretrial Services;
- (4) the Director of the National Institute of Justice;
- (5) the Director of the National Institute of Corrections; and

(6) the Independent Review Committee authorized by the First Step Act of 2018¹

(b) DUTIES.—The Attorney General shall—

(1) conduct a review of the existing prisoner risk and needs assessment systems in operation on the date of enactment of this subchapter;

(2) develop recommendations regarding evidence-based recidivism reduction programs and productive activities in accordance with section 3633;

(3) conduct ongoing research and data analysis on—

(A) evidence-based recidivism reduction programs relating to the use of prisoner risk and needs assessment tools;

(B) the most effective and efficient uses of such programs;

(C) which evidence-based recidivism reduction programs are the most effective at reducing recidivism, and the type, amount, and intensity of programming that most effectively reduces the risk of recidivism; and

(D) products purchased by Federal agencies that are manufactured overseas and could be manufactured by prisoners participating in a prison work program without reducing job opportunities for other workers in the United States;

(4) on an annual basis, review, validate, and release publicly on the Department of Justice

¹ So in original. Probably should be followed by a period.