

The Federal Rules of Civil Procedure, referred to in subsec. (g)(8), are set out in the Appendix to Title 28, Judiciary and Judicial Procedure.

AMENDMENTS

1997—Subsec. (a)(1)(B)(i). Pub. L. 105–119, § 123(a)(1)(A), substituted “requires” for “permits”.

Subsec. (a)(3)(A). Pub. L. 105–119, § 123(a)(1)(B)(i), substituted “no court shall enter a prisoner release order unless” for “no prisoner release order shall be entered unless”.

Subsec. (a)(3)(F). Pub. L. 105–119, § 123(a)(1)(B)(ii), inserted “including a legislator” after “local official” and substituted “prison facilities” for “program facilities”.

Subsec. (b)(3). Pub. L. 105–119, § 123(a)(2), substituted “current and ongoing” for “current or ongoing”.

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

Section 123(b) of Pub. L. 105–119 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

Section 101[(a)] [title VIII, § 802(b)(1)] of Pub. L. 104–134 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

Section 20409(b) of Pub. L. 103–322, which provided that this section applied to all court orders outstanding on Sept. 13, 1994, and section 20409(d) of Pub. L. 103–322, which provided for the repeal of this section 5 years after Sept. 13, 1994, were repealed by Pub.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

Section 101[(a)] [title VIII, § 810] of Pub. L. 104–134 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

Section 101[(a)] [title VIII, § 807] of Pub. L. 104–134 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

Section 101[(a)] [title VIII, § 808] of Pub. L. 104–134 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.”

[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.

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.	Use of information for sentencing.
3662.	Conviction records.
3663.	Order of restitution.
3663A.	Mandatory restitution to victims of certain crimes.
3664.	Procedure for issuance and enforcement of order of restitution.