

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 695

To amend section 3626 of title 18, United States Code, to provide certain additional rules with respect to litigation regarding prison conditions.

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 26, 1995

Mr. ARCHER (for himself and Mr. SAM JOHNSON) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend section 3626 of title 18, United States Code, to provide certain additional rules with respect to litigation regarding prison conditions.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Prison Litigation Con-  
5 trol Act of 1995”.

6 **SEC. 2. LITIGATION REGARDING PRISON CONDITIONS.**

7 (a) IN GENERAL.—Subchapter C of chapter 229 of  
8 title 18, United States Code, is amended—

9 (1) in section 3626—

1 (A) in the heading, by striking “crowding”  
2 and inserting “conditions”;

3 (B) in subsection (a)(1)—

4 (i) by inserting “a” before “prison or  
5 jail”;

6 (ii) by striking “crowding” and insert-  
7 ing “condition” each place it appears; and

8 (iii) by adding at the end “A condition  
9 relating to the facilities and opportunities  
10 afforded prisoners does not inflict cruel  
11 and unusual punishment unless that condi-  
12 tion constitutes a deprivation of the mini-  
13 mum necessities of civilized life to an indi-  
14 vidual plaintiff inmate, and the responsible  
15 officials are deliberately indifferent to that  
16 individual plaintiff inmate’s deprivation.”;

17 (C) by striking subsection (b); and

18 (D) in subsection (c), by inserting “or ter-  
19 mination” after “modification”; and

20 (2) in the table of sections at the beginning of  
21 such subchapter, in the item relating to section  
22 3626, by striking “crowding” and inserting  
23 “conditions”.

24 (b) EFFECT OF AMENDMENTS.—The amendments  
25 made by this section shall apply to—

1           (1) all outstanding court orders and consent de-  
2       grees; and

3           (2) all pending and future cases, and in any  
4       case reopened under section 3626(c) of title 18,  
5       United States Code.

6       (c) ELIMINATION OF SUNSET PROVISION.—Section  
7       20409 of the Violent Crime Control and Law Enforcement  
8       Act of 1994 is amended by striking subsection (d).

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