

H. R. 2468

To reform the process under which Federal prisoners bring lawsuits relating to prison conditions and treatment.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 11, 1995

Mr. LOBIONDO (for himself, Mr. ZIMMER, Mr. WELDON of Florida, Mrs. VUCANOVICH, Mr. HOSSTETTLER, Mr. TAYLOR of North Carolina, Mr. HEFLEY, Mr. BARTON of Texas, Mr. LIVINGSTON, Mr. BLUTE, Mr. BOEHRER, Mr. CHRISTENSEN, Mr. FIELDS of Texas, Mr. FRELINGHUYSEN, Mr. SAXTON, Mr. GILCHRIST, Mr. HASTERT, Mr. KLUG, Mr. LAUGHLIN, Mr. MYERS of Indiana, Mr. COX of California, Mr. MONTGOMERY, Mr. WELDON of Pennsylvania, Mr. SOUDER, Mr. WELER, Mr. BRYANT of Tennessee, Mr. COLLINS of Georgia, Mr. OXLEY, Mr. GUTKNECHT, Mr. HEINEMAN, Mr. PETE GEREN of Texas, Mr. LATOURETTE, Mrs. CHENOWETH, Mrs. CUBIN, Mr. KING, Mr. NEY, Mr. RAMSTAD, Mr. ROYCE, Mr. STOCOLAN, Mr. WICKER, Mr. STEARNS, Mrs. MYRICK, Mr. HUTCHINSON, Mr. BEREUTER, and Mr. EHLERS) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To reform the process under which Federal prisoners bring lawsuits relating to prison conditions and treatment.

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

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Prisoner Lawsuit Efficiency Act of 1995”.

4 SEC. 2. EXHAUSTION OF THE ADMINISTRATIVE PROCESS.

5 (a) IN GENERAL.—Chapter 303 of title 18, United
6 States Code is amended by adding at the end the following
7 new section:

8 **“§ 4048. Exhaustion of administrative remedies**

9 “No action shall be brought in any court, by a pris-
10 oner in the custody of the Federal Bureau of Prisons, con-
11 cerning any aspect of such prisoner’s incarceration until
12 any administrative remedy procedures available are ex-
13 hausted. This section applies to all actions regardless of
14 the nominal party defendant. The fact that the adminis-
15 trative remedies do not include all the possible procedures
16 and forms of recovery that are available in the civil action
17 does not render such administrative remedies inadequate
18 or excuse the failure to exhaust them”.

19 (b) CLERICAL AMENDMENT.—The table of sections
20 at the beginning of chapter 303 of title 18, United States
21 Code, is amended by adding to the end the following new
22 item:

“4018. Exhaustion of administrative process.”.