

ing the requirements of the third sentence of this subsection.

(e) Nothing in this section shall be construed to create a cause of action against the United States.

(Added Pub. L. 98-473, title II, § 1208, Oct. 12, 1984, 98 Stat. 2162.)

REFERENCES IN TEXT

Section 3579(b) of this title, referred to in subsec. (d), was renumbered section 3663(b) of this title by Pub. L. 98-473, title II, § 212(a)(1), Oct. 12, 1984, 98 Stat. 1987.

The date of the enactment of this chapter, referred to in subsec. (d), is the date of enactment of Pub. L. 98-473, which was approved Oct. 12, 1984.

RESTITUTION TO ESTATE OF VICTIMS KILLED BEFORE OCTOBER 12, 1984; LIMITATION

Pub. L. 99-180, title II, § 200, Dec. 13, 1985, 99 Stat. 1142, provided: "That restitution of not to exceed \$25,000 shall be paid to the estate of victims killed before October 12, 1984 as a result of crimes committed by persons who have been enrolled in the Federal witness protection program, if such crimes were committed within two years after protection was terminated, notwithstanding any limitations contained in part (a) of section 3525 of title 18 of the United States Code."

SIMILAR PROVISIONS

Similar provisions were contained in the following prior appropriation act:

Pub. L. 99-88, title I, § 100, Aug. 15, 1985, 99 Stat. 303.

§ 3526. Cooperation of other Federal agencies and State governments; reimbursement of expenses

(a) Each Federal agency shall cooperate with the Attorney General in carrying out the provisions of this chapter and may provide, on a reimbursable basis, such personnel and services as the Attorney General may request in carrying out those provisions.

(b) In any case in which a State government requests the Attorney General to provide protection to any person under this chapter—

(1) the Attorney General may enter into an agreement with that State government in which that government agrees to reimburse the United States for expenses incurred in providing protection to that person under this chapter; and

(2) the Attorney General shall enter into an agreement with that State government in which that government agrees to cooperate with the Attorney General in carrying out the provisions of this chapter with respect to all persons.

(Added Pub. L. 98-473, title II, § 1208, Oct. 12, 1984, 98 Stat. 2162.)

§ 3527. Additional authority of Attorney General

The Attorney General may enter into such contracts or other agreements as may be necessary to carry out this chapter. Any such contract or agreement which would result in the United States being obligated to make outlays may be entered into only to the extent and in such amount as may be provided in advance in an appropriation Act.

(Added Pub. L. 98-473, title II, § 1208, Oct. 12, 1984, 98 Stat. 2163.)

§ 3528. Definition

For purposes of this chapter, the term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

(Added Pub. L. 98-473, title II, § 1208, Oct. 12, 1984, 98 Stat. 2163.)

CHAPTER 225—VERDICT

Sec.

- 3531. Return; several defendants; conviction of less offense; poll of jury—Rule.
3532. Setting aside verdict of guilty; judgment notwithstanding verdict—Rule.

§ 3531. Return; several defendants; conviction of less offense; poll of jury—(Rule)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Verdict to be unanimous; return; several defendants; disagreement; conviction of less offense; poll of jury, Rule 31.

(June 25, 1948, ch. 645, 62 Stat. 837.)

§ 3532. Setting aside verdict of guilty; judgment notwithstanding verdict—(Rule)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Setting aside verdict of guilty on motion for judgment of acquittal, entering of such judgment, or ordering new trial; absence of verdict, Rule 29(b).

(June 25, 1948, ch. 645, 62 Stat. 837.)

CHAPTER 227—SENTENCES

Subchapter

Table with 2 columns: Subchapter and Sec.1. Rows include A. General Provisions (3551), B. Probation (3561), C. Fines (3571), D. Imprisonment (3581).

PRIOR PROVISIONS

A prior chapter 227 (§3561 et seq.) was repealed (except sections 3577 to 3580 which were renumbered sections 3661 to 3664, respectively), by Pub. L. 98-473, title II, §§ 212(a)(1), (2), 235(a)(1), Oct. 12, 1984, 98 Stat. 1987, 2031, as amended, effective Nov. 1, 1987, and applicable only to offenses committed after the taking effect of such repeal. See Effective Date note set out under section 3551 of this title.

Section 3561, act June 25, 1948, ch. 645, 62 Stat. 837, related to judgment form and entry—(Rule).

Section 3562, act June 25, 1948, ch. 645, 62 Stat. 837, related to sentence—(Rule).

Section 3563, act June 25, 1948, ch. 645, 62 Stat. 837, related to corruption of blood or forfeiture of estate.

Section 3564, act June 25, 1948, ch. 645, 62 Stat. 837, related to pillory and whipping.

Section 3565, acts June 25, 1948, ch. 645, 62 Stat. 837; Oct. 12, 1984, Pub. L. 98-473, title II, §§ 235(a)(1), 238(g)(1), (i), 98 Stat. 2031, 2039; Oct. 30, 1984, Pub. L. 98-596, §§ 2, 12(a)(7)(A), (9), (b), 98 Stat. 3134, 3139, 3140; Oct. 22, 1986, Pub. L. 99-514, § 2, 100 Stat. 2095, related to collection and payment of fines and penalties.

Section 3566, act June 25, 1948, ch. 645, 62 Stat. 837, related to execution of death sentence.

Section 3567, act June 25, 1948, ch. 645, 62 Stat. 838, related to death sentence may prescribe dissection.

Section 3568, acts June 25, 1948, ch. 645, 62 Stat. 838; Sept. 2, 1960, Pub. L. 86-691, §1(a), 74 Stat. 738; June 22, 1966, Pub. L. 89-465, § 4, 80 Stat. 217, related to effective

1 Editorially supplied.

date of sentence and credit for time in custody prior to the imposition of sentence.

Section 3569, acts June 25, 1948, ch. 645, 62 Stat. 838; Oct. 17, 1968, Pub. L. 90-578, title III, §301(a)(1), (3), 82 Stat. 1115; Oct. 12, 1984, Pub. L. 98-473, title II, §§235(a)(1), 238(h), (i), 98 Stat. 2031, 2039; Oct. 30, 1984, Pub. L. 98-596, §§3, 12(a)(8), (9), (b), 98 Stat. 3136, 3139, 3140, related to discharge of indigent prisoner.

Section 3570, act June 25, 1948, ch. 645, 62 Stat. 839, related to presidential remission as affecting unremitted part.

Section 3571, act June 25, 1948, ch. 645, 62 Stat. 839, related to clerical mistakes—(Rule).

Section 3572, act June 25, 1948, ch. 645, 62 Stat. 839, related to correction or reduction of sentence—(Rule).

Section 3573, act June 25, 1948, ch. 645, 62 Stat. 839, related to arrest or setting aside of judgment—(Rule).

Section 3574, act June 25, 1948, ch. 645, 62 Stat. 839, related to stay of execution and supersedeas—(Rule).

Section 3575, added Pub. L. 91-452, title X, §1001(a), Oct. 15, 1970, 84 Stat. 948, related to increased sentence for dangerous special offenders.

Section 3576, added Pub. L. 91-452, title X, §1001(a), Oct. 15, 1970, 84 Stat. 950, related to review of sentence.

Section 3577 renumbered section 3661 of this title.

Section 3578 renumbered section 3662 of this title.

Section 3579 renumbered section 3663 of this title.

Section 3580 renumbered section 3664 of this title.

SUBCHAPTER A—GENERAL PROVISIONS

SUBCHAPTER A—GENERAL PROVISIONS<sup>1</sup>

Sec.	
3551.	Authorized sentences.
3552.	Presentence reports.
3553.	Imposition of a sentence.
3554.	Order of criminal forfeiture.
3555.	Order of notice to victims.
3556.	Order of restitution.
3557.	Review of a sentence.
3558.	Implementation of a sentence.
3559.	Sentencing classification of offenses.

AMENDMENTS

1994—Pub. L. 103-322, title XXXIII, §330010(3), Sept. 13, 1994, 108 Stat. 2143, transferred analysis for this subchapter to follow heading of this subchapter.

§ 3551. Authorized sentences

(a) IN GENERAL.—Except as otherwise specifically provided, a defendant who has been found guilty of an offense described in any Federal statute, including sections 13 and 1153 of this title, other than an Act of Congress applicable exclusively in the District of Columbia or the Uniform Code of Military Justice, shall be sentenced in accordance with the provisions of this chapter so as to achieve the purposes set forth in subparagraphs (A) through (D) of section 3553(a)(2) to the extent that they are applicable in light of all the circumstances of the case.

(b) INDIVIDUALS.—An individual found guilty of an offense shall be sentenced, in accordance with the provisions of section 3553, to—

- (1) a term of probation as authorized by subchapter B;
- (2) a fine as authorized by subchapter C; or
- (3) a term of imprisonment as authorized by subchapter D.

A sentence to pay a fine may be imposed in addition to any other sentence. A sanction authorized by section 3554, 3555, or 3556 may be imposed in addition to the sentence required by this subsection.

<sup>1</sup> So in original. Probably should not appear.

(c) ORGANIZATIONS.—An organization found guilty of an offense shall be sentenced, in accordance with the provisions of section 3553, to—

- (1) a term of probation as authorized by subchapter B; or
- (2) a fine as authorized by subchapter C.

A sentence to pay a fine may be imposed in addition to a sentence to probation. A sanction authorized by section 3554, 3555, or 3556 may be imposed in addition to the sentence required by this subsection.

(Added Pub. L. 98-473, title II, §212(a)(2), Oct. 12, 1984, 98 Stat. 1988; amended Pub. L. 101-647, title XVI, §1602, Nov. 29, 1990, 104 Stat. 4843.)

REFERENCES IN TEXT

Acts of Congress applicable exclusively in the District of Columbia, referred to in subsec. (a), are classified generally to the District of Columbia Code.

The Uniform Code of Military Justice, referred to in subsec. (a), is classified generally to chapter 47 (§801 et seq.) of Title 10, Armed Forces.

AMENDMENTS

1990—Subsec. (a). Pub. L. 101-647 inserted “including sections 13 and 1153 of this title,” after “any Federal statute.”.

EFFECTIVE DATE; SAVINGS PROVISION

Section 235 of chapter II (§§211-239) of title II of Pub. L. 98-473, as amended by Pub. L. 99-217, §§2, 4, Dec. 26, 1985, 99 Stat. 1728; Pub. L. 99-646, §35, Nov. 10, 1986, 100 Stat. 3599; Pub. L. 100-182, §2, Dec. 7, 1987, 101 Stat. 1266; Pub. L. 104-232, §4, Oct. 2, 1996, 110 Stat. 3056, provided that:

“(a)(1) This chapter [see Tables for classification] shall take effect on the first day of the first calendar month beginning 36 months after the date of enactment [Oct. 12, 1984] and shall apply only to offenses committed after the taking effect of this chapter, except that—

“(A) the repeal of chapter 402 of title 18, United States Code, shall take effect on the date of enactment [Oct. 12, 1984];

“(B)(i) chapter 58 of title 28, United States Code, shall take effect on the date of enactment of this Act [Oct. 12, 1984] or October 1, 1983, whichever occurs later, and the United States Sentencing Commission shall submit the initial sentencing guidelines promulgated under section 994(a)(1) of title 28 to the Congress within 30 months of the effective date of such chapter 58; and

“(ii) the sentencing guidelines promulgated pursuant to section 994(a)(1) shall not go into effect until—

“(I) the United States Sentencing Commission has submitted the initial set of sentencing guidelines to the Congress pursuant to subparagraph (B)(i), along with a report stating the reasons for the Commission’s recommendations;

“(II) the General Accounting Office [now Government Accountability Office] has undertaken a study of the guidelines, and their potential impact in comparison with the operation of the existing sentencing and parole release system, and has, within one hundred and fifty days of submission of the guidelines, reported to the Congress the results of its study; and

“(III) the day after the Congress has had six months after the date described in subclause (I) in which to examine the guidelines and consider the reports; and

“(IV) section 212(a)(2) [enacting chapters 227 and 229 of this title and repealing former chapters 227, 229, and 231 of this title] takes effect, in the case of the initial sentencing guidelines so promulgated.

“(2) For the purposes of section 992(a) of title 28, the terms of the first members of the United States Sen-