

district, to apply to the circuit council to implement the provisions of section 3162 of this title at any time prior to the date the sanctions prescribed therein were to become effective, so long as there was concurrence that the district was prepared to fully implement the provisions of such section for provisions specifying the reporting requirements of this chapter, assuring involvement of the Congress in the suspension process, and guaranteeing that there be an interval of at least six months between consecutive suspension periods. See subsec. (d) of this section.

Subsecs. (d), (e). Pub. L. 96-43, §10(5), added subsecs. (d) and (e).

CHAPTER 209—EXTRADITION

Sec.	
3181.	Scope and limitation of chapter.
3182.	Fugitives from State or Territory to State, District, or Territory.
3183.	Fugitives from State, Territory, or Possession into extraterritorial jurisdiction of United States.
3184.	Fugitives from foreign country to United States.
3185.	Fugitives from country under control of United States into the United States.
3186.	Secretary of State to surrender fugitive.
3187.	Provisional arrest and detention within extraterritorial jurisdiction.
3188.	Time of commitment pending extradition.
3189.	Place and character of hearing.
3190.	Evidence on hearing.
3191.	Witnesses for indigent fugitives.
3192.	Protection of accused.
3193.	Receiving agent's authority over offenders.
3194.	Transportation of fugitive by receiving agent.
3195.	Payment of fees and costs.
3196.	Extradition of United States citizens.

AMENDMENTS

1996—Pub. L. 104-294, title VI, §601(f)(9), (10), Oct. 11, 1996, 110 Stat. 3500, inserted comma after “District” in item 3182 and after “Territory” in item 3183.

1990—Pub. L. 101-623, §11(b), Nov. 21, 1990, 104 Stat. 3356, added item 3196.

§ 3181. Scope and limitation of chapter

(a) The provisions of this chapter relating to the surrender of persons who have committed crimes in foreign countries shall continue in force only during the existence of any treaty of extradition with such foreign government.

(b) The provisions of this chapter shall be construed to permit, in the exercise of comity, the surrender of persons, other than citizens, nationals, or permanent residents of the United States, who have committed crimes of violence against nationals of the United States in foreign countries without regard to the existence of any treaty of extradition with such foreign government if the Attorney General certifies, in writing, that—

(1) evidence has been presented by the foreign government that indicates that had the offenses been committed in the United States, they would constitute crimes of violence as defined under section 16 of this title; and

(2) the offenses charged are not of a political nature.

(c) As used in this section, the term “national of the United States” has the meaning given such term in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)).

(June 25, 1948, ch. 645, 62 Stat. 822; Pub. L. 104-132, title IV, §443(a), Apr. 24, 1996, 110 Stat. 1280.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §658 (R.S. §5274).
Minor changes were made in phraseology.

AMENDMENTS

1996—Pub. L. 104-132 designated existing provisions as subsec. (a) and added subsecs. (b) and (c).

EXTRADITION TREATIES INTERPRETATION

Pub. L. 105-323, title II, Oct. 30, 1998, 112 Stat. 3033, provided that:

“SEC. 201. SHORT TITLE.

“This title may be cited as the ‘Extradition Treaties Interpretation Act of 1998’.

“SEC. 202. FINDINGS.

“Congress finds that—

“(1) each year, several hundred children are kidnapped by a parent in violation of law, court order, or legally binding agreement and brought to, or taken from, the United States;

“(2) until the mid-1970’s, parental abduction generally was not considered a criminal offense in the United States;

“(3) since the mid-1970’s, United States criminal law has evolved such that parental abduction is now a criminal offense in each of the 50 States and the District of Columbia;

“(4) in enacting the International Parental Kidnapping Crime Act of 1993 (Public Law 103-173; 107 Stat. 1998; 18 U.S.C. 1204), Congress recognized the need to combat parental abduction by making the act of international parental kidnapping a Federal criminal offense;

“(5) many of the extradition treaties to which the United States is a party specifically list the offenses that are extraditable and use the word ‘kidnapping’, but it has been the practice of the United States not to consider the term to include parental abduction because these treaties were negotiated by the United States prior to the development in United States criminal law described in paragraphs (3) and (4);

“(6) the more modern extradition treaties to which the United States is a party contain dual criminality provisions, which provide for extradition where both parties make the offense a felony, and therefore it is the practice of the United States to consider such treaties to include parental abduction if the other foreign state party also considers the act of parental abduction to be a criminal offense; and

“(7) this circumstance has resulted in a disparity in United States extradition law which should be rectified to better protect the interests of children and their parents.

“SEC. 203. INTERPRETATION OF EXTRADITION TREATIES.

“For purposes of any extradition treaty to which the United States is a party, Congress authorizes the interpretation of the terms ‘kidnaping’ and ‘kidnapping’ to include parental kidnapping.”

JUDICIAL ASSISTANCE TO INTERNATIONAL TRIBUNAL FOR YUGOSLAVIA AND INTERNATIONAL TRIBUNAL FOR RWANDA

Pub. L. 104-106, div. A, title XIII, §1342, Feb. 10, 1996, 110 Stat. 486, as amended by Pub. L. 111-117, div. F, title VII, §7034(t), Dec. 16, 2009, 123 Stat. 3364, provided that:

“(a) SURRENDER OF PERSONS.—

“(1) APPLICATION OF UNITED STATES EXTRADITION LAWS.—Except as provided in paragraphs (2) and (3), the provisions of chapter 209 of title 18, United States Code, relating to the extradition of persons to a foreign country pursuant to a treaty or convention for extradition between the United States and a foreign government, shall apply in the same manner and extent to the surrender of persons, including United States citizens, to—

“(A) the International Tribunal for Yugoslavia, pursuant to the Agreement Between the United

States and the International Tribunal for Yugoslavia; and

“(B) the International Tribunal for Rwanda, pursuant to the Agreement Between the United States and the International Tribunal for Rwanda.

“(2) EVIDENCE ON HEARINGS.—For purposes of applying section 3190 of title 18, United States Code, in accordance with paragraph (1), the certification referred to in that section may be made by the principal diplomatic or consular officer of the United States resident in such foreign countries where the International Tribunal for Yugoslavia or the International Tribunal for Rwanda may be permanently or temporarily situated.

“(3) PAYMENT OF FEES AND COSTS.—(A) The provisions of the Agreement Between the United States and the International Tribunal for Yugoslavia and of the Agreement Between the United States and the International Tribunal for Rwanda shall apply in lieu of the provisions of section 3195 of title 18, United States Code, with respect to the payment of expenses arising from the surrender by the United States of a person to the International Tribunal for Yugoslavia or the International Tribunal for Rwanda, respectively, or from any proceedings in the United States relating to such surrender.

“(B) The authority of subparagraph (A) may be exercised only to the extent and in the amounts provided in advance in appropriations Acts.

“(4) NONAPPLICABILITY OF THE FEDERAL RULES.—The Federal Rules of Evidence [set out in the Appendix to Title 28, Judiciary and Judicial Procedure] and the Federal Rules of Criminal Procedure [set out in the Appendix to this title] do not apply to proceedings for the surrender of persons to the International Tribunal for Yugoslavia or the International Tribunal for Rwanda.

“(b) ASSISTANCE TO FOREIGN AND INTERNATIONAL TRIBUNALS AND TO LITIGANTS BEFORE SUCH TRIBUNALS.—[Amended section 1782 of Title 28, Judiciary and Judicial Procedure.]

“(c) DEFINITIONS.—For purposes of this section:

“(1) INTERNATIONAL TRIBUNAL FOR YUGOSLAVIA.—The term ‘International Tribunal for Yugoslavia’ means the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law in the Territory of the Former Yugoslavia, as established by United Nations Security Council Resolution 827 of May 25, 1993.

“(2) INTERNATIONAL TRIBUNAL FOR RWANDA.—The term ‘International Tribunal for Rwanda’ means the International Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighboring States, as established by United Nations Security Council Resolution 955 of November 8, 1994.

“(3) AGREEMENT BETWEEN THE UNITED STATES AND THE INTERNATIONAL TRIBUNAL FOR YUGOSLAVIA.—The term ‘Agreement Between the United States and the International Tribunal for Yugoslavia’ means the Agreement on Surrender of Persons Between the Government of the United States and the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Law in the Territory of the Former Yugoslavia, signed at The Hague, October 5, 1994, as amended.

“(4) AGREEMENT BETWEEN THE UNITED STATES AND THE INTERNATIONAL TRIBUNAL FOR RWANDA.—The term ‘Agreement between the United States and the International Tribunal for Rwanda’ means the Agreement on Surrender of Persons Between the Government of the United States and the International Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the

Territory of Neighboring States, signed at The Hague, January 24, 1995.”

EXTRADITION AND MUTUAL LEGAL ASSISTANCE TREATIES AND MODEL COMPREHENSIVE ANTIDRUG LAWS

Pub. L. 100-690, title IV, §4605, Nov. 18, 1988, 102 Stat. 4290, which directed greater emphasis on updating of extradition treaties and on negotiating mutual legal assistance treaties with major drug producing and drug-transit countries, and called for development of model treaties and anti-narcotics legislation, was repealed by Pub. L. 102-583, §6(e)(1), Nov. 2, 1992, 106 Stat. 4933.

Pub. L. 100-204, title VIII, §803, Dec. 22, 1987, 101 Stat. 1397, provided that: “The Secretary of State shall ensure that the Country Plan for the United States diplomatic mission in each major illicit drug producing country and in each major drug-transit country (as those terms are defined in section 481(i) of the Foreign Assistance Act of 1961 [22 U.S.C. 2291(i)]) includes, as an objective to be pursued by the mission—

“(1) negotiating an updated extradition treaty which ensures that drug traffickers can be extradited to the United States, or

“(2) if an existing treaty provides for such extradition, taking such steps as may be necessary to ensure that the treaty is effectively implemented.”

Pub. L. 99-93, title I, §133, Aug. 16, 1985, 99 Stat. 420, provided that: “The Secretary of State, with the assistance of the National Drug Enforcement Policy Board, shall increase United States efforts to negotiate updated extradition treaties relating to narcotics offenses with each major drug-producing country, particularly those in Latin America.”

EXTRADITION AGREEMENTS

The United States currently has bilateral extradition agreements with the following countries:

Country	Date signed	Entered into force	Citation
Albania	Mar. 1, 1933	Nov. 14, 1935	49 Stat. 3313.
Antigua and Barbuda	June 3, 1996	July 1, 1999	TIAS.
Argentina ...	June 10, 1997 ...	June 15, 2000 ...	TIAS 12866.
Australia ...	Dec. 22, 1931 ...	Aug. 30, 1935 ...	47 Stat. 2122.
	May 14, 1974 ...	May 8, 1976	27 UST 957.
	Sept. 4, 1990 ...	Dec. 21, 1992 ...	1736 UNTS 344.
Austria	Jan. 8, 1998	Jan. 1, 2000	TIAS 12916.
	July 20, 2005 ...	Feb. 1, 2010	
Bahamas	Mar. 9, 1990	Sept. 22, 1994 ...	TIAS.
Barbados	Feb. 28, 1996 ...	Mar. 3, 2000	TIAS.
Belgium	Apr. 27, 1987 ...	Sept. 1, 1997 ...	TIAS.
	Dec. 16, 2004 ...	Feb. 1, 2010	
Belize	Mar. 30, 2000 ...	Mar. 27, 2001 ...	TIAS.
Bolivia	June 27, 1995 ...	Nov. 21, 1996 ...	TIAS.
Brazil	Jan. 13, 1961 ...	Dec. 17, 1964 ...	15 UST 2093.
	June 18, 1962 ...	Dec. 17, 1964 ...	15 UST 2112.
Bulgaria	Mar. 19, 1924 ...	June 24, 1924 ...	43 Stat. 1886.
	June 8, 1934	Aug. 15, 1935 ...	49 Stat. 3250.
	Sept. 19, 2007 ...	May 21, 2009 ...	
Burma	Dec. 22, 1931 ...	Nov. 1, 1941	47 Stat. 2122.
Canada	Dec. 3, 1971 ...	Mar. 22, 1976 ...	27 UST 983.
	June 28, July 9, 1974.	Mar. 22, 1976 ...	27 UST 1017.
	Jan. 11, 1988 ...	Nov. 26, 1991 ...	TIAS.
	Jan. 12, 2001 ...	Apr. 30, 2003 ...	
Chile	Apr. 17, 1900 ...	June 26, 1902 ...	32 Stat. 1850.
Colombia ...	Sept. 14, 1979 ...	Mar. 4, 1982	TIAS.
Congo	Jan. 6, 1909 ...	July 27, 1911 ...	37 Stat. 1526.
(Brazzaville).	Jan. 15, 1929 ...	May 19, 1929 ...	46 Stat. 2276.
	Apr. 23, 1936 ...	Sept. 24, 1936 ...	50 Stat. 1117.
Costa Rica ..	Dec. 4, 1982	Oct. 11, 1991 ...	TIAS.
Cuba	Apr. 6, 1904 ...	Mar. 2, 1905	33 Stat. 2265.
	Dec. 6, 1904 ...	Mar. 2, 1905	33 Stat. 2273.
	Jan. 14, 1926 ...	June 18, 1926 ...	44 Stat. 2392.
Cyprus	June 17, 1996 ...	Sept. 14, 1999 ...	TIAS.
	Jan. 20, 2006 ...	Feb. 1, 2010	
Czech Republic.	July 2, 1925	Mar. 29, 1926 ...	44 Stat. 2367.
	Apr. 29, 1935 ...	Aug. 28, 1935 ...	49 Stat. 3253.
	May 16, 2006 ...	Feb. 1, 2010	
Denmark	June 22, 1972 ...	July 31, 1974 ...	25 UST 1293.
	June 23, 2005 ...	Feb. 1, 2010	
Dominica ...	Oct. 10, 1996 ...	May 25, 2000 ...	TIAS.
Dominican Republic.	June 19, 1909 ...	Aug. 2, 1910	36 Stat. 2468.
Ecuador	June 28, 1872 ...	Nov. 12, 1873 ...	18 Stat. 199.
	Sept. 22, 1939 ...	May 29, 1941 ...	55 Stat. 1196.
Egypt	Aug. 11, 1874 ...	Apr. 22, 1875 ...	19 Stat. 572.
El Salvador ..	Apr. 18, 1911 ...	July 10, 1911 ...	37 Stat. 1516.
Estonia	Nov. 8, 1923	Nov. 15, 1924 ...	43 Stat. 1849.
	Oct. 10, 1934 ...	May 7, 1935	49 Stat. 3190.
	Feb. 8, 2006	Apr. 7, 2009	

Country	Date signed	Entered into force	Citation	Country	Date signed	Entered into force	Citation
European Union.	June 25, 2003 ...	Feb. 1, 2010		Sierra Leone	Dec. 22, 1931	June 24, 1935 ...	47 Stat. 2122.
Fiji	Dec. 22, 1931	June 24, 1935 ...	47 Stat. 2122.	Singapore ...	Dec. 22, 1931	June 24, 1935 ...	47 Stat. 2122.
Finland	July 14, 1972, ...	Aug. 17, 1973 ...	24 UST 1965.		Apr. 23, June 10, 1969 ...	June 10, 1969 ...	20 UST 2764.
France	Aug. 17, 1973, ...	June 11, 1980	31 UST 944.	Slovakia ¹ ...	July 2, 1925	Mar. 29, 1926 ...	44 Stat. 2367.
Gambia	June 11, 1976 ...	May 11, 1980	31 UST 944.		Apr. 29, 1935	Aug. 28, 1935 ...	49 Stat. 3253.
Germany	Dec. 16, 2004 ...	Feb. 1, 2010		Slovenia ¹ ...	Feb. 6, 2006	Feb. 1, 2010	
Ghana	Apr. 23, 1996 ...	Feb. 1, 2002	TIAS.	Solomon Islands.	Oct. 17, 2005	Feb. 1, 2010	
Greece	Sept. 30, 2004 ...	Feb. 1, 2010	TIAS.	South Africa	June 8, 1972	Jan. 21, 1977 ...	28 UST 277.
Honduras	Dec. 22, 1931 ...	June 24, 1935 ...	47 Stat. 2122.	South Korea			
Iceland	June 20, 1978 ...	Aug. 29, 1980 ...	32 UST 1485.	Spain	Sept. 16, 1999 ...	June 25, 2001 ...	TIAS.
India	Oct. 21, 1986 ...	Mar. 11, 1993 ...	TIAS.		June 9, 1998	Dec. 20, 1999 ...	TIAS 12962.
Indonesia	Apr. 18, 2006 ...	Feb. 1, 2010	47 Stat. 2122.		May 29, 1970	June 16, 1971 ...	22 UST 737.
Italy	Dec. 22, 1931 ...	June 24, 1935 ...	47 Stat. 2122.		Jan. 25, 1975	June 2, 1978 ...	29 UST 2283.
Jamaica	May 6, 1931 ...	Nov. 1, 1932 ...	47 Stat. 2185.		Feb. 9, 1988	July 2, 1993 ...	TIAS.
Japan	Sept. 2, 1937 ...	Sept. 2, 1937 ...	51 Stat. 357.		Mar. 12, 1996 ...	July 25, 1999 ...	TIAS.
Korea	Jan. 18, 2006 ...	Feb. 1, 2010	47 Stat. 2122.		Dec. 17, 2004 ...	Feb. 1, 2010	TIAS.
Latvia	May 30, 1996 ...	Sept. 14, 1999 ...	TIAS.		Sept. 30, 1999 ...	Jan. 12, 2001 ...	TIAS.
Lesotho	Feb. 27, 1903 ...	Aug. 15, 1903 ...	33 Stat. 2147.		June 2, 1887 ...	July 11, 1889 ...	26 Stat. 1481.
Liberia	Feb. 20, 1940 ...	Mar. 13, 1941 ...	55 Stat. 1097.		Jan. 18, 1904 ...	Aug. 28, 1904 ...	33 Stat. 2257.
Lithuania	Dec. 22, 1931 ...	June 24, 1935 ...	47 Stat. 2122.		Dec. 22, 1931 ...	June 24, 1935 ...	47 Stat. 2122.
Luxembourg	Aug. 9, 1904 ...	June 28, 1905 ...	34 Stat. 2858.		May 13, July 28, 1970 ...	July 28, 1970 ...	21 UST 1930.
Malawi	Jan. 15, 1909 ...	July 10, 1912 ...	37 Stat. 1616.				
Malaysia	Feb. 21, 1927 ...	June 5, 1928 ...	45 Stat. 2489.				
Malta	Dec. 20, 1996 ...	Jan. 21, 1998 ...	TIAS.				
Marshall Islands.	Dec. 1, 1994 ...	Mar. 18, 1997 ...	TIAS.				
Mauritius	Nov. 15, 2005 ...	Feb. 1, 2010	TIAS.				
Mexico	Jan. 6, 1902 ...	May 16, 1902 ...	32 Stat. 1096.				
Micronesia, Federated States of.	Nov. 6, 1905 ...	Feb. 19, 1906 ...	34 Stat. 2887.				
Monaco	June 25, 1997 ...	July 21, 1999 ...	TIAS 12873.				
Nauru	June 7, 1934 ...	Apr. 23, 1936 ...	49 Stat. 3360.				
Netherlands	July 13, 1983 ...	Dec. 15, 1984 ...	TIAS 10813.				
New Zealand	July 14, 2005 ...	Feb. 1, 2010	TIAS 10813.				
Nicaragua	Dec. 10, 1962 ...	Dec. 5, 1963 ...	14 UST 1707. ²				
Nigeria	July 6, 2005 ...	Jan. 10, 2007 ...					
Norway	Oct. 13, 1983 ...	Sept. 24, 1984 ...	35 UST 3023.				
Pakistan	May 3, 2006 ...	Feb. 1, 2010	TIAS.				
Panama	June 14, 1983 ...	July 7, 1991 ...	TIAS.				
Papua New Guinea.	Mar. 3, 1978 ...	Mar. 26, 1980 ...	31 UST 892.				
Paraguay	Mar. 28, 1995 ...	July 29, 1995 ...	TIAS.				
Peru	Dec. 22, 1931 ...	June 24, 1935 ...	47 Stat. 2122.				
Philippines	May 14, Aug. 19, 1965 ...	Aug. 19, 1965 ...	16 UST 1866.				
Poland	June 8, 1972 ...	Jan. 21, 1977 ...	28 UST 227.				
Portugal	Oct. 16, 1923 ...	Mar. 1, 1924 ...	43 Stat. 1738.				
Romania	Oct. 10, 1934 ...	Mar. 29, 1935 ...	49 Stat. 3131.				
Saint Kitts and Nevis.	Dec. 7, 2005 ...	Apr. 15, 2009 ...					
Saint Lucia	Dec. 22, 1931 ...	June 24, 1935 ...	47 Stat. 2122.				
Saint Vincent and the Grenadines.	Nov. 1, 1937 ...	Nov. 21, 1939 ...	54 Stat. 1733.				
San Marino	May 14, 2003 ...	June 25, 2004 ...	50 Stat. 1337.				
Seychelles	Oct. 23, 2001 ...	Mar. 31, 2003 ...	TIAS 13166.				
Sierra Leone	June 15, 2005 ...	Feb. 1, 2010	TIAS 12804.				
Singapore ...	Oct. 1, 1996 ...	Feb. 1, 2002	TIAS 12804.				
Slovakia ¹ ...	Feb. 1, 2005 ...	Feb. 1, 2010	47 Stat. 2122.				
Slovenia ¹ ...	Dec. 22, 1931 ...	June 24, 1935 ...	47 Stat. 2122.				
Solomon Islands.	Apr. 17, 1966, ...	Apr. 4, 1967 ...	18 UST 1822.				
South Africa	Jan. 6, 1967, ...	June 2, 1997 ...	TIAS.				
South Korea	Aug. 3, 1995 ...	June 2, 1997 ...	TIAS.				
Spain	Dec. 22, 1931 ...	June 24, 1935 ...	47 Stat. 2122.				
Sweden	May 18, 2006 ...	July 1, 2009 ...	47 Stat. 2122.				
Switzerland	Apr. 30, 2003 ...	May 1, 2004 ...	47 Stat. 2122.				
Tanzania	Mar. 31, 2003 ...	Apr. 26, 2007 ...	35 UST 3197.				
Thailand	Dec. 16, 2004 ...	Feb. 1, 2010	TIAS.				
Tonga	Nov. 14, 1990 ...	Sept. 10, 1997 ...	TIAS.				
Trinidad and Tobago.	Dec. 22, 1931 ...	June 24, 1935 ...	47 Stat. 2122.				
Turkey	Nov. 30, Dec. 6, 1965 ...	Dec. 6, 1965 ...	16 UST 2066.				
Tuvalu	Dec. 14, 1983 ...	May 17, 1991 ...	TIAS.				
United Kingdom.	Dec. 22, 1931 ...	Aug. 1, 1966 ...	47 Stat. 2122.				
Uruguay	Mar. 14, Apr. 13, 1977 ...	Apr. 13, 1977 ...	28 UST 5290.				
Venezuela	Mar. 4, 1996 ...	Nov. 29, 1999 ...	TIAS.				
Yugoslavia ¹	June 7, 1979 ...	Jan. 1, 1981 ...	32 UST 3111.				
Zambia	June 8, 1972 ...	Jan. 21, 1977 ...	28 UST 227.				
Zimbabwe		Apr. 25, 1980 ...	32 UST 1310.				

¹ Status of agreements with successor states of Czechoslovakia and Yugoslavia is under review; inquire of the Treaty Office of the United States Department of State.

² Typographical error corrected by diplomatic notes exchanged Apr. 4 and 11, 1967. See 18 UST 382, 383.

CONVENTION ON EXTRADITION

The United States is a party to the Multilateral Convention on Extradition signed at Montevideo on Dec. 26, 1933, entered into force for the United States on Jan. 25, 1935. 49 Stat. 3111.

Other states which have become parties: Argentina, Chile, Colombia, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama.

§ 3182. Fugitives from State or Territory to State, District, or Territory

Whenever the executive authority of any State or Territory demands any person as a fugitive from justice, of the executive authority of any State, District, or Territory to which such person has fled, and produces a copy of an indictment found or an affidavit made before a magistrate of any State or Territory, charging the person demanded with having committed treason, felony, or other crime, certified as authentic by the governor or chief magistrate of the State or Territory from whence the person so charged has fled, the executive authority of the State, District, or Territory to which such person has fled shall cause him to be arrested and secured, and notify the executive authority making such demand, or the agent of such authority appointed to receive the fugitive, and shall cause the fugitive to be delivered to such agent when he shall appear. If no such agent appears within thirty days from the time of the arrest, the prisoner may be discharged.