

1902, ch. 1301, §1, 32 Stat. 475; Mar. 22, 1934, ch. 73, §§2, 3, 48 Stat. 455).

First paragraph of this section consolidates provisions as to costs and expenses from said sections 662, 662c, and 662d.

Minor changes were made in phraseology and surplusage was omitted.

Remaining provisions of said sections 662, 662c, and 662d of title 18, U.S.C., 1940 ed., are incorporated in sections 752, 3182, 3183, and 3187 of this title.

The words "or the Department of Justice as the case may be" were added at the end of the second paragraph in conformity with the appropriation acts of recent years. See for example act July 5, 1946, ch. 541, title II, 60 Stat. 460.

AMENDMENTS

1968—Pub. L. 90-578 substituted "magistrate" for "commissioner" in two places.

CHANGE OF NAME

Words "magistrate judge" substituted for "magistrate" wherever appearing in text pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE OF 1968 AMENDMENT

Amendment by Pub. L. 90-578 effective Oct. 17, 1968, except when a later effective date is applicable, which is the earlier of a date when implementation of amendment by appointment of magistrates [now United States magistrate judges] and assumption of office takes place or third anniversary of enactment of Pub. L. 90-578 on Oct. 17, 1968, see section 403 of Pub. L. 90-578, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure.

§ 3196. Extradition of United States citizens

If the applicable treaty or convention does not obligate the United States to extradite its citizens to a foreign country, the Secretary of State may, nevertheless, order the surrender to that country of a United States citizen whose extradition has been requested by that country if the other requirements of that treaty or convention are met.

(Added Pub. L. 101-623, §11(a), Nov. 21, 1990, 104 Stat. 3356.)

CHAPTER 211—JURISDICTION AND VENUE

- Sec. 3231. District courts.
- 3232. District of offense—Rule.
- 3233. Transfer within district—Rule.
- 3234. Change of venue to another district—Rule.
- 3235. Venue in capital cases.
- 3236. Murder or manslaughter.
- 3237. Offenses begun in one district and completed in another.
- 3238. Offenses not committed in any district.
- 3239. Optional venue for espionage and related offenses.
- 3240. Creation of new district or division.
- 3241. Jurisdiction of offenses under certain sections.
- 3242. Indians committing certain offenses; acts on reservations.
- 3243. Jurisdiction of State of Kansas over offenses committed by or against Indians on Indian reservations.
- 3244. Jurisdiction of proceedings relating to transferred offenders.

AMENDMENTS

1994—Pub. L. 103-322, title XXXII, §320909(b), Sept. 13, 1994, 108 Stat. 2127, added item 3239.

1984—Pub. L. 98-473, title II, §1204(b), Oct. 12, 1984, 98 Stat. 2152, struck out item 3239 "Threatening communications".

1978—Pub. L. 95-598, title III, §314(j)(2), Nov. 6, 1978, 92 Stat. 2678, added item 3244.

§ 3231. District courts

The district courts of the United States shall have original jurisdiction, exclusive of the courts of the States, of all offenses against the laws of the United States.

Nothing in this title shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof.

(June 25, 1948, ch. 645, 62 Stat. 826.)

HISTORICAL AND REVISION NOTES

Based on section 588d of title 12, U.S.C., 1940 ed., Banks and Banking; title 18, U.S.C., 1940 ed., §§546, 547 (Mar. 4, 1909, ch. 321, §§326, 340, 35 Stat. 1151, 1153; Mar. 3, 1911, ch. 231, §291, 36 Stat. 1167; May 18, 1934, ch. 304, §4, 48 Stat. 783).

This section was formed by combining sections 546 and 547 of title 18, U.S.C., 1940 ed., with section 588d of title 12, U.S.C., Banks and Banking, with no change of substance.

The language of said section 588d of title 12, U.S.C., 1940 ed., which related to bank robbery, or killing or kidnapping as an incident thereto (see section 2113, of this title), and which read "Jurisdiction over any offense defined by sections 588b and 588c of this title shall not be reserved exclusively to courts of the United States" was omitted as adequately covered by this section.

SENATE REVISION AMENDMENT

The text of this section was changed by Senate amendment. See Senate Report No. 1620, amendment No. 10, 80th Cong.

§ 3232. District of offense—(Rule)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Proceedings to be in district and division in which offense committed, Rule 18.

(June 25, 1948, ch. 645, 62 Stat. 826.)

§ 3233. Transfer within district—(Rule)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Arraignment, plea, trial, sentence in district of more than one division, Rule 19.

(June 25, 1948, ch. 645, 62 Stat. 826.)

REFERENCES IN TEXT

Rule 19 of the Federal Rules of Criminal Procedure, referred to in text, was rescinded Feb. 28, 1966, eff. July 1, 1966.

§ 3234. Change of venue to another district—(Rule)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Plea or disposal of case in district other than that in which defendant was arrested, Rule 20.

(June 25, 1948, ch. 645, 62 Stat. 826.)

§ 3235. Venue in capital cases

The trial of offenses punishable with death shall be had in the county where the offense was committed, where that can be done without great inconvenience.

(June 25, 1948, ch. 645, 62 Stat. 826.)