

that the district is prepared to implement the provisions of section 3162 in their entirety, he may apply to the judicial council of the circuit in which the district is located to implement such provisions. Such application shall show the degree of compliance in the district with the time limits set forth in subsections (b) and (c) of section 3161 during the twelve-calendar-month period preceding the date of such application and shall contain a proposed order and schedule for such implementation, which includes the date on which the provisions of section 3162 are to become effective in the district, the effect such implementation will have upon such district's practices and procedures, and provision for adequate notice to all interested parties.

(2) After review of any such application, the judicial council of the circuit shall enter an order implementing the provisions of section 3162 in their entirety in the district making application, or shall return such application to the chief judge of such district, together with an explanation setting forth such council's reasons for refusing to enter such order.

(d)(1) The approval of any application made pursuant to subsection (a) or (c) by a judicial council of a circuit shall be reported within ten days to the Director of the Administrative Office of the United States Courts, together with a copy of the application, a written report setting forth in sufficient detail the reasons for granting such application, and, in the case of an application made pursuant to subsection (a), a proposal for alleviating congestion in the district.

(2) The Director of the Administrative Office of the United States Courts shall not later than ten days after receipt transmit such report to the Congress and to the Judicial Conference of the United States. The judicial council of the circuit shall not grant a suspension to any district within six months following the expiration of a prior suspension without the consent of the Congress by Act of Congress. The limitation on granting a suspension made by this paragraph shall not apply with respect to any judicial district in which the prior suspension is in effect on the date of the enactment of the Speedy Trial Act Amendments Act of 1979.

(e) If the chief judge of the district court concludes that the need for suspension of time limits in such district under this section is of great urgency, he may order the limits suspended for a period not to exceed thirty days. Within ten days of entry of such order, the chief judge shall apply to the judicial council of the circuit for a suspension pursuant to subsection (a).

(Added Pub. L. 93-619, title I, §101, Jan. 3, 1975, 88 Stat. 2085; amended Pub. L. 96-43, §10, Aug. 2, 1979, 93 Stat. 331.)

REFERENCES IN TEXT

The date of enactment of the Speedy Trial Act Amendments Act of 1979, referred to in subsec. (d)(2), means the date of enactment of Pub. L. 96-43, which was approved Aug. 2, 1979.

AMENDMENTS

1979—Pub. L. 96-43, §10(6), inserted "and implementation" in section catchline.

Subsec. (a). Pub. L. 96-43, §10(1), inserted "as provided by subsection (b)".

Subsec. (b). Pub. L. 96-43, §10(2), (3), substituted provisions authorizing the circuit judicial council, upon application of the chief judge of a district, to grant a suspension of the time limits prescribed by section 3161(c) of this title for provisions requiring such circuit council to apply to the Judicial Council of the United States for a suspension of such time limits and substituted provision placing a one hundred and eighty day limit on any time increase from indictment to trial for provision placing such limit for any increase from arraignment to trial.

Subsec. (c). Pub. L. 96-43, §10(4), substituted provisions authorizing the chief judge of any district, with the approval of the planning group convened in such 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

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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—