

(Added Pub. L. 93-415, title V, §508, Sept. 7, 1974, 88 Stat. 1137; amended Pub. L. 95-115, §8(b), Oct. 3, 1977, 91 Stat. 1060; Pub. L. 98-473, title II, §1202, Oct. 12, 1984, 98 Stat. 2150; Pub. L. 103-322, title XIV, §140005, Sept. 13, 1994, 108 Stat. 2032; Pub. L. 104-294, title VI, §601(f)(16), (o), Oct. 11, 1996, 110 Stat. 3500, 3502.)

REFERENCES IN TEXT

Section 401 of the Controlled Substances Act, referred to in subsecs. (d) and (f), is classified to section 841 of Title 21, Food and Drugs.

Sections 1001(a), 1005, or 1009 of the Controlled Substances Import and Export Act, referred to in subsecs. (d) and (f), are classified to sections 951(a), 955, and 959, respectively, of Title 21.

AMENDMENTS

1996—Subsec. (d). Pub. L. 104-294, §601(f)(16), substituted “section 401 of the Controlled Substances Act or section 1001(a), 1005, or 1009 of the Controlled Substances Import and Export Act” for “section 841, 952(a), 955, or 959 of title 21”.

Subsec. (f). Pub. L. 104-294 substituted “section 401 of the Controlled Substances Act or section 1001(a), 1005, or 1009 of the Controlled Substances Import and Export Act” for “section 841, 952(a), 955, or 959 of title 21”, “juvenile has been found guilty” for “juvenile has been found guilty”, and “the Federal Bureau of Investigation” for “the Federal Bureau of Investigation, Identification Division”.

1994—Subsec. (f). Pub. L. 103-322 inserted “or whenever a juvenile has been found guilty of committing an act after his 13th birthday which if committed by an adult would be an offense described in the second sentence of the fourth paragraph of section 5032 of this title,” after “title 21.”

1984—Pub. L. 98-473 amended section generally, striking out in subsec. (a) provisions that, upon completion of any delinquency proceedings the court shall order the entire record and file to be sealed, substituting a new subsec. (d) for a former subsec. (d) which provided that unless a juvenile is prosecuted as an adult neither fingerprints nor photographs shall be taken without the consent of the judge and the juveniles name and picture shall not be made available to any public medium of communication and adding subsecs. (e) and (f).

1977—Subsec. (a)(6). Pub. L. 95-115 added par. (6).

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-115 effective Oct. 1, 1977, see section 263(c) of Pub. L. 93-415, as added by Pub. L. 95-115, set out as a note under section 5601 of Title 42, The Public Health and Welfare.

§ 5039. Commitment

No juvenile committed, whether pursuant to an adjudication of delinquency or conviction for an offense, to the custody of the Attorney General may be placed or retained in an adult jail or correctional institution in which he has regular contact with adults incarcerated because they have been convicted of a crime or are awaiting trial on criminal charges.

Every juvenile who has been committed shall be provided with adequate food, heat, light, sanitary facilities, bedding, clothing, recreation, counseling, education, training, and medical care including necessary psychiatric, psychological, or other care and treatment.

Whenever possible, the Attorney General shall commit a juvenile to a foster home or community-based facility located in or near his home community.

(Added Pub. L. 93-415, title V, §509, Sept. 7, 1974, 88 Stat. 1138; amended Pub. L. 103-322, title XIV, §140003, Sept. 13, 1994, 108 Stat. 2032.)

AMENDMENTS

1994—Pub. L. 103-322 inserted “, whether pursuant to an adjudication of delinquency or conviction for an offense,” after “committed” in first par.

§ 5040. Support

The Attorney General may contract with any public or private agency or individual and such community-based facilities as halfway houses and foster homes for the observation and study and the custody and care of juveniles in his custody. For these purposes, the Attorney General may promulgate such regulations as are necessary and may use the appropriation for “support of United States prisoners” or such other appropriations as he may designate.

(Added Pub. L. 93-415, title V, §510, Sept. 7, 1974, 88 Stat. 1138.)

[§ 5041. Repealed. Pub. L. 98-473, title II, §214(b), Oct. 12, 1984, 98 Stat. 2014]

Section, added Pub. L. 93-415, title V, §511, Sept. 7, 1974, 88 Stat. 1138; amended Pub. L. 94-233, §11, Mar. 15, 1976, 90 Stat. 233, related to parole for juvenile delinquents.

EFFECTIVE DATE OF REPEAL

Repeal effective Nov. 1, 1987, and applicable only to offenses committed after the taking effect of such repeal, with section to remain in effect for five years as to an individual who committed an offense or an act of juvenile delinquency before Nov. 1, 1987, and as to a term of imprisonment during the period described in section 235(a)(1)(B) of Pub. L. 98-473, see section 235(a)(1), (b)(1)(D) of Pub. L. 98-473, set out as an Effective Date note under section 3551 of this title.

§ 5042. Revocation of probation

Any juvenile probationer shall be accorded notice and a hearing with counsel before his probation can be revoked.

(Added Pub. L. 93-415, title V, §512, Sept. 7, 1974, 88 Stat. 1138; amended Pub. L. 98-473, title II, §214(c), Oct. 12, 1984, 98 Stat. 2014.)

AMENDMENTS

1984—Pub. L. 98-473 struck out “parole or” before “probation” in section catchline and text, and struck out “parolee or” before “probationer” in text.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Nov. 1, 1987, and applicable only to offenses committed after the taking effect of such amendment, with section as in effect prior to such amendment to remain in effect for five years as and individual who committed an offense or an act of juvenile delinquency before Nov. 1, 1987, and as to a term of imprisonment during the period described in section 235(a)(1)(B) of Pub. L. 98-473, see section 235(a)(1), (b)(1)(D) of Pub. L. 98-473, set out as an Effective Date note under section 3551 of this title.

PART V—IMMUNITY OF WITNESSES

CHAPTER 601—IMMUNITY OF WITNESSES

Sec.	
6001.	Definitions.
6002.	Immunity generally.
6003.	Court and grand jury proceedings.
6004.	Certain administrative proceedings.
6005.	Congressional proceedings.

AMENDMENTS

1994—Pub. L. 103-322, title XXXIII, §330013(1), Sept. 13, 1994, 108 Stat. 2146, added heading for chapter 601.

1970—Pub. L. 91-452, title II, §201(a), Oct. 15, 1970, 84 Stat. 926, added part V and items 6001 to 6005.

§ 6001. Definitions

As used in this chapter—

(1) “agency of the United States” means any executive department as defined in section 101 of title 5, United States Code, a military department as defined in section 102 of title 5, United States Code, the Nuclear Regulatory Commission, the Board of Governors of the Federal Reserve System, the China Trade Act registrar appointed under 53 Stat. 1432 (15 U.S.C. sec. 143), the Commodity Futures Trading Commission, the Federal Communications Commission, the Federal Deposit Insurance Corporation, the Federal Maritime Commission, the Federal Power Commission, the Federal Trade Commission, the Surface Transportation Board, the National Labor Relations Board, the National Transportation Safety Board, the Railroad Retirement Board, an arbitration board established under 48 Stat. 1193 (45 U.S.C. sec. 157), the Securities and Exchange Commission, or a board established under 49 Stat. 31 (15 U.S.C. sec. 715d);

(2) “other information” includes any book, paper, document, record, recording, or other material;

(3) “proceeding before an agency of the United States” means any proceeding before such an agency with respect to which it is authorized to issue subpoenas and to take testimony or receive other information from witnesses under oath; and

(4) “court of the United States” means any of the following courts: the Supreme Court of the United States, a United States court of appeals, a United States district court established under chapter 5, title 28, United States Code, a United States bankruptcy court established under chapter 6, title 28, United States Code, the District of Columbia Court of Appeals, the Superior Court of the District of Columbia, the District Court of Guam, the District Court of the Virgin Islands, the United States Court of Federal Claims, the Tax Court of the United States, the Court of International Trade, and the Court of Appeals for the Armed Forces.

(Added Pub. L. 91-452, title II, §201(a), Oct. 15, 1970, 84 Stat. 926; amended Pub. L. 95-405, §25, Sept. 30, 1978, 92 Stat. 877; Pub. L. 95-598, title III, §314(l), Nov. 6, 1978, 92 Stat. 2678; Pub. L. 96-417, title VI, §601(1), Oct. 10, 1980, 94 Stat. 1744; Pub. L. 97-164, title I, §164(1), Apr. 2, 1982, 96 Stat. 50; Pub. L. 102-550, title XV, §1543, Oct. 28, 1992, 106 Stat. 4069; Pub. L. 102-572, title IX, §902(b)(1), Oct. 29, 1992, 106 Stat. 4516; Pub. L. 103-272, §4(d), July 5, 1994, 108 Stat. 1361; Pub. L. 103-322, title XXXIII, §330013(2), (3), Sept. 13, 1994, 108 Stat. 2146; Pub. L. 103-337, div. A, title IX, §924(d)(1)(B), Oct. 5, 1994, 108 Stat. 2832; Pub. L. 104-88, title III, §303(2), Dec. 29, 1995, 109 Stat. 943.)

AMENDMENTS

1995—Par. (1). Pub. L. 104-88 substituted “Surface Transportation Board” for “Interstate Commerce Commission”.

1994—Pub. L. 103-322, §330013(3), substituted “chapter” for “part” in introductory provisions.

Par. (1). Pub. L. 103-322, §330013(2), substituted “Nuclear Regulatory Commission” for “Atomic Energy Commission” and struck out “the Subversive Activities Control Board,” after “Securities and Exchange Commission.”

Pub. L. 103-272 struck out “the Civil Aeronautics Board,” before “the Commodity Futures”.

Par. (4). Pub. L. 103-337 substituted “Court of Appeals for the Armed Forces” for “Court of Military Appeals”.

1992—Par. (1). Pub. L. 102-550 inserted “the Board of Governors of the Federal Reserve System,” after “the Atomic Energy Commission.”

Par. (4). Pub. L. 102-572 substituted “United States Court of Federal Claims” for “United States Claims Court”.

1982—Par. (4). Pub. L. 97-164 substituted “the United States Claims Court” for “the United States Court of Claims, the United States Court of Customs and Patent Appeals”.

1980—Par. (4). Pub. L. 96-417 redesignated the Customs Court as the Court of International Trade.

1978—Par. (1). Pub. L. 95-405 inserted “the Commodity Futures Trading Commission,” after “Civil Aeronautics Board.”

Par. (4). Pub. L. 95-598 inserted “a United States bankruptcy court established under chapter 6, title 28, United States Code,” after “title 28, United States Code.”

EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104-88 effective Jan. 1, 1996, see section 2 of Pub. L. 104-88, set out as an Effective Date note under section 1301 of Title 49, Transportation.

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-572 effective Oct. 29, 1992, see section 911 of Pub. L. 102-572, set out as a note under section 171 of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97-164 effective Oct. 1, 1982, see section 402 of Pub. L. 97-164, set out as a note under section 171 of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-417 effective Nov. 1, 1980, and applicable with respect to civil actions pending on or commenced on or after such date, see section 701(a) of Pub. L. 96-417, set out as a note under section 251 of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE OF 1978 AMENDMENTS

Amendment by Pub. L. 95-598 effective Oct. 1, 1979, see section 402(a) of Pub. L. 95-598, set out as an Effective Date note preceding section 101 of Title 11, Bankruptcy.

Amendment by Pub. L. 95-405 effective Oct. 1, 1978, see section 28 of Pub. L. 95-405, set out as a note under section 2 of Title 7, Agriculture.

EFFECTIVE DATE; SAVINGS PROVISION

Pub. L. 91-452, title II, §260, Oct. 15, 1970, 84 Stat. 931, provided that: “The provisions of part V of title 18, United States Code, added by title II of this Act [this part], and the amendments and repeals made by title II of this Act [sections 835, 895, 1406, 1954, 2424, 2514 and 3486 of this title, sections 15, 87f(f), 135c, 499m(f), and 2115 of Title 7, Agriculture, section 25 of former Title 11, Bankruptcy, section 1820 of Title 12, Banks and Banking, sections 32, 33, 49, 77v, 78u(d), 79r(e), 80a-41, 80b-9, 155, 171m, 1271, and 1714 of Title 15, Commerce and Trade, section 825f of Title 16, Conservation, section 1333 of Title 19, Customs Duties, section 373 of Title 21, Food and Drugs, sections 4874 and 7493 of Title 26, Internal Revenue Code, section 161(3) of Title 29, Labor, sec-