

“(a) IN GENERAL.—The Director of the National Institute of Corrections, in consultation with persons with expertise in the field of community-based drug rehabilitation, shall establish and operate, at any suitable location, a national training center (hereinafter in this section referred to as the ‘center’) for training Federal, State, and local prison or jail officials to conduct drug rehabilitation programs for criminals convicted of drug-related crimes and for drug-dependent criminals. Programs conducted at the center shall include training for correctional officers, administrative staff, and correctional mental health professionals (including subcontracting agency personnel).

“(b) DESIGN AND CONSTRUCTION OF FACILITIES.—The Director of the National Institute of Corrections shall design and construct facilities for the center.

“(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated with respect to the National Institute of Corrections, there are authorized to be appropriated to the Director of the National Institute of Corrections—

“(1) for establishment and operation of the center, for curriculum development for the center, and for salaries and expenses of personnel at the center, not more than \$4,000,000 for each of fiscal years 1989, 1990, and 1991; and

“(2) for design and construction of facilities for the center, not more than \$10,000,000 for fiscal years 1989, 1990, and 1991.”

**[§ 4353. Repealed. Pub. L. 107-273, div. A, title III, § 301(a), Nov. 2, 2002, 116 Stat. 1780]**

Section, added Pub. L. 93-415, title V, §521, Sept. 7, 1974, 88 Stat. 1141, authorized appropriations to carry out purposes of this chapter.

**PART IV—CORRECTION OF YOUTHFUL OFFENDERS**

Chap.		Sec.
<b>401.</b>	<b>General provisions .....</b>	<b>5001</b>
<b>402.</b>	<b>Repealed .....</b>	
<b>403.</b>	<b>Juvenile delinquency .....</b>	<b>5031</b>

**AMENDMENTS**

1984—Pub. L. 98-473, title II, §218(g), Oct. 12, 1984, 98 Stat. 2027, in item for chapter 402 substituted “Repealed” for “Federal Youth Corrections Act”.

1950—Act Sept. 30, 1950, ch. 1115, §5(a), 64 Stat. 1090, added item for chapter 402.

**CHAPTER 401—GENERAL PROVISIONS**

Sec.	
5001.	Surrender to State authorities; expenses.
[5002.	Repealed.]
5003.	Custody of State offenders.

**AMENDMENTS**

1996—Pub. L. 104-134, title I, §101[(a)] [title VI, §614(a)(2)], Apr. 26, 1996, 110 Stat. 1321, 1321-65; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327, struck out item 5002 “Advisory Corrections Council”.

1952—Act May 9, 1952, ch. 253, §2, 66 Stat. 68, added item 5003.

1950—Act Sept. 30, 1950, ch. 1115, §5(b), 64 Stat. 1090, added item 5002.

**§ 5001. Surrender to State authorities; expenses**

Whenever any person under twenty-one years of age has been arrested, charged with the commission of an offense punishable in any court of the United States or of the District of Columbia, and, after investigation by the Department of Justice, it appears that such person has committed an offense or is a delinquent under the laws

of any State or of the District of Columbia which can and will assume jurisdiction over such juvenile and will take him into custody and deal with him according to the laws of such State or of the District of Columbia, and that it will be to the best interest of the United States and of the juvenile offender, the United States attorney of the district in which such person has been arrested may forego his prosecution and surrender him as herein provided, unless such surrender is precluded under section 5032 of this title.

The United States marshal of such district upon written order of the United States attorney shall convey such person to such State or the District of Columbia, or, if already therein, to any other part thereof and deliver him into the custody of the proper authority thereof.

Before any person is conveyed from one State to another or from or to the District of Columbia under this section, he shall signify his willingness to be so returned, or there shall be presented to the United States attorney a demand from the executive authority of such State or the District of Columbia, to which the prisoner is to be returned, supported by indictment or affidavit as prescribed by section 3182 of this title.

The expense incident to the transportation of any such person, as herein authorized, shall be paid from the appropriation “Salaries, Fees, and Expenses, United States Marshals.”

(June 25, 1948, ch. 645, 62 Stat. 857; Pub. L. 100-690, title VI, §6467(b), Nov. 18, 1988, 102 Stat. 4376.)

**HISTORICAL AND REVISION NOTES**

Based on title 18, U.S.C., 1940 ed., §662a (June 11, 1932, ch. 243, 47 Stat. 301).

Language preceding “Whenever” was omitted as unnecessary, and “the District of Columbia” was inserted after “State”.

Changes were made in phraseology and surplusage eliminated.

**AMENDMENTS**

1988—Pub. L. 100-690 inserted “, unless such surrender is precluded under section 5032 of this title” before period at end of first par.

**[§ 5002. Repealed. Pub. L. 104-134, title I, § 101(a) [title VI, § 614(a)(1)], Apr. 26, 1996, 110 Stat. 1321, 1321-65; renumbered title I, Pub. L. 104-140, § 1(a), May 2, 1996, 110 Stat. 1327]**

Section, added act Sept. 30, 1950, ch. 1115, §4, 64 Stat. 1090; amended Oct. 12, 1984, Pub. L. 98-473, title II, §223(p), 98 Stat. 2030, provided for creation of Advisory Corrections Council.

**EFFECTIVE DATE OF REPEAL**

Pub. L. 104-134, title I, §101[(a)] [title VI, §614(b)], Apr. 26, 1996, 110 Stat. 1321, 1321-65, provided that: “This section [repealing this section] shall take effect 30 days after the date of the enactment of this Act [Apr. 26, 1996].”

**§ 5003. Custody of State offenders**

(a)(1) The Director of the Bureau of Prisons when proper and adequate facilities and personnel are available may contract with proper officials of a State or territory, for the custody, care, subsistence, education, treatment, and

training of persons convicted of criminal offenses in the courts of such State or territory.

(2) Any such contract shall provide—

(A) for reimbursing the United States in full for all costs or expenses involved;

(B) for receiving in exchange persons convicted of criminal offenses in the courts of the United States, to serve their sentence in appropriate institutions or facilities of the State or territory by designation as provided in section 4082(b)<sup>1</sup> of this title, this exchange to be made according to formulas or conditions which may be negotiated in the contract; or

(C) for compensating the United States by means of a combination of monetary payment and of receipt of persons convicted of criminal offenses in the courts of the United States, according to formulas or conditions which may be negotiated in the contract.

(3) No such contract shall provide for the receipt of more State or territory prisoners by the United States than are transferred to that State or territory by such contract.

(b) Funds received under such contract may be deposited in the Treasury to the credit of the appropriation or appropriations from which the payments for such service were originally made.

(c) Unless otherwise specifically provided in the contract, a person committed to the Attorney General hereunder shall be subject to all the provisions of law and regulations applicable to persons committed for violations of laws of the United States not inconsistent with the sentence imposed.

(d) The term “State” as used in this section includes any State, territory, or possession of the United States, and the Canal Zone.

(Added May 9, 1952, ch. 253, §1, 66 Stat. 68; amended Pub. L. 89-267, §1, Oct. 19, 1965, 79 Stat. 990; Pub. L. 99-646, §66, Nov. 10, 1986, 100 Stat. 3615.)

#### REFERENCES IN TEXT

Section 4082(b) of this title, referred to in subsec. (a)(2)(B), was repealed, and section 4082(f) was redesignated section 4082(b), by Pub. L. 98-473, title II, §218(a), Oct. 12, 1984, 98 Stat. 2027.

For definition of Canal Zone, referred to in subsec. (d), see section 3602(b) of Title 22, Foreign Relations and Intercourse.

#### AMENDMENTS

1986—Subsec. (a). Pub. L. 99-646 amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: “The Attorney General, when the Director shall certify that proper and adequate treatment facilities and personnel are available, is hereby authorized to contract with the proper officials of a State or Territory for the custody, care, subsistence, education, treatment, and training of persons convicted of criminal offenses in the courts of such State or Territory: *Provided*, That any such contract shall provide for reimbursing the United States in full for all costs or other expenses involved.”

1965—Subsec. (d). Pub. L. 89-267 added subsec. (d).

#### [CHAPTER 402—REPEALED]

**[§§ 5005, 5006. Repealed. Pub. L. 98-473, title II, §218(a)(8), Oct. 12, 1984, 98 Stat. 2027]**

Section 5005, added act Sept. 30, 1950, ch. 1115, §2, 64 Stat. 1086; amended Mar. 15, 1976, Pub. L. 94-233, §3, 90

Stat. 231, related to the making of youth correction decisions by United States Parole Commission.

Section 5006, added act Sept. 30, 1950, ch. 1115, §2, 64 Stat. 1086; amended Mar. 15, 1976, Pub. L. 94-233, §4, 90 Stat. 231, defined terms for the purpose of this chapter.

#### EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 12, 1984, see section 235(a)(1)(A) of Pub. L. 98-473, set out as an Effective Date note under section 3551 of this title.

**[§§ 5007 to 5009. Repealed. Pub. L. 94-233, §5, Mar. 15, 1976, 90 Stat. 231]**

Section 5007, added act Sept. 30, 1950, ch. 1115, §2, 64 Stat. 1086, provided for meetings and duties of members of Youth Correction Division.

Section 5008, added act Sept. 30, 1950, ch. 1115, §2, 64 Stat. 1086, provided for appointment of officers and employees by Attorney General.

Section 5009, added act Sept. 30, 1950, ch. 1115, §2, 64 Stat. 1086, provided for adoption and promulgation of rules governing procedure by Youth Correction Division.

#### EFFECTIVE DATE OF REPEAL

Repeal effective on 60th day following Mar. 15, 1976, see section 16(b) of Pub. L. 94-233, set out as an Effective Date note under section 4201 of this title.

**[§§ 5010 to 5026. Repealed. Pub. L. 98-473, title II, §218(a)(8), Oct. 12, 1984, 98 Stat. 2027]**

Section 5010, added act Sept. 30, 1950, ch. 1115, §2, 64 Stat. 1087; amended Mar. 15, 1976, Pub. L. 94-233, §9, 90 Stat. 232, provided for imposition of a suspended sentence or sentence to custody of the Attorney General in the case of youth offenders.

Section 5011, added act Sept. 30, 1950, ch. 1115, §2, 64 Stat. 1087, provided for treatment of youth offenders.

Section 5012, added act Sept. 30, 1950, ch. 1115, §2, 64 Stat. 1087, provided for Director's certification of the availability of proper and adequate treatment facilities for youth offenders.

Section 5013, added act Sept. 30, 1950, ch. 1115, §2, 64 Stat. 1087, authorized Director of Bureau of Prisons to contract for maintenance of youth offenders.

Section 5014, added act Sept. 30, 1950, ch. 1115, §2, 64 Stat. 1087; amended July 17, 1970, Pub. L. 91-339, §1, 84 Stat. 437; Mar. 15, 1976, Pub. L. 94-233, §6, 90 Stat. 231, related to classification studies and reports.

Section 5015, added act Sept. 30, 1950, ch. 1115, §2, 64 Stat. 1088; amended Mar. 15, 1976, Pub. L. 94-233, §9, 90 Stat. 232, related to powers of Director as to placement of youth offenders.

Section 5016, added act Sept. 30, 1950, ch. 1115, §2, 64 Stat. 1088; amended Mar. 15, 1976, Pub. L. 94-233, §9, 90 Stat. 232, related to periodic reports which the Director was required to make on all committed youth offenders.

Section 5017, added act Sept. 30, 1950, ch. 1115, §2, 64 Stat. 1088; amended Mar. 15, 1976, Pub. L. 94-233, §7, 9, 90 Stat. 232, related to release of youth offenders.

Section 5018, added act Sept. 30, 1950, ch. 1115, §2, 64 Stat. 1089; amended Mar. 15, 1976, Pub. L. 94-233, §9, 90 Stat. 232, related to revocation of Commission orders.

Section 5019, added act Sept. 30, 1950, ch. 1115, §2, 64 Stat. 1089; amended Mar. 15, 1976, Pub. L. 94-233, §9, 90 Stat. 232, related to supervision of released youth offenders.

Section 5020, added act Sept. 30, 1950, ch. 1115, §2, 64 Stat. 1089; amended July 17, 1970, Pub. L. 91-339, §2, 84 Stat. 437; Mar. 15, 1976, Pub. L. 94-233, §8, 90 Stat. 232, related to apprehension of released youth offenders.

Section 5021, added act Sept. 30, 1950, ch. 1115, §2, 64 Stat. 1089; amended Oct. 3, 1961, Pub. L. 87-336, 75 Stat. 750; Mar. 15, 1976, Pub. L. 94-233, §9, 90 Stat. 232, related to issuance of certificates setting aside convictions of youth offenders.

Section 5022, added act Sept. 30, 1950, ch. 1115, §2, 64 Stat. 1089, provided that this chapter would not apply

<sup>1</sup> See References in Text note below.