

quired under clause (i), a staff member of a juvenile facility decides to place a covered juvenile in room confinement, the staff member shall first—

- (I) explain to the covered juvenile the reasons for the room confinement; and
- (II) inform the covered juvenile that release from room confinement will occur—

(aa) immediately when the covered juvenile regains self-control, as described in subparagraph (B)(i); or

(bb) not later than after the expiration of the time period described in subclause (I) or (II) of subparagraph (B)(ii), as applicable.

(B) MAXIMUM PERIOD OF CONFINEMENT.—If a covered juvenile is placed in room confinement because the covered juvenile poses a serious and immediate risk of physical harm to himself or herself, or to others, the covered juvenile shall be released—

(i) immediately when the covered juvenile has sufficiently gained control so as to no longer engage in behavior that threatens serious and immediate risk of physical harm to himself or herself, or to others; or

(ii) if a covered juvenile does not sufficiently gain control as described in clause (i), not later than—

(I) 3 hours after being placed in room confinement, in the case of a covered juvenile who poses a serious and immediate risk of physical harm to others; or

(II) 30 minutes after being placed in room confinement, in the case of a covered juvenile who poses a serious and immediate risk of physical harm only to himself or herself.

(C) RISK OF HARM AFTER MAXIMUM PERIOD OF CONFINEMENT.—If, after the applicable maximum period of confinement under subclause (I) or (II) of subparagraph (B)(ii) has expired, a covered juvenile continues to pose a serious and immediate risk of physical harm described in that subclause—

(i) the covered juvenile shall be transferred to another juvenile facility or internal location where services can be provided to the covered juvenile without relying on room confinement; or

(ii) if a qualified mental health professional believes the level of crisis service needed is not currently available, a staff member of the juvenile facility shall initiate a referral to a location that can meet the needs of the covered juvenile.

(D) SPIRIT AND PURPOSE.—The use of consecutive periods of room confinement to evade the spirit and purpose of this subsection shall be prohibited.

(Added Pub. L. 115-391, title VI, §613(a), Dec. 21, 2018, 132 Stat. 5247.)

PART V—IMMUNITY OF WITNESSES

CHAPTER 601—IMMUNITY OF WITNESSES

Sec.
6001. Definitions.

Sec.
6002. Immunity generally.
6003. Court and grand jury proceedings.
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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, 717m, 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, section 506 of Title 33, Navigation and Navigable waters, sections 405(f) and 2201 of Title 42, The Public Health and Welfare, sections 157 and 362 of Title 45, Railroads, sections 827 and 1124 of former Title 46, Shipping, section 409(d) of Title 47, Telecommunications, sections 9, 43, 46, 47, 48, 916, 1017, and 1484 of former Title 49, Transportation, sections 792 and 4555 of Title 50, War and National Defense, and former sections 643a, 1152, and 2026 of the former Appendix to Title 50], shall take effect on the sixtieth day following the date of the enactment of this Act [Oct. 15, 1970]. No amendment to or repeal of any provision of law under title II of this Act shall affect any immunity to which any individual is entitled under such provision by reason of any testimony or other information given before such day.”

SAVINGS PROVISION

Amendment by section 314 of Pub. L. 95-598 not to affect the application of chapter 9 (§151 et seq.), chapter 96 (§1961 et seq.), or section 2516, 3057, or 3284 of this title to any act of any person (1) committed before Oct. 1, 1979, or (2) committed after Oct. 1, 1979, in connection with a case commenced before such date, see section 403(d) of Pub. L. 95-598, set out as a note preceding section 101 of Title 11, Bankruptcy.

AMENDMENT OR REPEAL OF INCONSISTENT PROVISIONS

Section 259 of Pub. L. 91-452 provided that: “In addition to the provisions of law specifically amended or specifically repealed by this title [see Effective Date note above], any other provision of law inconsistent with the provisions of part V of title 18, United States Code (adding by title II of this Act) [this part], is to that extent amended or repealed.”

TERMINATION OF FEDERAL POWER COMMISSION

The Federal Power Commission, referred to in par. (1) was terminated and the functions, personnel, property, funds, etc., thereof were transferred to the Secretary of Energy (except for certain functions which were transferred to the Federal Energy Regulatory Commission) by sections 7151(b), 7171(a), 7172(a), 7291, and 7293 of Title 42, The Public Health and Welfare.

§ 6002. Immunity generally

Whenever a witness refuses, on the basis of his privilege against self-incrimination, to testify or provide other information in a proceeding before or ancillary to—

- (1) a court or grand jury of the United States,
- (2) an agency of the United States, or
- (3) either House of Congress, a joint committee of the two Houses, or a committee or a subcommittee of either House,

and the person presiding over the proceeding communicates to the witness an order issued under this title, the witness may not refuse to comply with the order on the basis of his privilege against self-incrimination; but no testimony or other information compelled under the order (or any information directly or indirectly derived from such testimony or other information) may be used against the witness in any criminal case, except a prosecution for perjury,