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4014.	Testing for human immunodeficiency virus.

Editorial Notes

AMENDMENTS

- 1998—Pub. L. 105-370, §2(b), Nov. 12, 1998, 112 Stat. 3375, added item 4014.
- 1988—Pub. L. 100-690, title VII, §7608(d)(2), Nov. 18, 1988, 102 Stat. 4517, added item 4013.
- 1984—Pub. L. 98-473, title II, §1109(e), Oct. 12, 1984, 98 Stat. 2148, added item 4012.
- 1971—Pub. L. 92-128, §1(c), Sept. 25, 1971, 85 Stat. 347, substituted “Limitation on detention; control of prisons” for “Control by Attorney General” in item 4001.
- 1966—Pub. L. 89-554, §3(e), Sept. 6, 1966, 80 Stat. 610, added items 4010 and 4011.

§ 4001. Limitation on detention; control of prisons

(a) No citizen shall be imprisoned or otherwise detained by the United States except pursuant to an Act of Congress.

(b)(1) The control and management of Federal penal and correctional institutions, except military or naval institutions, shall be vested in the Attorney General, who shall promulgate rules for the government thereof, and appoint all necessary officers and employees in accordance with the civil-service laws, the Classification Act, as amended, and the applicable regulations.

(2) The Attorney General may establish and conduct industries, farms, and other activities and classify the inmates; and provide for their proper government, discipline, treatment, care, rehabilitation, and reformation.

(June 25, 1948, ch. 645, 62 Stat. 847; Pub. L. 92-128, §1(a), (b), Sept. 25, 1971, 85 Stat. 347.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1934 ed., §§741 and 753e (Mar. 3, 1891, ch. 529, §§1, 4, 26 Stat. 839; May 14, 1930, ch. 274, §6, 46 Stat. 326).

This section consolidates said sections 741 and 753e with such changes of language as were necessary to effect consolidation.

“The Classification Act, as amended,” was inserted more clearly to express the existing procedure for appointment of officers and employees as noted in letter of the Director of Bureau of Prisons, June 19, 1944.

Editorial Notes

REFERENCES IN TEXT

The Classification Act, as amended, referred to in subsec. (b)(1), originally was the Classification Act of 1923, Mar. 4, 1923, ch. 265, 42 Stat. 1488, which was repealed by section 1202 of the Classification Act of 1949,

Oct. 28, 1949, ch. 782, 63 Stat. 972. Section 1106(a) of the 1949 Act provided that references in other laws to the Classification Act of 1923 shall be held and considered to mean the Classification Act of 1949. The Classification Act of 1949 was in turn repealed by Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 632, and reenacted by the first section thereof as chapter 51 and subchapter III of chapter 53 of Title 5.

AMENDMENTS

1971—Pub. L. 92-128, §1(b), substituted “Limitation on detention; control of prisons” for “Control by Attorney General” in section catchline.

Subsec. (a). Pub. L. 92-128, §1(a), added subsec. (a).
Subsec. (b). Pub. L. 92-128, §1(a), designated existing first and second pars. as pars. (1) and (2) of subsec. (b).

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106-294, §1, Oct. 12, 2000, 114 Stat. 1038, provided that: “This Act [enacting section 4048 of this title and amending section 4013 of this title] may be cited as the ‘Federal Prisoner Health Care Copayment Act of 2000’.”

SHORT TITLE OF 1998 AMENDMENT

Pub. L. 105-370, §1, Nov. 12, 1998, 112 Stat. 3374, provided that: “This Act [enacting section 4014 of this title and provisions set out as a note under section 4042 of this title] may be cited as the ‘Correction Officers Health and Safety Act of 1998’.”

FEDERAL LAW ENFORCEMENT DEATH IN CUSTODY REPORTING REQUIREMENT

Pub. L. 113-242, §3, Dec. 18, 2014, 128 Stat. 2861, provided that:

“(a) IN GENERAL.—For each fiscal year (beginning after the date that is 120 days after the date of the enactment of this Act [Dec. 18, 2014]), the head of each Federal law enforcement agency shall submit to the Attorney General a report (in such form and manner specified by the Attorney General) that contains information regarding the death of any person who is—

“(1) detained, under arrest, or is in the process of being arrested by any officer of such Federal law enforcement agency (or by any State or local law enforcement officer while participating in and for purposes of a Federal law enforcement operation, task force, or any other Federal law enforcement capacity carried out by such Federal law enforcement agency); or

“(2) en route to be incarcerated or detained, or is incarcerated or detained at—

“(A) any facility (including any immigration or juvenile facility) pursuant to a contract with such Federal law enforcement agency;

“(B) any State or local government facility used by such Federal law enforcement agency; or

“(C) any Federal correctional facility or Federal pre-trial detention facility located within the United States.

“(b) INFORMATION REQUIRED.—Each report required by this section shall include, at a minimum, the information required by section 2(b) [34 U.S.C. 60105(b)].

“(c) STUDY AND REPORT.—Information reported under subsection (a) shall be analyzed and included in the study and report required by section 2(f) [34 U.S.C. 60105(f)].”

PLACEMENT OF CERTAIN PERSONS IN PRIVATELY OPERATED PRISONS

Pub. L. 106-553, §1(a)(2) [title I, §114, formerly §115], Dec. 21, 2000, 114 Stat. 2762, 2762A-68; renumbered §114, Pub. L. 106-554, §1(a)(4) [div. A, §213(a)(2)], Dec. 21, 2000, 114 Stat. 2763, 2763A-179, provided that: “Beginning in fiscal year 2001 and thereafter, funds appropriated to the Federal Prison System may be used to place in pri-