

§109(a), Dec. 21, 1982, 96 Stat. 1820; Pub. L. 101-647, title XXXV, §3599F, Nov. 29, 1990, 104 Stat. 4932; Pub. L. 111-211, title II, §261(b), July 29, 2010, 124 Stat. 2299.)

Editorial Notes

AMENDMENTS

2010—Subsec. (a)(1), (3), (4). Pub. L. 111-211, §261(b)(1), inserted “tribal,” after “State.”

Subsec. (a)(6). Pub. L. 111-211, §261(b)(2), inserted “and tribal communities,” after “States” and “, tribal,” after “State”.

Subsec. (a)(8). Pub. L. 111-211, §261(b)(1), inserted “tribal,” after “State.”

Subsec. (a)(12). Pub. L. 111-211, §261(b)(3), inserted “, tribal,” after “State”.

1990—Subsec. (c). Pub. L. 101-647 substituted “this chapter shall” for “this shall”.

1982—Subsec. (b). Pub. L. 97-375 struck out subsec. (b) which directed the Institute to submit an annual report to the President and Congress, including a comprehensive and detailed report of the Institute’s operations, activities, financial condition and accomplishments under this title, and which might include such recommendations related to corrections as the Institute deemed appropriate.

Statutory Notes and Related Subsidiaries

INCLUSION OF NATIONAL INSTITUTE OF CORRECTIONS IN FEDERAL PRISON SYSTEM SALARIES AND EXPENSES BUDGET

Pub. L. 104-208, div. A, title I, §101(a), [title I], Sept. 30, 1996, 110 Stat. 3009, 3009-11, provided in part: “That the National Institute of Corrections hereafter shall be included in the FPS Salaries and Expenses budget, in the Contract Confinement program and shall continue to perform its current functions under 18 U.S.C. 4351, et seq., with the exception of its grant program and shall collect reimbursement for services whenever possible”.

REPEALS

Pub. L. 93-415, title V, §521, Sept. 7, 1974, 88 Stat. 1140, cited as a credit to this section, was repealed by Pub. L. 115-385, title III, §307, Dec. 21, 2018, 132 Stat. 5152.

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, §101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

NATIONAL TRAINING CENTER FOR PRISON DRUG REHABILITATION PROGRAM PERSONNEL

Pub. L. 100-690, title VI, §6292, Nov. 18, 1988, 102 Stat. 4369, which provided that the Director of the National Institute of Corrections, in consultation with persons with expertise in the field of community-based drug rehabilitation, was to establish and operate, at any suitable location, a national training 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, was editorially reclassified as section 10426 of Title 34, Crime Control and Law Enforcement.

[§ 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

Table with 2 columns: Chap. and Sec.
401. General provisions 5001
402. Repealed
403. Juvenile delinquency 5031

Editorial Notes

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

Table with 2 columns: Sec. and Description
5001. Surrender to State authorities; expenses.
[5002. Repealed.]
5003. Custody of State offenders.

Editorial Notes

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