

Section 221 of the Medicare Access and CHIP Reauthorization Act of 2015, referred to in subsec. (h)(4), is section 221 of Pub. L. 114-10, title II, Apr. 16, 2015, 129 Stat. 154. Section 221(c) of the Act provided for a condition on certain appropriations and is not classified to the Code.

Section 50901(e) of the Advancing Chronic Care, Extenders, and Social Services Act, referred to in subsec. (h)(4), is section 50901(e) of Pub. L. 115-123, div. E, title IX, Feb. 9, 2018, 132 Stat. 289. Section 50901(e) of the Act related to application of amounts appropriated pursuant to that section and is not classified to the Code.

Section 3831 of the CARES Act, referred to in subsec. (h)(4), is section 3831 of Pub. L. 116-136, div. A, title III, Mar. 27, 2020, 134 Stat. 433, which amended this section and sections 254b-2 and 256h of Title 42, The Public Health and Welfare, and contained provisions related to application of amounts appropriated pursuant to the amendments made by that section which are not classified to the Code.

Section 2101 of the Continuing Appropriations Act, 2021 and Other Extensions Act, referred to in subsec. (h)(4), is section 2101 of Pub. L. 116-159, div. C, title I, Oct. 1, 2020, 134 Stat. 728, which amended this section and sections 254b-2 and 256h of Title 42, The Public Health and Welfare, and contained provisions related to application of amounts appropriated pursuant to the amendments made by that section which are not classified to the Code.

Section 1201(d) of the Further Continuing Appropriations Act, 2021, and Other Extensions Act, referred to in subsec. (h)(4), is section 1201(d) of Pub. L. 116-215, div. B, title II, Dec. 11, 2020, 134 Stat. 1044, which related to application of amounts appropriated pursuant to the amendments made by that section and is not classified to the Code.

Section 301(d) of division BB of the Consolidated Appropriations Act, 2021, referred to in subsec. (h)(4), is section 301(d) of Pub. L. 116-260, div. BB, title III, Dec. 27, 2020, 134 Stat. 2922, which related to application of amounts appropriated pursuant to the amendments made by that section and is not classified to the Code.

AMENDMENTS

2021—Subsec. (a). Pub. L. 117-70 substituted “February 18, 2022” for “December 31, 2021” in introductory provisions.

Pub. L. 117-43 substituted “December 31, 2021” for “September 30, 2021” in introductory provisions.

2020—Subsec. (h)(4). Pub. L. 116-260 substituted “, section 1201(d) of the Further Continuing Appropriations Act, 2021, and Other Extensions Act, and section 301(d) of division BB of the Consolidated Appropriations Act, 2021,” for “and section 1201(d) of the Further Continuing Appropriations Act, 2021, and Other Extensions Act”.

Pub. L. 116-215 substituted “Social Services Act,” for “Social Services Act,” and “section 2101 of the Continuing Appropriations Act, 2021 and Other Extensions Act, and section 1201(d) of the Further Continuing Appropriations Act, 2021, and Other Extensions Act” for “and section 2101 of the Continuing Appropriations Act, 2021 and Other Extensions Act”.

Pub. L. 116-159 substituted “Social Services Act,” for “Social Services Act,,” and “, section 3831 of the CARES Act, and section 2101 of the Continuing Appropriations Act, 2021 and Other Extensions Act” for “and section 3831 of the CARES Act”.

Pub. L. 116-136 substituted “section 3831 of the CARES Act” for “section 401(d) of division N of the Further Consolidated Appropriations Act, 2020”.

2019—Subsec. (h)(4). Pub. L. 116-94 substituted “, and section 401(d) of division N of the Further Consolidated Appropriations Act, 2020” for “section 1101(d) of division B of the Continuing Appropriations Act, 2020, and Health Extenders Act of 2019, and section 1101(d) of the Further Continuing Appropriations Act, 2020, and Further Health Extenders Act of 2019”.

Pub. L. 116-69 substituted “, section 1101(d) of division B of the Continuing Appropriations Act, 2020, and

Health Extenders Act of 2019, and section 1101(d) of the Further Continuing Appropriations Act, 2020, and Further Health Extenders Act of 2019” for “and section 1101(d) of division B of the Continuing Appropriations Act, 2020, and Health Extenders Act of 2019”.

Pub. L. 116-59 substituted “, section 50901(e) of the Advancing Chronic Care, Extenders, and Social Services Act, and section 1101(d) of division B of the Continuing Appropriations Act, 2020, and Health Extenders Act of 2019” for “and section 50901(e) of the Advancing Chronic Care, Extenders, and Social Services Act”.

2018—Subsec. (a). Pub. L. 115-392, §2(b)(1), substituted “September 30, 2021” for “September 30, 2019” in introductory provisions.

Subsec. (e)(1). Pub. L. 115-392, §2(b)(2), substituted “2023” for “2019” in introductory provisions.

Subsec. (f). Pub. L. 115-392, §2(b)(3), inserted “, including the mandatory imposition of civil remedies for satisfaction of an unpaid fine as authorized under section 3613, where appropriate” after “criminal cases”.

Subsec. (h)(3). Pub. L. 115-392, §2(b)(4), inserted “and child victims of a severe form of trafficking (as defined in section 103 of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7102))” after “child pornography victims”.

Subsec. (h)(4). Pub. L. 115-123 substituted “and section 50901(e) of the Advancing Chronic Care, Extenders, and Social Services Act” for “and section 3101(d) of the CHIP and Public Health Funding Extension Act”.

2017—Subsec. (h)(1). Pub. L. 115-96, §3101(e)(1), substituted “subparagraphs (E) and (F) of section 10503(b)(1) of the Patient Protection and Affordable Care Act (42 U.S.C. 254b-2(b)(1))” for “section 10503(b)(1)(E) of the Patient Protection and Affordable Care Act (42 U.S.C. 254b-2(b)(1)(E)), as amended by section 221 of the Medicare Access and CHIP Reauthorization Act of 2015”.

Subsec. (h)(4). Pub. L. 115-96, §3101(e)(2), inserted “and section 3101(d) of the CHIP and Public Health Funding Extension Act” after “section 221(c) of the Medicare Access and CHIP Reauthorization Act of 2015”.

2015—Subsec. (e)(1)(D). Pub. L. 114-22, §905, added subpar. (D).

CHAPTER 203—ARREST AND COMMITMENT

Sec.	
3041.	Power of courts and magistrates.
3042.	Extraterritorial jurisdiction.
[3043.]	Repealed.]
3044.	Complaint—Rule.
3045.	Internal revenue violations.
3046.	Warrants or summons—Rule. ¹
3047.	Multiple warrants unnecessary.
3048.	Commitment to another district; removal—Rule.
3049.	Warrant for removal.
3050.	Bureau of Prisons employees’ powers.
3051.	Powers of Special Agents of Bureau of Alcohol, Tobacco, Firearms, and Explosives ²
3052.	Powers of Federal Bureau of Investigation.
3053.	Powers of marshals and deputies.
[3054.]	Repealed.]
3055.	Officers’ powers to suppress Indian liquor traffic.
3056.	Powers, authorities, and duties of United States Secret Service.
3056A.	Powers, authorities, and duties of United States Secret Service Uniformed Division.
3057.	Bankruptcy investigations.
3058.	Interned belligerent nationals.
3059.	Rewards and appropriations therefor. ³
3059A.	Special rewards for information relating to certain financial institution offenses. ³

¹ So in original. Does not conform to section catchline.

² So in original. Probably should be followed by a period.

³ Section repealed by Pub. L. 107-273 without corresponding amendment of chapter analysis.

- 3059B. General reward authority.³
 3060. Preliminary examination.
 3061. Investigative powers of Postal Service personnel.
 3062. General arrest authority for violation of release conditions.
 3063. Powers of Environmental Protection Agency.
 3064. Powers of Federal Motor Carrier Safety Administration.

Editorial Notes

AMENDMENTS

2006—Pub. L. 109-177, title VI, § 605(b), Mar. 9, 2006, 120 Stat. 255, added item 3056A.

Pub. L. 109-162, title XI, § 1172(a), Jan. 5, 2006, 119 Stat. 3123, added item 3051.

2005—Pub. L. 109-59, title IV, § 4143(c)(2), Aug. 10, 2005, 119 Stat. 1748, added item 3064.

1996—Pub. L. 104-294, title VI, § 605(n), Oct. 11, 1996, 110 Stat. 3510, added item 3059B.

1994—Pub. L. 103-322, title XXXIII, § 330010(18), Sept. 13, 1994, 108 Stat. 2144, inserted a period at end of item 3059A.

1990—Pub. L. 101-647, title XXXV, § 3570, Nov. 29, 1990, 104 Stat. 4928, struck out item 3054 “Officer’s powers involving animals and birds”.

Pub. L. 101-647, title XXV, § 2587(b), Nov. 29, 1990, 104 Stat. 4905, as amended, effective as of date section 2587(b) of Pub. L. 101-647 took effect, by Pub. L. 103-322, title XXXIII, § 330011(a), Sept. 13, 1994, 108 Stat. 2144, added item 3059A.

1988—Pub. L. 100-690, title VI, § 6251(b), Nov. 18, 1988, 102 Stat. 4362, substituted “Investigative powers of Postal Service personnel” for “Powers of postal personnel” in item 3061.

Pub. L. 100-582, § 4(b), Nov. 1, 1988, 102 Stat. 2959, added item 3063.

1984—Pub. L. 98-587, § 1(b), Oct. 30, 1984, 98 Stat. 3111, substituted “Powers, authorities, and duties of United States Secret Service” for “Secret Service powers” in item 3056.

Pub. L. 98-473, title II, § 204(e), Oct. 12, 1984, 98 Stat. 1986, substituted “Repealed” for “Security of the peace and good behavior” in item 3043 and added item 3062.

1970—Pub. L. 91-375, § 6(j)(38)(B), Aug. 12, 1970, 84 Stat. 782, substituted “postal personnel” for “postal inspectors” in item 3061.

1968—Pub. L. 90-578, title III, § 303(b), Oct. 17, 1968, 82 Stat. 1118, struck out reference to “Rule” in item 3060.

Pub. L. 90-560, § 5(b), Oct. 12, 1968, 82 Stat. 998, added item 3061.

1951—Act Oct. 31, 1951, ch. 655, § 56(f), 65 Stat. 729, struck out item 3051 “Extradition agent’s powers”.

§ 3041. Power of courts and magistrates

For any offense against the United States, the offender may, by any justice or judge of the United States, or by any United States magistrate judge, or by any chancellor, judge of a supreme or superior court, chief or first judge of the common pleas, mayor of a city, justice of the peace, or other magistrate, of any state where the offender may be found, and at the expense of the United States, be arrested and imprisoned or released as provided in chapter 207 of this title, as the case may be, for trial before such court of the United States as by law has cognizance of the offense. Copies of the process shall be returned as speedily as may be into the office of the clerk of such court, together with the recognizances of the witnesses for their appearances to testify in the case.

A United States judge or magistrate judge shall proceed under this section according to rules promulgated by the Supreme Court of the

United States. Any state judge or magistrate acting hereunder may proceed according to the usual mode of procedure of his state but his acts and orders shall have no effect beyond determining, pursuant to the provisions of section 3142 of this title, whether to detain or conditionally release the prisoner prior to trial or to discharge him from arrest.

(June 25, 1948, ch. 645, 62 Stat. 815; Pub. L. 89-465, § 5(a), June 22, 1966, 80 Stat. 217; Pub. L. 90-578, title III, § 301(a)(1), (3), Oct. 17, 1968, 82 Stat. 1115; Pub. L. 98-473, title II, § 204(a), Oct. 12, 1984, 98 Stat. 1985; Pub. L. 101-650, title III, § 321, Dec. 1, 1990, 104 Stat. 5117.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 591 (R.S. § 1014; May 28, 1896, ch. 252, § 19, 29 Stat. 184; Mar. 2, 1901, ch. 814, 31 Stat. 956).

This section was completely rewritten to omit all provisions superseded by Federal Rules of Criminal Procedure, rules 3, 4, 5, 40 and 54(a) which prescribed the procedure for preliminary proceedings and examinations before United States judges and commissioners and for removal proceedings but not for preliminary examinations before State magistrates.

Editorial Notes

AMENDMENTS

1984—Pub. L. 98-473 substituted “determining, pursuant to the provisions of section 3142 of this title, whether to detain or conditionally release the prisoner prior to trial” for “determining to hold the prisoner for trial”.

1968—Pub. L. 90-578 substituted “United States magistrate” and “magistrate” for “United States commissioner” and “commissioner”, respectively.

1966—Pub. L. 89-465 substituted “or released as provided in chapter 207 of this title” for “or bailed”.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

“United States magistrate judge” substituted for “United States magistrate” in text pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE OF 1968 AMENDMENT

Amendment by Pub. L. 90-578 effective Oct. 17, 1968, except when a later effective date is applicable, which is the earlier of date when implementation of amendment by appointment of magistrates [now United States magistrate judges] and assumption of office takes place or third anniversary of enactment of Pub. L. 90-578 on Oct. 17, 1968, see section 403 of Pub. L. 90-578, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE OF 1966 AMENDMENT

Amendment by Pub. L. 89-465 effective ninety days after June 22, 1966, see section 6 of Pub. L. 89-465, set out as an Effective Date note under section 3146 of this title.

§ 3042. Extraterritorial jurisdiction

Section 3041 of this title shall apply in any country where the United States exercises extraterritorial jurisdiction for the arrest and removal therefrom to the United States of any citizen or national of the United States who is a fugitive from justice charged with or convicted of the commission of any offense against the