TITLE 18 - CRIMES AND CRIMINAL PROCEDURE
PART IV - CORRECTION OF YOUTHFUL OFFENDERS
CHAPTER 401 - GENERAL PROVISIONS

§ 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) 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in the Treasury to the credit of the appropriation or appropriations from which the payments for such service were originally made.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.

Footnotes

1 See References in Text note below.


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 (a)(2)(B), was repealed, and section 4082 (f) was redesignated section 4082 (b), by Pub.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.”