

of the requisite organizations so to contract by the controlling date at any time is for reasons beyond the control of those organizations, he may set a new controlling date but not beyond December 31, 1952.

(b) Repayment contracts made in connection with the use of capacity in either American Falls or Palisades Reservoir may include, among other things, such provisions as the Secretary determines to be proper to give effect to recommendations referred to in section 1 of this Act, and particularly those concerning the continued effectiveness of the arrangements as to the minimum average annual water savings.

SEC. 5. There is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sums of not to exceed \$76,601,000 for the Palisades Dam and Reservoir project, Idaho, \$11,395,000 for the Minidoka project north side pumping division, Idaho, and \$6,600,000 for the American Falls power plant.

Approved September 30, 1950.

Repayment contracts.

Appropriation authorized.

[CHAPTER 1115]

AN ACT

To provide a system for the treatment and rehabilitation of youth offenders, to improve the administration of criminal justice, and for other purposes.

September 30, 1950  
[S. 2609]  
[Public Law 865]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4201 of title 18 of the United States Code is amended to read as follows:

Title 18, U. S. Code.  
amendments.  
62 Stat. 854.  
18 U. S. C., Sup. III,  
§ 4201.

"Sec. 4201. Board of Parole; members; salaries.

"There is hereby created in the Department of Justice a Board of Parole to consist of eight members to be appointed by the President, by and with the advice and consent of the Senate. The salary of each member of the Board shall be fixed in accordance with the Classification Act of 1923, as amended, and any Acts supplementary thereto or in substitution therefor. The members of the Board first appointed under this section shall be appointed for terms as follows: Two for two years, two for three years, two for four years, and two for six years, respectively, from the effective date of this section. The term of office of a successor to any member shall expire six years from the date of the expiration of the term for which his predecessor was appointed, except that any person appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. Upon the expiration of his term of office, a member of the Board shall continue to act until his successor shall have been appointed and qualified. The Attorney General shall from time to time designate one of its members to serve as Chairman of said Board and delegate to him the necessary administrative duties and responsibilities."

63 Stat. 972, 954.  
5 U. S. C., Sup. III,  
§§ 1071-1153.  
*Ante*, pp. 232, 262;  
*post*, p. 1100.

SEC. 2. Part IV of title 18 of the United States Code is hereby amended by inserting therein a new chapter immediately after chapter 401 thereof, as follows:

Federal Youth Corrections Act.  
62 Stat. 856.  
18 U. S. C., Sup. III,  
§ 5001 *et seq.*

"CHAPTER 402—FEDERAL YOUTH CORRECTIONS ACT

"Sec.

- "5005. Youth Correction Division.
- "5006. Definitions.
- "5007. Duties of members; meetings.
- "5008. Officers and employees.
- "5009. Rules of Division.
- "5010. Sentence.
- "5011. Treatment.
- "5012. Certificate as to availability of facilities.

## "CHAPTER 402—FEDERAL YOUTH CORRECTIONS ACT—Continued

"Sec.

"5013. Provision of facilities.

"5014. Classification studies and reports.

"5015. Powers of Director as to placement of youth offenders.

"5016. Reports concerning offenders.

"5017. Release of youth offenders.

"5018. Revocation of Division orders.

"5019. Supervision of released youth offenders.

"5020. Apprehension of released offenders.

"5021. Certificate setting aside conviction.

"5022. Applicable date.

"5023. Relationship to Probation and Juvenile Delinquency Acts.

"5024. Where applicable.

"SEC. 5005. Youth Correction Division.

"There is created within the Board of Parole a Youth Correction Division. The Attorney General shall from time to time designate members of the Board of Parole to serve on said Division as the work requires. The Attorney General shall from time to time designate one of the members of the Division to serve as Chairman and delegate to him such administrative duties and responsibilities as may be required to carry out the purposes of this chapter.

"SEC. 5006. Definitions.

"As used in this chapter—

"(a) 'Board' means the Board of Parole;

"(b) 'Division' means the Youth Correction Division of the Board of Parole;

"(c) 'Bureau' means the Bureau of Prisons;

"(d) 'Director' means the Director of the Bureau;

"(e) 'Youth offender' means a person under the age of twenty-two years at the time of conviction;

"(f) 'Committed youth offender' is one committed for treatment hereunder to the custody of the Attorney General pursuant to section 5010 (b) and 5010 (c) of this chapter;

"(g) 'Treatment' means corrective and preventive guidance and training designed to protect the public by correcting the antisocial tendencies of youth offenders;

"(h) 'Conviction' means the judgment on a verdict or finding of guilty, a plea of guilty, or a plea of nolo contendere.

"SEC. 5007. Duties of members; meetings.

"The Division shall hold stated meetings to consider problems of treatment and correction, to consult with, and make recommendations to, the Director with respect to general treatment and correction policies for committed youth offenders, and to enter orders directing the release of such youth offenders conditionally under supervision and the unconditional discharge of such youth offenders, and take such further action and enter such other orders as may be necessary or proper to carry out the purposes of this chapter.

"SEC. 5008. Officers and employees.

"The Attorney General shall appoint such supervisory and other officers and employees as may be necessary to carry out the purposes of this chapter. United States probation officers shall perform such duties with respect to youth offenders on conditional release as the Attorney General shall request.

"SEC. 5009. Rules of Division.

"The Division shall adopt and promulgate rules governing its own procedure.

“SEC. 5010. Sentence.

“(a) If the court is of the opinion that the youth offender does not need commitment, it may suspend the imposition or execution of sentence and place the youth offender on probation.

“(b) If the court shall find that a convicted person is a youth offender, and the offense is punishable by imprisonment under applicable provisions of law other than this subsection, the court may, in lieu of the penalty of imprisonment otherwise provided by law, sentence the youth offender to the custody of the Attorney General for treatment and supervision pursuant to this chapter until discharged by the Division as provided in section 5017 (c) of this chapter; or

“(c) If the court shall find that the youth offender may not be able to derive maximum benefit from treatment by the Division prior to the expiration of six years from the date of conviction it may, in lieu of the penalty of imprisonment otherwise provided by law, sentence the youth offender to the custody of the Attorney General for treatment and supervision pursuant to this chapter for any further period that may be authorized by law for the offense or offenses of which he stands convicted or until discharged by the Division as provided in section 5017 (d) of this chapter.

“(d) If the court shall find that the youth offender will not derive benefit from treatment under subsection (b) or (c), then the court may sentence the youth offender under any other applicable penalty provision.

“(e) If the court desires additional information as to whether a youth offender will derive benefit from treatment under subsections (b) or (c) it may order that he be committed to the custody of the Attorney General for observation and study at an appropriate classification center or agency. Within sixty days from the date of the order, or such additional period as the court may grant, the Division shall report to the court its findings.

“SEC. 5011. Treatment.

“Committed youth offenders not conditionally released shall undergo treatment in institutions of maximum security, medium security, or minimum security types, including training schools, hospitals, farms, forestry and other camps, and other agencies that will provide the essential varieties of treatment. The Director shall from time to time designate, set aside, and adapt institutions and agencies under the control of the Department of Justice for treatment. Insofar as practical, such institutions and agencies shall be used only for treatment of committed youth offenders, and such youth offenders shall be segregated from other offenders, and classes of committed youth offenders shall be segregated according to their needs for treatment.

“SEC. 5012. Certificate as to availability of facilities.

“No youth offender shall be committed to the Attorney General under this chapter until the Director shall certify that proper and adequate treatment facilities and personnel have been provided.

“SEC. 5013. Provision of facilities.

“The Director may contract with any appropriate public or private agency not under his control for the custody, care, subsistence, education, treatment, and training of committed youth offenders the cost of which may be paid from the appropriation for ‘Support of United States Prisoners’.

Contract for custody, etc.

“SEC. 5014. Classification studies and reports.

“The Director shall provide classification centers and agencies. Every committed youth offender shall first be sent to a classification center or agency. The classification center or agency shall make a complete study of each committed youth offender, including a mental

Report of findings.

and physical examination, to ascertain his personal traits, his capabilities, pertinent circumstances of his school, family life, any previous delinquency or criminal experience, and any mental or physical defect or other factor contributing to his delinquency. In the absence of exceptional circumstances, such study shall be completed within a period of thirty days. The agency shall promptly forward to the Director and to the Division a report of its findings with respect to the youth offender and its recommendations as to his treatment. At least one member of the Division shall, as soon as practicable after commitment, interview the youth offender, review all reports concerning him, and make such recommendations to the Director and to the Division as may be indicated.

“SEC. 5015. Powers of Director as to placement of youth offenders.

“(a) On receipt of the report and recommendations from the classification agency the Director may—

“(1) recommend to the Division that the committed youth offender be released conditionally under supervision; or

“(2) allocate and direct the transfer of the committed youth offender to an agency or institution for treatment; or

“(3) order the committed youth offender confined and afforded treatment under such conditions as he believes best designed for the protection of the public.

“(b) The Director may transfer at any time a committed youth offender from one agency or institution to any other agency or institution.

“SEC. 5016. Reports concerning offenders.

“The Director shall cause periodic examinations and reexaminations to be made of all committed youth offenders and shall report to the Division as to each such offender as the Division may require. United States probation officers and supervisory agents shall likewise report to the Division respecting youth offenders under their supervision as the Division may direct.

“SEC. 5017. Release of youth offenders.

“(a) The Division may at any time after reasonable notice to the Director release conditionally under supervision a committed youth offender. When, in the judgment of the Director, a committed youth offender should be released conditionally under supervision he shall so report and recommend to the Division.

“(b) The Division may discharge a committed youth offender unconditionally at the expiration of one year from the date of conditional release.

“(c) A youth offender committed under section 5010 (b) of this chapter shall be released conditionally under supervision on or before the expiration of four years from the date of his conviction and shall be discharged unconditionally on or before six years from the date of his conviction.

“(d) A youth offender committed under section 5010 (c) of this chapter shall be released conditionally under supervision not later than two years before the expiration of the term imposed by the court. He may be discharged unconditionally at the expiration of not less than one year from the date of his conditional release. He shall be discharged unconditionally on or before the expiration of the maximum sentence imposed, computed uninterruptedly from the date of conviction.

“(e) Commutation of sentence authorized by any Act of Congress shall not be granted as a matter of right to committed youth offenders but only in accordance with rules prescribed by the Director with the approval of the Division.

“SEC. 5018. Revocation of Division orders.

“The Division may revoke or modify any of its previous orders respecting a committed youth offender except an order of unconditional discharge.

“SEC. 5019. Supervision of released youth offenders.

“Committed youth offenders permitted to remain at liberty under supervision or conditionally released shall be under the supervision of United States probation officers, supervisory agents appointed by the Attorney General, and voluntary supervisory agents approved by the Division. The Division is authorized to encourage the formation of voluntary organizations composed of members who will serve without compensation as voluntary supervisory agents and sponsors. The powers and duties of voluntary supervisory agents and sponsors shall be limited and defined by regulations adopted by the Division.

“SEC. 5020. Apprehension of released offenders.

“If, at any time before the unconditional discharge of a committed youth offender, the Division is of the opinion that such youth offender will be benefited by further treatment in an institution or other facility any member of the Division may direct his return to custody or if necessary may issue a warrant for the apprehension and return to custody of such youth offender and cause such warrant to be executed by a United States probation officer, an appointed supervisory agent, a United States marshal, or any officer of a Federal penal or correctional institution. Upon return to custody, such youth offender shall be given an opportunity to appear before the Division or a member thereof. The Division may then or at its discretion revoke the order of conditional release.

“SEC. 5021. Certificate setting aside conviction.

“Upon the unconditional discharge by the Division of a committed youth offender before the expiration of the maximum sentence imposed upon him, the conviction shall be automatically set aside and the Division shall issue to the youth offender a certificate to that effect.

“SEC. 5022. Applicable date.

“This chapter shall not apply to any offense committed before its enactment.

“SEC. 5023. Relationship to Probation and Juvenile Delinquency Acts.

“(a) Nothing in this chapter shall limit or affect the power of any court to suspend the imposition or execution of any sentence and place a youth offender on probation or be construed in any wise to amend, repeal, or affect the provisions of chapter 231 of this title relative to probation.

62 Stat. 841.  
18 U. S. C., Sup. III,  
§§ 3651-3656.

“(b) Nothing in this chapter shall be construed in any wise to amend, repeal, or affect the provisions of chapter 403 of this title (the Federal Juvenile Delinquency Act), or limit the jurisdiction of the United States courts in the administration and enforcement of that chapter except that the powers as to parole of juvenile delinquents shall be exercised by the Division.

62 Stat. 857.  
18 U. S. C., Sup. III,  
§§ 5031-5037.

“SEC. 5024. Where applicable.

“This chapter shall apply in the continental United States other than the District of Columbia and Alaska.”

SEC. 3. (a) When a majority of the members of the Board of Parole appointed under section 4201 of title 18 of the United States Code, as amended by this Act, qualify and enter upon their duties, the Board of Parole, established by that section prior to its amendment, shall cease to exist and its powers and duties shall become vested in and be exercised by the Board established by section 1 of this Act.

*Ante*, p. 1085.

(b) Nothing in chapter 402 of title 18 of the United States Code shall be construed as repealing or modifying the duties, power, or

*Ante*, p. 1085.

authority of the Board of Parole with respect to the parole of United States prisoners not held to be committed youth offenders or juvenile delinquents.

SEC. 4. Chapter 401 of title 18 of the United States Code is hereby amended by adding at the end thereof immediately after section 5001 a new section as follows:

“SEC. 5002. Advisory Corrections Council.

“There is hereby created an Advisory Corrections Council, composed of one United States circuit judge and two United States district judges designated from time to time by the Chief Justice of the United States, of one member, who shall be Chairman, designated by the Attorney General, and, ex officio, of the Chairman of the Board of Parole, the Chairman of the Youth Division, the Director of the Bureau of Prisons, and the Chief of Probation of the Administrative Office of the United States Courts. The Council shall hold stated meetings to consider problems of treatment and correction of all offenders against the United States and shall make such recommendations to the Congress, the President, the Judicial Conference of the United States, and other appropriate officials as may improve the administration of criminal justice and assure the coordination and integration of policies respecting the disposition, treatment, and correction of all persons convicted of offenses against the United States. It shall also consider measures to promote the prevention of crime and delinquency, suggest appropriate studies in this connection to be undertaken by agencies both public and private. The members of the Council shall serve without compensation but necessary travel and subsistence expenses as authorized by law shall be paid from available appropriations of the Department of Justice.”

SEC. 5. (a) The analysis of part IV of title 18 of the United States Code, immediately preceding chapter 401 of that title, is amended by inserting immediately after and underneath item “401. General Provisions \* \* \* 5001”, a new item to read as follows: “402. Federal Youth Corrections Act \* \* \* 5005”.

(b) The analysis of chapter 401 of said title 18 of the United States Code, is amended by inserting immediately after and underneath item “Sec. 5001. Surrender to State authorities; expenses”, a new item “Sec. 5002. Advisory Corrections Council”.

Approved September 30, 1950.

[CHAPTER 1116]

AN ACT

To amend the War Claims Act of 1948, as amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 6 of the War Claims Act of 1948 (Public Law 896, Eightieth Congress; 62 Stat. 1240), as amended, be amended by striking therefrom part 4 of subsection (c) and inserting in lieu thereof: “(4) Parents (in equal shares) if there is no widow, dependent husband, or child.”

Approved September 30, 1950.

[CHAPTER 1117]

AN ACT

To promote the development of improved transport aircraft by providing for the operation, testing, and modification thereof.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it is hereby

62 Stat. 857.  
18 U. S. C., Sup. III,  
5001.

62 Stat. 856.  
18 U. S. C., Sup. III,  
analysis prec. ch. 401.

September 30, 1950  
[S. 3000]  
[Public Law 866]

62 Stat. 1244.  
50 U. S. C., Sup. III,  
app. § 2005 (c) (4).

September 30, 1950  
[S. 3504]  
[Public Law 867]