

104TH CONGRESS
2ND SESSION

H. R. 3166

**HOUSE AMENDMENT
TO SENATE
AMENDMENTS**

In the House of Representatives, U.S.,

September 26, 1996.

Resolved, That the House agree to the amendments of the Senate to the bill (H.R. 3166) entitled “An Act to amend title 18, United States Code, with respect to the crime of false statement in a Government matter”, with the following

**HOUSE AMENDMENT TO
SENATE AMENDMENTS:**

In lieu of the matter proposed to be inserted by the Senate amendment to the text of the bill, insert:

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “False Statements Ac-*
3 *countability Act of 1996”.*

4 **SEC. 2. RESTORING FALSE STATEMENTS PROHIBITION.**

5 *Section 1001 of title 18, United States Code, is amend-*
6 *ed to read as follows:*

7 **“§ 1001. Statements or entries generally**

8 “(a) *Except as otherwise provided in this section, who-*
9 *ever, in any matter within the jurisdiction of the executive,*
10 *legislative, or judicial branch of the Government of the*
11 *United States, knowingly and willfully—*

12 “(1) *falsifies, conceals, or covers up by any trick,*
13 *scheme, or device a material fact;*

14 “(2) *makes any materially false, fictitious, or*
15 *fraudulent statement or representation; or*

16 “(3) *makes or uses any false writing or docu-*
17 *ment knowing the same to contain any materially*
18 *false, fictitious, or fraudulent statement or entry;*

19 *shall be fined under this title or imprisoned not more than*
20 *5 years, or both.*

21 “(b) *Subsection (a) does not apply to a party to a judi-*
22 *cial proceeding, or that party’s counsel, for statements, rep-*
23 *resentations, writings or documents submitted by such*
24 *party or counsel to a judge or magistrate in that proceed-*
25 *ing.*

1 “(c) With respect to any matter within the jurisdiction
2 of the legislative branch, subsection (a) shall apply only
3 to—

4 “(1) administrative matters, including a claim
5 for payment, a matter related to the procurement of
6 property or services, personnel or employment prac-
7 tices, or support services, or a document required by
8 law, rule, or regulation to be submitted to the Con-
9 gress or any office or officer within the legislative
10 branch; or

11 “(2) any investigation or review, conducted pur-
12 suant to the authority of any committee, subcommit-
13 tee, commission or office of the Congress, consistent
14 with applicable rules of the House or Senate.”.

15 **SEC. 3. CLARIFYING PROHIBITION ON OBSTRUCTING CON-**
16 **GRESS.**

17 Section 1515 of title 18, United States Code, is amend-
18 ed—

19 (1) by redesignating subsection (b) as subsection
20 (c); and

21 (2) by inserting after subsection (a) the following
22 new subsection:

23 “(b) As used in section 1505, the term ‘corruptly’
24 means acting with an improper purpose, personally or by
25 influencing another, including making a false or misleading

1 *statement, or withholding, concealing, altering, or destroy-*
2 *ing a document or other information.”.*

3 **SEC. 4. ENFORCING SENATE SUBPOENA.**

4 *Section 1365(a) of title 28, United States Code, is*
5 *amended in the second sentence, by striking “Federal Gov-*
6 *ernment acting within his official capacity” and inserting*
7 *“executive branch of the Federal Government acting within*
8 *his or her official capacity, except that this section shall*
9 *apply if the refusal to comply is based on the assertion of*
10 *a personal privilege or objection and is not based on a gov-*
11 *ernmental privilege or objection the assertion of which has*
12 *been authorized by the executive branch of the Federal Gov-*
13 *ernment”.*

14 **SEC. 5. COMPELLING TRUTHFUL TESTIMONY FROM IMMUNIZED WITNESS.**

15
16 *Section 6005 of title 18, United States Code, is amend-*
17 *ed—*

18 *(1) in subsection (a), by inserting “or ancillary*
19 *to” after “any proceeding before”; and*

20 *(2) in subsection (b)—*

21 *(A) in paragraphs (1) and (2), by inserting*
22 *“or ancillary to” after “a proceeding before”*
23 *each place that term appears; and*

- 1 *(B) in paragraph (3), by adding a period*
- 2 *at the end.*

Attest:

Clerk.