

H. Res. 535

In the House of Representatives, U.S.,

September 26, 1996.

1 *Resolved*, That upon adoption of this resolution, the
2 bill H.R. 3166, to amend title 18, United States Code,
3 with respect to the crime of false statement in a Govern-
4 ment matter, with the Senate amendments thereto, shall
5 be considered to have been taken from the Speaker's table
6 and the same are agreed to with an amendment as follows:

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

7 **SECTION 1. SHORT TITLE.**

8 This Act may be cited as the “False Statements Ac-
9 countability Act of 1996”.

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

11 Section 1001 of title 18, United States Code, is
12 amended to read as follows:

1 **“§ 1001. Statements or entries generally**

2 “(a) Except as otherwise provided in this section,
3 whoever, in any matter within the jurisdiction of the execu-
4 tive, legislative, or judicial branch of the Government of
5 the United States, knowingly and willfully—

6 “(1) falsifies, conceals, or covers up by any
7 trick, scheme, or device a material fact;

8 “(2) makes any materially false, fictitious, or
9 fraudulent statement or representation; or

10 “(3) makes or uses any false writing or docu-
11 ment knowing the same to contain any materially
12 false, fictitious, or fraudulent statement or entry;

13 shall be fined under this title or imprisoned not more than
14 5 years, or both.

15 “(b) Subsection (a) does not apply to a party to a
16 judicial proceeding, or that party’s counsel, for state-
17 ments, representations, writings or documents submitted
18 by such party or counsel to a judge or magistrate in that
19 proceeding.

20 “(c) With respect to any matter within the jurisdic-
21 tion of the legislative branch, subsection (a) shall apply
22 only to—

23 “(1) administrative matters, including a claim
24 for payment, a matter related to the procurement of
25 property or services, personnel or employment prac-
26 tices, or support services, or a document required by

1 law, rule, or regulation to be submitted to the Con-
2 gress or any office or officer within the legislative
3 branch; or

4 “(2) any investigation or review, conducted pur-
5 suant to the authority of any committee, subcommit-
6 tee, commission or office of the Congress, consistent
7 with applicable rules of the House or Senate.”.

8 **SEC. 3. CLARIFYING PROHIBITION ON OBSTRUCTING CON-**
9 **GRESS.**

10 Section 1515 of title 18, United States Code, is
11 amended—

12 (1) by redesignating subsection (b) as sub-
13 section (c); and

14 (2) by inserting after subsection (a) the follow-
15 ing new subsection:

16 “(b) As used in section 1505, the term ‘corruptly’
17 means acting with an improper purpose, personally or by
18 influencing another, including making a false or mislead-
19 ing statement, or withholding, concealing, altering, or de-
20 stroying a document or other information.”.

21 **SEC. 4. ENFORCING SENATE SUBPOENA.**

22 Section 1365(a) of title 28, United States Code, is
23 amended in the second sentence, by striking “Federal
24 Government acting within his official capacity” and insert-
25 ing “executive branch of the Federal Government acting

1 within his or her official capacity, except that this section
2 shall apply if the refusal to comply is based on the asser-
3 tion of a personal privilege or objection and is not based
4 on a governmental privilege or objection the assertion of
5 which has been authorized by the executive branch of the
6 Federal Government”.

7 **SEC. 5. COMPELLING TRUTHFUL TESTIMONY FROM IMMUNIZED WITNESS.**
8

9 Section 6005 of title 18, United States Code, is
10 amended—

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

13 (2) in subsection (b)—

14 (A) in paragraphs (1) and (2), by inserting
15 “or ancillary to” after “a proceeding before”
16 each place that term appears; and

17 (B) in paragraph (3), by adding a period
18 at the end.

Attest:

Clerk.