

104TH CONGRESS
2D SESSION

H. RES. 535

Providing for the concurrence of the House, with an amendment, in the amendments of the Senate to the bill H.R. 3166.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 1996

Mr. McCOLLUM submitted the following resolution; which was considered and agreed to, rules suspended

RESOLUTION

Providing for the concurrence of the House, with an amendment, in the amendments of the Senate to the bill H.R. 3166.

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

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
6 amended to read as follows:

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

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

12 ““(1) falsifies, conceals, or covers up by any
13 trick, 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
22 judicial proceeding, or that party’s counsel, for state-
23 ments, representations, writings or documents submitted
24 by such party or counsel to a judge or magistrate in that
25 proceeding.

1 “(c) With respect to any matter within the jurisdic-
2 tion of the legislative branch, subsection (a) shall apply
3 only 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
12 pursuant to the authority of any committee, sub-
13 committee, commission or office of the Congress,
14 consistent with applicable rules of the House or Sen-
15 ate.’.

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

18 “Section 1515 of title 18, United States Code, is
19 amended—

20 “(1) by redesignating subsection (b) as sub-
21 section (c); and

22 “(2) by inserting after subsection (a) the follow-
23 ing new subsection:

24 “(b) As used in section 1505, the term “corruptly”
25 means acting with an improper purpose, personally or by

1 influencing another, including making a false or mislead-
2 ing statement, or withholding, concealing, altering, or de-
3 stroying a document or other information.’.

4 **“SEC. 4. ENFORCING SENATE SUBPOENA.**

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

15 **“SEC. 5. COMPELLING TRUTHFUL TESTIMONY FROM IMMUN-**
16 **NIZED WITNESS.**

17 “Section 6005 of title 18, United States Code, is
18 amended—

19 “(1) in subsection (a), by inserting ‘or ancillary
20 to’ after ‘any proceeding before’; and

21 “(2) in subsection (b)—

22 “(A) in paragraphs (1) and (2), by insert-
23 ing ‘or ancillary to’ after ‘a proceeding before’
24 each place that term appears; and

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

○