

110TH CONGRESS
2D SESSION

S. 2892

To promote the prosecution and enforcement of frauds against the United States by suspending the statute of limitations during times when Congress has authorized the use of military force.

IN THE SENATE OF THE UNITED STATES

APRIL 18 (legislative day, APRIL 17), 2008

Mr. LEAHY (for himself and Mr. GRASSLEY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To promote the prosecution and enforcement of frauds against the United States by suspending the statute of limitations during times when Congress has authorized the use of military force.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Wartime Enforcement
5 of Fraud Act of 2008”.

1 **SEC. 2. SUSPENSION OF STATUTE OF LIMITATIONS WHEN**
2 **CONGRESS HAS AUTHORIZED THE USE OF**
3 **MILITARY FORCE.**

4 Section 3287 of title 18, United States Code, is
5 amended—

6 (1) by inserting “or Congress has enacted a
7 specific authorization for the use of the Armed
8 Forces, as described in section 5(b) of the War Pow-
9 ers Resolution (50 U.S.C. 1544(b)),” after “is at
10 war”;

11 (2) by inserting “or directly connected with or
12 related to the authorized use of the Armed Forces”
13 after “prosecution of the war”;

14 (3) by striking “three years” and inserting “5
15 years”;

16 (4) by striking “proclaimed by the President”
17 and inserting “proclaimed by a Presidential procla-
18 mation, with notice to Congress,”; and

19 (5) by adding at the end the following: “For
20 purposes of applying such definitions in this section,
21 the term ‘war’ includes a specific authorization for
22 the use of the Armed Forces, as described in section
23 5(b) of the War Powers Resolution (50 U.S.C.
24 1544(b)).”.