

## **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.*