

One Hundred Fourth Congress
of the
United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Wednesday,
the third day of January, one thousand nine hundred and ninety-six*

An Act

To amend title 18, United States Code, with respect to the crime of false statement
in a Government matter.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “False Statements Accountability
Act of 1996”.

SEC. 2. RESTORING FALSE STATEMENTS PROHIBITION.

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

“§ 1001. Statements or entries generally

“(a) Except as otherwise provided in this section, whoever,
in any matter within the jurisdiction of the executive, legislative,
or judicial branch of the Government of the United States, know-
ingly and willfully—

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

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

“(3) makes or uses any false writing or document knowing
the same to contain any materially false, fictitious, or fraudu-
lent statement or entry;

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

“(b) Subsection (a) does not apply to a party to a judicial
proceeding, or that party’s counsel, for statements, representations,
writings or documents submitted by such party or counsel to a
judge or magistrate in that proceeding.

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

“(1) administrative matters, including a claim for payment,
a matter related to the procurement of property or services,
personnel or employment practices, or support services, or a
document required by law, rule, or regulation to be submitted
to the Congress or any office or officer within the legislative
branch; or

“(2) any investigation or review, conducted pursuant to
the authority of any committee, subcommittee, commission or
office of the Congress, consistent with applicable rules of the
House or Senate.”.

H. R. 3166—2

SEC. 3. CLARIFYING PROHIBITION ON OBSTRUCTING CONGRESS.

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

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

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

“(b) As used in section 1505, the term ‘corruptly’ means acting with an improper purpose, personally or by influencing another, including making a false or misleading statement, or withholding, concealing, altering, or destroying a document or other information.”.

SEC. 4. ENFORCING SENATE SUBPOENA.

Section 1365(a) of title 28, United States Code, is amended in the second sentence, by striking “Federal Government acting within his official capacity” and inserting “executive branch of the Federal Government acting within his or her official capacity, except that this section shall apply if the refusal to comply is based on the assertion of a personal privilege or objection and is not based on a governmental privilege or objection the assertion of which has been authorized by the executive branch of the Federal Government”.

SEC. 5. COMPELLING TRUTHFUL TESTIMONY FROM IMMUNIZED WITNESS.

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

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

(2) in subsection (b)—

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

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

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*