

False Statement Accountability Act

18 U.S.C. § 1001

<p style="text-align: center;">1948 (81 words)</p>	<p style="text-align: center;">Revised Oct. 11, 1996 (284 words)</p>
<p>§ 1001. STATEMENTS OR ENTRIES GENERALLY</p> <p>Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both.¹</p> <div data-bbox="237 863 737 1642" style="border: 1px solid gray; padding: 10px; margin: 10px 0;"><p>Subsection (b) introduced profound ambiguity into well-established ethics law which prohibits judges and attorneys from lying.</p><p><i>"A lawyer shall not knowingly . . . make a false statement of fact or law to a tribunal"</i> Attorney Rules of Prof. Conduct 3.3(a)(1).</p><p>A judge shall be fair and impartial. Code of Conduct for U.S. Judges, Canon 3.</p><p>False statements under oath are admissible. Federal Rules of Evidence 410.</p><p>...</p><p>"In confusion there is profit."</p></div>	<p>§ 1001. Statements or entries generally</p> <p>(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, knowingly and willfully—</p> <ol style="list-style-type: none">(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 fraudulent statement or entry; <p>shall be fined under this title, imprisoned not more than 5 years or, if the offense involves international or domestic terrorism (as defined in section 2331), imprisoned not more than 8 years, or both. If the matter relates to an offense under chapter 109A, 109B, 110, or 117, or section 1591, then the term of imprisonment imposed under this section shall be not more than 8 years.</p> <p>(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.</p> <p>(c) With respect to any matter within the jurisdiction of the legislative branch, subsection (a) shall apply only to—</p> <ol style="list-style-type: none">(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. <p>SEC. 3. CLARIFYING PROHIBITION ON OBSTRUCTING CONGRESS.</p>

¹ [Fraud and False Statements Sec. 1001](#) Jun. 25, 1948; See also <http://www.legisworks.org/congress/80/publaw-772.pdf>

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.²

² [False Statements Accountability Act of 1996](http://www.gpo.gov/fdsys/pkg/USCODE-2011-title18/pdf/USCODE-2011-title18-partI-chap47-sec1001.pdf), Sec. 1001, Oct. 11, 1996; See also <http://www.gpo.gov/fdsys/pkg/USCODE-2011-title18/pdf/USCODE-2011-title18-partI-chap47-sec1001.pdf>; <http://www.fbcovr.com/docs/library/1996-10-11-HR-3166-False-Statement-Accountability-Act-of-1996-104th-Congress-Oct-11-1996.pdf> +