

118TH CONGRESS
2D SESSION

H. R. 9084

To amend section 102 of the Revised Statutes of the United States to provide that a person who refuses to answer certain questions or is finally convicted of perjury before either House of Congress shall be debarred from Federal employment, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2024

Mr. McCORMICK (for himself, Mr. NEHLS, and Mr. VAN ORDEN) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Oversight and Accountability, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend section 102 of the Revised Statutes of the United States to provide that a person who refuses to answer certain questions or is finally convicted of perjury before either House of Congress shall be debarred from Federal employment, and for other purposes.

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 “Safeguarding Trans-
5 parency and Oversight to Prevent the Spread of Washing-

1 ton’s Administrative Misconduct and Partisanship Act” or
2 the “STOP the SWAMP Act”.

3 **SEC. 2. IN GENERAL.**

4 (a) DEBARMENT OF CERTAIN WITNESSES FROM
5 FEDERAL EMPLOYMENT.—Section 102 of the Revised
6 Statutes of the United States relating to congressional in-
7 vestigations (2 U.S.C. 192) is amended—

8 (1) by striking “Every” at the beginning and
9 inserting the following:

10 “(a) Every”;

11 (2) by striking “, or who, having appeared, re-
12 fuses to answer any question pertinent to the ques-
13 tion under inquiry,”; and

14 (3) by adding at the end the following:

15 “(b) Every person who having been summoned as a
16 witness pursuant to subsection (a), having appeared, re-
17 fuses to answer any question pertinent to the question
18 under inquiry, shall, in addition to any other penalties pro-
19 vided by law, be—

20 “(1) deemed guilty of a misdemeanor, punish-
21 able by a fine of not more than \$1,000 nor less than
22 \$100 and imprisoned in a common jail for not less
23 than one month nor more than twelve months; and

24 “(2) debarred from Federal employment.

25 “(c) —

1 “(1) Every person who having been summoned
2 as a witness pursuant to subsection (a), having ap-
3 peared, is finally convicted of perjury under section
4 1621 of title 18, United States Code, or an offense
5 under section 1001 of title 18, United States Code,
6 shall, in addition to any other penalties provided by
7 law, be debarred from Federal employment.

8 “(2) In this subsection, the term ‘finally con-
9 victed’ refers to a conviction—

10 “(A) which has not been appealed and is
11 no longer appealable because the time for tak-
12 ing an appeal has expired; or

13 “(B) which has been appealed and the ap-
14 peals process for which is completed.

15 “(d) A person who is found in violation of subsection
16 (b) or (c) who is a Federal employee shall, in addition
17 to any other penalties provided by law, be removed from
18 the civil service, as such term is defined in section 2101
19 of title 5, United States Code.

20 “(e) Any debarment from Federal employment pursu-
21 ant to this section shall be subject to judicial review.”.

22 (b) PROCEDURES FOR RESCINDING SALARY
23 FUNDS.—Section 104 of the Revised Statutes of the
24 United States relating to congressional investigations (2
25 U.S.C. 194) is amended—

1 (1) by striking “Whenever” at the beginning
2 and inserting the following:

3 “(a) Whenever”;

4 (2) by striking “filed with the President of the
5 Senate or the Speaker of the House, it shall be the
6 duty of the said President of the Senate or Speaker
7 of the House,” and inserting “filed with an appro-
8 priate Member of Congress, it shall be the duty of
9 the said appropriate Member of Congress,”; and

10 (3) by adding at the end the following:

11 “(b) Not later than 180 days after the date of certifi-
12 cation of a statement of facts to a United States attorney
13 pursuant to subsection (a), any member of either House
14 may introduce a joint resolution to rescind funds appro-
15 priated or otherwise made available for the salary and ex-
16 penses of a witness who is a Federal employee from the
17 employing entity of the witness for the fiscal year. Such
18 joint resolution shall be privileged, subject to judicial re-
19 view, and further subject to the following procedures:

20 “(1) A joint resolution shall be referred to the
21 Committee on Appropriations of the House of Rep-
22 resentatives or the Committee on Appropriations of
23 the Senate, as the case may be, and one such joint
24 resolution shall be reported out by such committee
25 together with its recommendations within fifteen cal-

1 endar days, unless such House shall otherwise deter-
2 mine by the yeas and nays.

3 “(2) A joint resolution so reported shall become
4 the pending business of the House in question (in
5 the case of the Senate the time for debate shall be
6 equally divided between the proponents and the op-
7 ponents) and shall be voted on within twenty cal-
8 endar days thereafter, unless such House shall oth-
9 erwise determine by yeas and nays.

10 “(3) A joint resolution passed by one House
11 shall be referred to the committee of the other
12 House named in subsection (a) and shall be reported
13 out by such committee together with its rec-
14 ommendations within fifteen calendar days and shall
15 thereupon become the pending business of such
16 House and shall be voted upon within three calendar
17 days, unless such House shall otherwise determine
18 by yeas and nays.

19 “(4) In the case of any disagreement between
20 the two Houses of Congress with respect to a joint
21 resolution passed by both Houses, conferees shall be
22 promptly appointed and the committee of conference
23 shall make and file a report with respect to such
24 joint resolution within six calendar days after the
25 legislation is referred to the committee of con-

1 ference. Notwithstanding any rule in either House
2 concerning the printing of conference reports in the
3 Record or concerning any delay in the consideration
4 of such reports, such report shall be acted on by
5 both Houses not later than six calendar days after
6 the conference report is filed. In the event the con-
7 ferrees are unable to agree within fifteen days, the
8 conferees shall report back to their respective
9 Houses in disagreement.

10 “(c) In this section, the term ‘appropriate Member
11 of Congress’ means—

12 “(1) the President of the Senate;

13 “(2) the Speaker of the House;

14 “(3) the Chairman or ranking minority member
15 of the standing committee of the House of Congress
16 in which the witness appeared pursuant to section
17 102; or

18 “(4) the Chairman or ranking minority member
19 of the Committee on Oversight and Accountability of
20 the House of Representatives.”.

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