

House, or any joint committee established by a joint or concurrent resolution of the two Houses of Congress, or any committee of either House of Congress, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the question under inquiry, shall be deemed guilty of a misdemeanor, punishable by a fine of not more than \$1,000 nor less than \$100 and imprisonment in a common jail for not less than one month nor more than twelve months. (R.S. § 102; June 22, 1938, ch. 594, 52 Stat. 942.)

CODIFICATION

R.S. § 102 derived from act Jan. 24, 1857, ch. 19, § 1, 11 Stat. 155.

AMENDMENTS

1938—Act June 22, 1938, reenacted section without change.

CROSS REFERENCES

Minor offenses tried by United States magistrate judges as excluding offenses punishable under this section, see section 3401 of Title 18, Crimes and Criminal Procedure.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 194 of this title.

§ 193. Privilege of witnesses

No witness is privileged to refuse to testify to any fact, or to produce any paper, respecting which he shall be examined by either House of Congress, or by any joint committee established by a joint or concurrent resolution of the two Houses of Congress, or by any committee of either House, upon the ground that his testimony to such fact or his production of such paper may tend to disgrace him or otherwise render him infamous.

(R.S. § 103; June 22, 1938, ch. 594, 52 Stat. 942.)

CODIFICATION

R.S. § 103 derived from act Jan. 24, 1862, ch. 11, 12 Stat. 333.

AMENDMENTS

1938—Act June 22, 1938, reenacted section without change.

§ 194. Certification of failure to testify or produce; grand jury action

Whenever a witness summoned as mentioned in section 192 of this title fails to appear to testify or fails to produce any books, papers, records, or documents, as required, or whenever any witness so summoned refuses to answer any question pertinent to the subject under inquiry before either House, or any joint committee established by a joint or concurrent resolution of the two Houses of Congress, or any committee or subcommittee of either House of Congress, and the fact of such failure or failures is reported to either House while Congress is in session or when Congress is not in session, a statement of fact constituting such failure is reported to and filed with the President of the Senate or the Speaker of the House, it shall be the duty of the said President of the Senate or Speaker of the House, as the case may be, to certify, and he shall so certify, the statement of

facts aforesaid under the seal of the Senate or House, as the case may be, to the appropriate United States attorney, whose duty it shall be to bring the matter before the grand jury for its action.

(R.S. § 104; July 13, 1936, ch. 884, 49 Stat. 2041; June 22, 1938, ch. 594, 52 Stat. 942.)

CODIFICATION

R.S. § 104 derived from act Jan. 24, 1857, ch. 19, § 3, 11 Stat. 156.

AMENDMENTS

1938—Act June 22, 1938, substituted “section 102” for “section 102 of the Revised Statutes” and inserted “or any joint committee established by a joint or concurrent resolution of the two Houses of Congress”.

1936—Act July 13, 1936, substituted “section 102 of the Revised Statutes” for “section 102”, inserted provisions as to failure to produce and refusal to answer, required a statement of facts constituting the failure to be reported to and filed with the President of the Senate or the Speaker of the House, and directed that said President or Speaker certify the facts to the appropriate United States attorney in lieu of prior certification to the district attorney for the District of Columbia.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 288d, 288g of this title.

§ 194a. Request by Congressional committees to officers or employees of Federal departments, agencies, etc., concerned with foreign countries or multilateral organizations for expression of views and opinions

Upon the request of a committee of either House of Congress, a joint committee of Congress, or a member of such committee, any officer or employee of the Department of State, the United States Information Agency, the Agency for International Development, the United States Arms Control and Disarmament Agency, or any other department, agency, or independent establishment of the United States Government primarily concerned with matters relating to foreign countries or multilateral organizations may express his views and opinions, and make recommendations he considers appropriate, if the request of the committee or member of the committee relates to a subject which is within the jurisdiction of that committee.

(Pub. L. 92-352, title V, § 502, July 13, 1972, 86 Stat. 496; Pub. L. 93-126, § 17, Oct. 18, 1973, 87 Stat. 455.)

AMENDMENTS

1973—Pub. L. 93-126 substituted “or employee of” for “appointed by the President, by and with the advice and consent of the Senate, to a position in”.

UNITED STATES INFORMATION AGENCY

The United States Information Agency, referred to in text, was abolished and replaced by the International Communication Agency pursuant to Reorg. Plan No. 2 of 1977, 42 F.R. 62461, 91 Stat. 1636, set out in the Appendix to Title 5, Government Organization and Employees, effective on or before July 1, 1978, at such time as specified by the President. The International Communication Agency was redesignated the United States Information Agency by section 303 of Pub. L. 97-241, title III, Aug. 24, 1982, 96 Stat. 291, set out as a note under section 1461 of Title 22, Foreign Relations and Intercourse.