

§ 6003. Court and grand jury proceedings

(a) In the case of any individual who has been or may be called to testify or provide other information at any proceeding before or ancillary to a court of the United States or a grand jury of the United States, the United States district court for the judicial district in which the proceeding is or may be held shall issue, in accordance with subsection (b) of this section, upon the request of the United States attorney for such district, an order requiring such individual to give testimony or provide other information which he refuses to give or provide on the basis of his privilege against self-incrimination, such order to become effective as provided in section 6002 of this title.

(b) A United States attorney may, with the approval of the Attorney General, the Deputy Attorney General, the Associate Attorney General, or any designated Assistant Attorney General or Deputy Assistant Attorney General, request an order under subsection (a) of this section when in his judgment—

(1) the testimony or other information from such individual may be necessary to the public interest; and

(2) such individual has refused or is likely to refuse to testify or provide other information on the basis of his privilege against self-incrimination.

(Added Pub. L. 91-452, title II, §201(a), Oct. 15, 1970, 84 Stat. 927; amended Pub. L. 100-690, title VII, §7020(e), Nov. 18, 1988, 102 Stat. 4396; Pub. L. 103-322, title XXXIII, §330013(4), Sept. 13, 1994, 108 Stat. 2146.)

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-322 substituted “title” for “part” before period at end.

1988—Subsec. (b). Pub. L. 100-690 inserted “, the Associate Attorney General” after “Deputy Attorney General”, and “or Deputy Assistant Attorney General” after “Assistant Attorney General”.

§ 6004. Certain administrative proceedings

(a) In the case of any individual who has been or who may be called to testify or provide other information at any proceeding before an agency of the United States, the agency may, with the approval of the Attorney General, issue, in accordance with subsection (b) of this section, an order requiring the individual to give testimony or provide other information which he refuses to give or provide on the basis of his privilege against self-incrimination, such order to become effective as provided in section 6002 of this title.

(b) An agency of the United States may issue an order under subsection (a) of this section only if in its judgment—

(1) the testimony or other information from such individual may be necessary to the public interest; and

(2) such individual has refused or is likely to refuse to testify or provide other information on the basis of his privilege against self-incrimination.

(Added Pub. L. 91-452, title II, §201(a), Oct. 15, 1970, 84 Stat. 927; amended Pub. L. 103-322, title XXXIII, §330013(4), Sept. 13, 1994, 108 Stat. 2146.)

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-322 substituted “title” for “part” before period at end.

§ 6005. Congressional proceedings

(a) In the case of any individual who has been or may be called to testify or provide other information at any proceeding before or ancillary to either House of Congress, or any committee, or any subcommittee of either House, or any joint committee of the two Houses, a United States district court shall issue, in accordance with subsection (b) of this section, upon the request of a duly authorized representative of the House of Congress or the committee concerned, an order requiring such individual to give testimony or provide other information which he refuses to give or provide on the basis of his privilege against self-incrimination, such order to become effective as provided in section 6002 of this title.

(b) Before issuing an order under subsection (a) of this section, a United States district court shall find that—

(1) in the case of a proceeding before or ancillary to either House of Congress, the request for such an order has been approved by an affirmative vote of a majority of the Members present of that House;

(2) in the case of a proceeding before or ancillary to a committee or a subcommittee of either House of Congress or a joint committee of both Houses, the request for such an order has been approved by an affirmative vote of two-thirds of the members of the full committee; and

(3) ten days or more prior to the day on which the request for such an order was made, the Attorney General was served with notice of an intention to request the order.

(c) Upon application of the Attorney General, the United States district court shall defer the issuance of any order under subsection (a) of this section for such period, not longer than twenty days from the date of the request for such order, as the Attorney General may specify.

(Added Pub. L. 91-452, title II, §201(a), Oct. 15, 1970, 84 Stat. 928; amended Pub. L. 103-322, title XXXIII, §330013(4), Sept. 13, 1994, 108 Stat. 2146; Pub. L. 104-292, §5, Oct. 11, 1996, 110 Stat. 3460; Pub. L. 104-294, title VI, §605(o), Oct. 11, 1996, 110 Stat. 3510.)

AMENDMENTS

1996—Subsec. (a). Pub. L. 104-292, §5(1), inserted “or ancillary to” after “any proceeding before”.

Subsec. (b)(1), (2). Pub. L. 104-292, §5(2)(A), inserted “or ancillary to” after “a proceeding before”.

Subsec. (b)(3). Pub. L. 104-292, §5(2)(B), and Pub. L. 104-294, amended par. (3) identically, inserting period at end.

1994—Subsec. (a). Pub. L. 103-322 substituted “title” for “part” before period at end.