

PRIOR PROVISIONS

A prior section 3486, acts June 25, 1948, ch. 645, 62 Stat. 833; Aug. 20, 1954, ch. 769, § 1, 68 Stat. 745; Aug. 28, 1965, Pub. L. 89-141, § 2, 79 Stat. 581, set forth procedure for granting of immunity to witnesses compelled to testify or produce evidence in course of any Congressional investigation, or case or proceeding before any grand jury or court of the United States, involving interference with or endangering of national security or defense of the United States, prior to repeal by Pub. L. 91-452, title II, § 228(a), Oct. 15, 1970, 84 Stat. 930, effective on sixtieth day following Oct. 15, 1970. See section 6001 et seq. of this title.

AMENDMENTS

2012—Subsec. (a)(1)(A)(ii), (iii). Pub. L. 112-206, § 4(a)(1)(A), added cl. (ii) and redesignated former cl. (ii) as (iii).

Subsec. (a)(1)(D). Pub. L. 112-206, § 4(a)(1)(B), substituted “paragraph—” for “paragraph,” inserted cl. (i) designation before “the term”, substituted “years; and” for “years.”, and added cl. (ii).

Subsec. (a)(6)(A). Pub. L. 112-206, § 4(a)(2)(A), substituted “United States” for “United State”.

Subsec. (a)(9), (10). Pub. L. 112-206, § 4(a)(2)(B), (C), substituted “(1)(A)(iii)” for “(1)(A)(ii)”.

2008—Subsec. (a)(1)(D). Pub. L. 110-457 inserted “1591,” after “1201.”

2003—Subsec. (a)(1)(C)(i). Pub. L. 108-21 substituted “the information specified in section 2703(c)(2)” for “the name, address, local and long distance telephone toll billing records, telephone number or other subscriber number or identity, and length of service of a subscriber to or customer of such service and the types of services the subscriber or customer utilized”.

2000—Pub. L. 106-544, § 5(b)(1), struck out “in Federal health care investigations” after “subpoenas” in section catchline.

Subsec. (a)(1). Pub. L. 106-544, § 5(a)(1), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “In any investigation relating to any act or activity involving a Federal health care offense, or any act or activity involving a Federal offense relating to the sexual exploitation or other abuse of children, the Attorney General or the Attorney General’s designee may issue in writing and cause to be served a subpoena—

“(A) requiring the production of any records (including any books, papers, documents, electronic media, or other objects or tangible things), which may be relevant to an authorized law enforcement inquiry, that a person or legal entity may possess or have care, custody, or control; or

“(B) requiring a custodian of records to give testimony concerning the production and authentication of such records.”

Subsec. (a)(3). Pub. L. 106-544, § 5(a)(2), inserted “relating to a Federal health care offense” after “production of records” and inserted at end “The production of things in any other case may be required from any place within the United States or subject to the laws or jurisdiction of the United States.”

Subsec. (a)(4). Pub. L. 106-544, § 5(c)(1), substituted “subpoenaed” for “summoned”.

Subsec. (a)(5) to (10). Pub. L. 106-544, § 5(a)(3), added pars. (5) to (10).

Subsec. (d). Pub. L. 106-544, § 5(c)(2), substituted “subpoena” for “summons” in two places.

1998—Pub. L. 105-314 substituted “Administrative subpoenas in Federal health care investigations” for “Authorized investigative demand procedures” in section catchline.

Subsec. (a)(1). Pub. L. 105-277 inserted “or any act or activity involving a Federal offense relating to the sexual exploitation or other abuse of children,” after “health care offense,” in introductory provisions.

TRANSFER OF FUNCTIONS

For transfer of the functions, personnel, assets, and obligations of the United States Secret Service, includ-

ing the functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 381, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 3486A. Repealed. Pub. L. 106-544, § 5(b)(3), Dec. 19, 2000, 114 Stat. 2718]

Section, added Pub. L. 105-314, title VI, § 606(a)(2), Oct. 30, 1998, 112 Stat. 2984, related to administrative subpoenas in cases involving child abuse and child sexual exploitation.

§ 3487. Refusal to pay as evidence of embezzlement

The refusal of any person, whether in or out of office, charged with the safe-keeping, transfer, or disbursement of the public money to pay any draft, order, or warrant, drawn upon him by the Government Accountability Office, for any public money in his hands belonging to the United States, no matter in what capacity the same may have been received, or may be held, or to transfer or disburse any such money, promptly, upon the legal requirement of any authorized officer, shall be deemed, upon the trial of any indictment against such person for embezzlement, prima facie evidence of such embezzlement.

(June 25, 1948, ch. 645, 62 Stat. 833; Pub. L. 108-271, § 8(b), July 7, 2004, 118 Stat. 814.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 180 (Mar. 4, 1909, ch. 321, § 94, 35 Stat. 1106; June 10, 1921, ch. 18, § 304, 42 Stat. 24).

“General Accounting Office” was substituted for “proper accounting officer of the Treasury”.

AMENDMENTS

2004—Pub. L. 108-271 substituted “Government Accountability Office” for “General Accounting Office”.

§ 3488. Intoxicating liquor in Indian country as evidence of unlawful introduction

The possession by a person of intoxicating liquors in Indian country where the introduction is prohibited by treaty or Federal statute shall be prima facie evidence of unlawful introduction.

(June 25, 1948, ch. 645, 62 Stat. 834.)

HISTORICAL AND REVISION NOTES

Based on section 245 of title 25, U.S.C., 1940 ed., Indians (May 18, 1916, ch. 125, § 1, 39 Stat. 124).

The only change made was the insertion of the word “Indian” before “country”, to substitute specificity for generality. (See definition of “Indian country” in section 1151 of this title.)

§ 3489. Discovery and inspection—(Rule)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Inspection of documents and papers taken from defendant, Rule 16.

(June 25, 1948, ch. 645, 62 Stat. 834.)

§ 3490. Official record or entry—(Rule)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Proof of official record or entry as in civil actions, Rule 27.