

**Calendar No. 899**110TH CONGRESS  
2D SESSION**S. 2892****[Report No. 110-431]**

To promote the prosecution and enforcement of frauds against the United States by suspending the statute of limitations during times when Congress has authorized the use of military force.

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**IN THE SENATE OF THE UNITED STATES**

APRIL 18 (legislative day, APRIL 17), 2008

Mr. LEAHY (for himself, Mr. GRASSLEY, Mr. OBAMA, Mr. BYRD, and Mr. CARDIN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

JULY 25, 2008

Reported by Mr. LEAHY, without amendment

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**A BILL**

To promote the prosecution and enforcement of frauds against the United States by suspending the statute of limitations during times when Congress has authorized the use of military force.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Wartime Enforcement  
3 of Fraud Act of 2008”.

4 **SEC. 2. SUSPENSION OF STATUTE OF LIMITATIONS WHEN**  
5 **CONGRESS HAS AUTHORIZED THE USE OF**  
6 **MILITARY FORCE.**

7 Section 3287 of title 18, United States Code, is  
8 amended—

9 (1) by inserting “or Congress has enacted a  
10 specific authorization for the use of the Armed  
11 Forces, as described in section 5(b) of the War Pow-  
12 ers Resolution (50 U.S.C. 1544(b)),” after “is at  
13 war”;

14 (2) by inserting “or directly connected with or  
15 related to the authorized use of the Armed Forces”  
16 after “prosecution of the war”;

17 (3) by striking “three years” and inserting “5  
18 years”;

19 (4) by striking “proclaimed by the President”  
20 and inserting “proclaimed by a Presidential procla-  
21 mation, with notice to Congress,”; and

22 (5) by adding at the end the following: “For  
23 purposes of applying such definitions in this section,  
24 the term ‘war’ includes a specific authorization for  
25 the use of the Armed Forces, as described in section

1       5(b) of the War Powers Resolution (50 U.S.C.  
2       1544(b)).”.

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110<sup>TH</sup> CONGRESS  
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