SUPREME COURT OF THE UNITED STATES

Syllabus

HUBBARD *v.* UNITED STATES

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

No. 94–172. Argued February 21, 1995—Decided May 15, 1995

Petitioner's falsehoods in unsworn papers filed in Bankruptcy Court prompted his indictment under 18 U. S. C. §1001, which criminalizes false statements and similar misconduct occurring ``in any matter within the jurisdiction of any department or agency of the United States.'' He was convicted after the District Court, relying on *United States* v. *Bramblett,* 348 U. S. 503, instructed the jury that a bankruptcy court is a ``department of the United States'' within §1001's meaning. In affirming, the Court of Appeals concluded that the so-called ``judicial function'' exception developed in other Circuits, under which §1001 reaches false statements made while a court is performing its ``administrative'' or ``housekeeping'' functions, but not its adjudicative functions, does not exist.

Held: The judgment is reversed in part.

16 F. 3d 694, reversed in part.

JUSTICE STEVENS delivered the opinion of the Court with respect to Parts I, II, III, and VI, concluding that, because a federal court is neither a ``department'' nor an ``agency'' within §1001's meaning, the statute does not apply to false statements made in judicial proceedings. Pp. 3–12, 20–21.

(a) A straightforward interpretation of §1001's text, with special emphasis on the words ``department or agency,'' leads inexorably to the conclusion that there is no need for any judicial function exception because the statute's reach simply does not extend to courts. Under both a common-sense reading and the terms of 18 U. S. C. §6—which applies to all of Title 18 and defines ``agency'' to include, *inter alia,* any federal ``department, independent establishment, commission, administration, authority, board or bureau''—it seems incontrovertible that ``agency'' does not refer to a court. Moreover,

although §6 defines ``department'' to mean an ``executive departmen[t] . . . unless the context shows that such term was intended to describe the . . . legislative . . . or judicial branches,'' there is nothing in §1001's text, or in any related legislation, that even suggests—let alone ``shows''—that something other than a component of the Executive Branch was intended in this instance. Pp. 3–6.

Syllabus

(b) The *Bramblett* Court erred by giving insufficient weight to the plain language of §§6 and 1001 and, instead, broadly interpreting ``department'' in §1001 to refer to the Executive, Legislative, and Judicial Branches. Rather than attempting to reconcile its interpretation with the usual meaning of ``department,'' that Court relied on a review of the evolution of §1001 and a related statute as providing a ``context'' for the conclusion that ``Congress could not have intended to leave frauds such as [Bramblett's] without penalty.'' 348 U. S., at 509. Although a statute's historical evolution should not be discounted, such an analysis normally provides less guidance to meaning than the final text. Here, a straightforward reading suggests a meaning of ``department'' that is fully consistent with §6's presumptive definition. Moreover, the statutory history chronicled in *Bramblett* is at best inconclusive and does not supply a ``context'' sufficiently clear to warrant departure from that definition. Pp. 6–12.

(c) *Bramblett* is hereby overruled. Pp. 20–21.

JUSTICE STEVENS, joined by JUSTICE GINSBURG and JUSTICE BREYER, concluded in Parts IV and V:

1. A review of pertinent lower court decisions demonstrates that the judicial function exception is an obvious attempt to impose limits on *Bramblett*'s expansive reading of §1001 and that the exception has a substantial and longstanding following. Pp. 13–15.

2. The doctrine of *stare decisis* does not require this Court to accept *Bramblett*'s erroneous interpretation of §1001. Reconsideration of that case is permitted here (1) because of a highly unusual intervening development of the law—the judicial function exception—which is fairly characterized as a competing legal doctrine that can lay a legitimate claim to respect as a settled body of law, and (2) because of the absence of significant reliance interests in adhering to *Bramblett* on the part of prosecutors and Congress. Pp. 16–20.

JUSTICE SCALIA, joined by JUSTICE KENNEDY, agreed that *United States* v. *Bramblett,* 348 U. S. 503, should be overruled, but concluded that the doctrine of *stare decisis* may be ignored in this case not because the judicial function exception represents an intervening development of the law, but because of the demonstration, over time, that *Bramblett*'s mistaken reading of §1001 poses a risk that the threat of criminal prosecution under §1001's capacious provisions will deter vigorous representation of opposing interests in adversarial litigation, particularly representation of criminal defendants, whose adversaries control the machinery of §1001 prosecution. That problem can be judicially avoided (absent overruling) only by limiting *Bramblett* in a manner that is irrational or by importing excep-

Syllabus

tions, such as the judicial function exception, that have no basis in law. Pp. 1–3.

STEVENS, J., announced the judgment of the Court and delivered the opinion of the Court with respect to Parts I, II, III, and VI, in which SCALIA, KENNEDY, THOMAS, GINSBURG, and BREYER, JJ., joined, and an opinion with respect to Parts IV and V, in which GINSBURG and BREYER, JJ., joined. SCALIA, J., filed an opinion concurring in part and concurring in the judgment, in which KENNEDY, J., joined. REHNQUIST, C. J., filed a dissenting opinion, in which O'CONNOR and SOUTER, JJ., joined.