

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
**TO H. RES. 430**  
**OFFERED BY M . \_\_\_\_\_**

Strike the text and insert the following:

1       *Resolved*, That the chair of the Committee on the Ju-  
2       diciary of the House of Representatives is authorized, on  
3       behalf of such Committee, to initiate or intervene in any  
4       judicial proceeding before a Federal court—

5           (1) to seek declaratory judgments and any and  
6       all ancillary relief, including injunctive relief, affirm-  
7       ing the duty of—

8 (A) William P. Barr, Attorney General, to  
9 comply with the subpoena that is the subject of  
10 the resolution accompanying House Report 116-  
11 105; and

(B) Donald F. McGahn, II, former White House Counsel, to comply with the subpoena issued to him on April 22, 2019; and

(2) to petition for disclosure of information re-  
garding any matters identified in or relating to the  
subpoenas referred to in paragraph (1) or any ac-  
companying report, pursuant to Federal Rule of  
Criminal Procedure 6(e), including Rule 6(e)(3)(E)

1 (providing that the court may authorize disclosure of  
2 a grand-jury matter “preliminarily to... a judicial  
3 proceeding”).

4 *Resolved*, That the chair of each standing and perma-  
5 nent select committee, when authorized by the Bipartisan  
6 Legal Advisory Group, retains the ability to initiate or in-  
7 tervene in any judicial proceeding before a Federal court  
8 on behalf of such committee, to seek declaratory judg-  
9 ments and any and all ancillary relief, including injunctive  
10 relief, affirming the duty of the recipient of any subpoena  
11 duly issued by that committee to comply with that sub-  
12 poena. Consistent with the Congressional Record state-  
13 ment on January 3, 2019, by the chair of the Committee  
14 on Rules regarding the civil enforcement of subpoenas  
15 pursuant to clause 8(b) of rule II, a vote of the Bipartisan  
16 Legal Advisory Group to authorize litigation and to articu-  
17 late the institutional position of the House in that litiga-  
18 tion is the equivalent of a vote of the full House of Rep-  
19 resentatives.

20 *Resolved*, That in connection with any judicial pro-  
21 ceeding brought under the first or second resolving  
22 clauses, the chair of any standing or permanent select  
23 committee exercising authority thereunder has any and all  
24 necessary authority under Article I of the Constitution.

1       *Resolved*, That the chair of any standing or perma-  
2   nent select committee exercising authority described in the  
3   first or second resolving clause shall notify the House of  
4   Representatives, with respect to the commencement of any  
5   judicial proceeding thereunder.

6       *Resolved*, That the Office of General Counsel of the  
7   House of Representatives shall, with the authorization of  
8   the Speaker, represent any standing or permanent select  
9   committee in any judicial proceeding initiated or inter-  
10   vened in pursuant to the authority described in the first  
11   or second resolving clause.

12       *Resolved*, That the Office of General Counsel of the  
13   House of Representatives is authorized to retain private  
14   counsel, either for pay or pro bono, to assist in the rep-  
15   resentation of any standing or permanent select committee  
16   in any judicial proceeding initiated or intervened in pursu-  
17   ant to the authority described in the first or second resolv-  
18   ing clause.

