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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. RES 917

Authorizing the enforcement of subpoenas issued by the Chairs of the Committees on Oversight and Accountability, Ways and Means, or the Judiciary as part of the inquiry into whether sufficient grounds exist for the House of Representatives to exercise its Constitutional power to impeach Joseph Biden, President of the United States of America, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. ARMSTRONG submitted the following resolution; which was referred to the Committee on _____

RESOLUTION

Authorizing the enforcement of subpoenas issued by the Chairs of the Committees on Oversight and Accountability, Ways and Means, or the Judiciary as part of the inquiry into whether sufficient grounds exist for the House of Representatives to exercise its Constitutional power to impeach Joseph Biden, President of the United States of America, and for other purposes.

- 1 *Resolved*, That the chairs of each of the Committees
- 2 on Oversight and Accountability, Ways and Means, and
- 3 the Judiciary are authorized, with the approval of the

1 Speaker of the House of Representatives, to initiate or in-
2 tervene in certain judicial proceedings before a Federal
3 court for the purpose of advancing the ongoing investiga-
4 tions into whether sufficient grounds exist for the House
5 of Representatives to exercise its Constitutional power to
6 impeach Joseph Biden, President of the United States of
7 America, including as set forth in the memorandum issued
8 by the Chairs of the Committees on Oversight and Ac-
9 countability, Ways and Means, and Judiciary of the House
10 of Representatives, entitled “Impeachment Inquiry”,
11 dated September 27, 2023, and that the Chair of each
12 such Committee has had and continues to have the author-
13 ity to issue subpoenas to further this impeachment in-
14 quiry.

15 SUBPOENA AUTHORITY

16 SEC. 2.

17 The authority provided by clause 2(m) of Rule XI
18 of the Rules of the House of Representatives to the Chairs
19 of the Committees on Oversight and Accountability, Ways
20 and Means, and Judiciary included, from the beginning
21 of the existing House of Representatives impeachment in-
22 quiry described in the first section of this resolution, and
23 continues to include, so long as the impeachment inquiry
24 is ongoing, the authority to issue subpoenas on behalf of
25 such Committees for the purpose of furthering the im-
26 peachment inquiry.

1 RATIFYING AND AFFIRMING SUBPOENAS

2 SEC. 3.

3 The House of Representatives ratifies and affirms
4 any subpoenas previously issued, pursuant to the authority
5 established by the Constitution of the United States and
6 clause 2(m) of Rule XI of the Rules of the House of Rep-
7 resentatives, by the Chairs of the Committees on Over-
8 sight and Accountability, Ways and Means, or the Judici-
9 ary as part of the impeachment inquiry described in the
10 first section of this resolution.

11 INITIATION AND INTERVENTION IN JUDICIAL
12 PROCEEDINGS

13 SEC. 4.

14 (a) The chairs of each of the Committees on Over-
15 sight and Accountability, Ways and Means, and the Judi-
16 ciary are authorized, on behalf of such Committees, and
17 with the approval of the Speaker of the House of Rep-
18 resentatives, to initiate or intervene in any judicial pro-
19 ceeding before a Federal court—

20 (1) to seek declaratory judgments and any and
21 all ancillary relief, including injunctive relief, affirm-
22 ing the duty of any recipient of a subpoena author-
23 ized, described, ratified or affirmed by the second or
24 third section of this resolution to comply with that
25 subpoena, including the subpoenas issued to—

1 (A) Jack Morgan, U.S. Department of
2 Justice; and

3 (B) Mark F. Daly, Senior Litigation Coun-
4 sel, Tax Division, U.S. Department of Justice;
5 and

6 (2) to petition for disclosure of—

7 (A) information relevant to the impeach-
8 ment inquiry, pursuant to Federal Rule of
9 Criminal Procedure 6(e), including Rule
10 6(e)(3)(E) (providing that the court may au-
11 thorize disclosure of a grand-jury matter “pre-
12 liminarily to a * * * judicial proceeding”); and

13 (B) materials relevant to the impeachment
14 inquiry currently held by the National Archives
15 and Records Administration, including those to
16 which access may be provided pursuant to sec-
17 tion 2205 of title 44, United States Code.

18 (b) The chair of each of the Committees on Oversight
19 and Accountability, Ways and Means, and the Judiciary
20 exercising authority described in subsection (a) shall no-
21 tify the House of Representatives, with respect to the com-
22 mencement of any judicial proceeding thereunder.

23 (c) The Office of General Counsel of the House of
24 Representatives shall, with the authorization of the Speak-
25 er, represent any of the Committees on Oversight and Ac-

1 countability, Ways and Means, and the Judiciary in any
2 judicial proceeding initiated or intervened in pursuant to
3 the authority described in the subsection (a).

4 (d) The Office of General Counsel of the House of
5 Representatives is authorized to retain private counsel, ei-
6 ther for pay or pro bono, to assist in the representation
7 of any of the Committees on Oversight and Accountability,
8 Ways and Means, and the Judiciary in any judicial pro-
9 ceeding initiated or intervened in pursuant to the author-
10 ity described in subsection (a).

11 (e) In connection with any judicial proceeding
12 brought under subsection (a), the chair of each of the
13 Committees on Oversight and Accountability, Ways and
14 Means, and Judiciary exercising authority thereunder has
15 any and all necessary authority under Article I of the Con-
16 stitution.