

H. Res. 917

In the House of Representatives, U. S.,

December 13, 2023.

Resolved, That the chairs of each of the Committees on Oversight and Accountability, Ways and Means, and the Judiciary are authorized, with the approval of the Speaker of the House of Representatives, to initiate or intervene in certain judicial proceedings before a Federal court for the purpose of advancing the ongoing investigations 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, including as set forth in the memorandum issued by the Chairs of the Committees on Oversight and Accountability, Ways and Means, and Judiciary of the House of Representatives, entitled “Impeachment Inquiry”, dated September 27, 2023, and that the Chair of each such Committee has had and continues to have the authority to issue subpoenas to further this impeachment inquiry.

SUBPOENA AUTHORITY

SEC. 2.

The authority provided by clause 2(m) of Rule XI of the Rules of the House of Representatives to the Chairs of the Committees on Oversight and Accountability, Ways and Means, and Judiciary included, from the beginning of the existing House of Representatives impeachment inquiry described in the first section of this resolution, and continues to include, so long as the impeachment inquiry is ongoing, the authority to issue subpoenas on behalf of such Committees for the purpose of furthering the impeachment inquiry.

RATIFYING AND AFFIRMING SUBPOENAS

SEC. 3.

The House of Representatives ratifies and affirms any subpoenas previously issued, pursuant to the authority established by the Constitution of the United States and clause 2(m) of Rule XI of the Rules of the House of Representatives, by the Chairs of the Committees on Oversight and Accountability, Ways and Means, or the Judiciary as part of the impeachment inquiry described in the first section of this resolution.

INITIATION AND INTERVENTION IN JUDICIAL PROCEEDINGS

SEC. 4.

(a) The chairs of each of the Committees on Oversight and Accountability, Ways and Means, and the Judiciary are authorized, on behalf of such Committees, and with the approval of the Speaker of the House of Representatives, to ini-

tiate or intervene in any judicial proceeding before a Federal court—

(1) to seek declaratory judgments and any and all ancillary relief, including injunctive relief, affirming the duty of any recipient of a subpoena authorized, described, ratified or affirmed by the second or third section of this resolution to comply with that subpoena, including the subpoenas issued to—

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

and

(B) Mark F. Daly, Senior Litigation Counsel, Tax Division, U.S. Department of Justice; and

(2) to petition for disclosure of—

(A) information relevant to the impeachment inquiry, pursuant to Federal Rule of Criminal Procedure 6(e), including Rule 6(e)(3)(E) (providing that the court may authorize disclosure of a grand-jury matter “preliminarily to a * * * judicial proceeding”); and

(B) materials relevant to the impeachment inquiry currently held by the National Archives and Records Administration, including those to which access may be provided pursuant to section 2205 of title 44, United States Code.

(b) The chair of each of the Committees on Oversight and Accountability, Ways and Means, and the Judiciary exercising authority described in subsection (a) shall notify the House of Representatives, with respect to the commencement of any judicial proceeding thereunder.

(c) The Office of General Counsel of the House of Representatives shall, with the authorization of the Speaker, represent any of the Committees on Oversight and Accountability, Ways and Means, and the Judiciary in any judicial proceeding initiated or intervened in pursuant to the authority described in the subsection (a).

(d) The Office of General Counsel of the House of Representatives is authorized to retain private counsel, either for pay or pro bono, to assist in the representation of any of the Committees on Oversight and Accountability, Ways and Means, and the Judiciary in any judicial proceeding initiated or intervened in pursuant to the authority described in subsection (a).

(e) In connection with any judicial proceeding brought under subsection (a), the chair of each of the Committees on Oversight and Accountability, Ways and Means, and Judici-

ary exercising authority thereunder has any and all necessary authority under Article I of the Constitution.

Attest:

Clerk.