

[COMMITTEE DISCUSSION DRAFT]

113TH CONGRESS
2^D SESSION

H. RES. _____

Providing for authority to initiate litigation for actions by the President inconsistent with his duties under the Constitution of the United States.

IN THE HOUSE OF REPRESENTATIVES

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

RESOLUTION

Providing for authority to initiate litigation for actions by the President inconsistent with his duties under the Constitution of the United States.

1 *Resolved*, That the Speaker may initiate or intervene
2 in one or more civil actions on behalf of the House of Rep-
3 resentatives in a Federal court of competent jurisdiction
4 to seek relief pursuant to sections 2201 and 2202 of title
5 28, United States Code, and to seek appropriate ancillary
6 relief, including injunctive relief, regarding the failure of
7 the President, the head of any department or agency, or
8 any other officer or employee of the United States, to act

1 in a manner consistent with that official's duties under
2 the Constitution and laws of the United States with re-
3 spect to implementation of (including a failure to imple-
4 ment) any provision of the Patient Protection and Afford-
5 able Care Act and title I and subtitle B of title II of the
6 Health Care and Education Reconciliation Act of 2010,
7 including any amendment made by such provision.

8 SEC. 2. The Speaker shall notify the House of Rep-
9 resentatives of a decision to initiate or intervene in any
10 civil action pursuant to this resolution.

11 SEC. 3. The Office of the General Counsel of the
12 House of Representatives, at the direction of the Speaker
13 shall represent the House in any civil action initiated, or
14 in which the House intervenes, pursuant to this resolution
15 and may employ the services of outside counsel and other
16 experts for this purpose.