

**AMENDMENT TO THE AMENDMENT IN THE NATURE OF A
SUBSTITUTE TO THE COMMITTEE REPORT FOR THE RESOLUTION
RECOMMENDING THAT THE HOUSE OF REPRESENTATIVES FIND
ROBERT HUNTER BIDEN IN CONTEMPT OF CONGRESS FOR
REFUSAL TO COMPLY WITH A SUBPOENA DULY ISSUED BY THE
COMMITTEE ON THE JUDICIARY**

Offered by **Mr. Lieu of California.**

**On page 5, before the section reading “BACKGROUND ON THE
INVESTIGATION” insert:**

The Supreme Court has repeatedly upheld Congress’ inherent contempt power to fine, detain, or imprison individuals who refuse to comply with a congressional subpoena. In *Anderson v. Dunn*, 19 U.S. 204 (1821), the Court held that the Speaker of the House may command the Sergeant-at-Arms to take a noncompliant witness into custody, and that this power is essential to the fulfillment of Congress’ duties. In *Jurney v. MacCracken*, 294 U.S. 125 (1935), the Court opined that the Senate “had authority to require the production of papers as a necessary incident of the power of legislation, and that the Senate had the power to coerce their production by means of arrest”.