

**AMENDMENT OFFERED BY MR. SMITH
TO THE AMENDMENT IN THE NATURE OF A
SUBSTITUTE**

Add at the end the following new section:

1 **SEC. ____ . INTERVENTION AND CHALLENGE BY MEMBERS**
2 **OF CONGRESS.**

3 (a) INTERVENTION BY MEMBERS OF CONGRESS.—In
4 any action in which the constitutionality of any provision
5 of this Act or any amendment made by this Act is raised,
6 any member of the House of Representatives (including
7 a Delegate or Resident Commissioner to the Congress) or
8 Senate shall have the right to intervene either in support
9 of or opposition to the position of a party to the case re-
10 garding the constitutionality of the provision or amend-
11 ment. To avoid duplication of efforts and reduce the bur-
12 dens placed on the parties to the action, the court in any
13 such action may make such orders as it considers nec-
14 essary, including orders to require intervenors taking simi-
15 lar positions to file joint papers or to be represented by
16 a single attorney at oral argument.

17 (b) CHALLENGE BY MEMBERS OF CONGRESS.—Any
18 Member of Congress may bring an action, subject to the
19 special rules described in this Act, for declaratory or in-

ed by Roll Call Vote: Ayes=15 Nays=15

- 1 junctive relief to challenge the constitutionality of any pro-
- 2 vision of this Act or any amendment made by this Act.

