

119TH CONGRESS
2D SESSION

S. RES. _____

Providing for the authority to initiate litigation for actions by the President and Department of Justice officials inconsistent with their duties under the laws of the United States.

IN THE SENATE OF THE UNITED STATES

Mr. SCHUMER (for himself, Mr. MERKLEY, Mr. LUJÁN, Mr. SCHIFF, Mr. VAN HOLLEN, Mr. BLUMENTHAL, Mr. DURBIN, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Mr. WYDEN, Mr. KIM, Mr. GALLEG0, Mr. BOOKER, Mr. HEINRICH, Mr. SCHATZ, and Ms. HIRONO) submitted the following resolution; which was referred to the Committee on _____

RESOLUTION

Providing for the authority to initiate litigation for actions by the President and Department of Justice officials inconsistent with their duties under the laws of the United States.

Whereas Public Law 119–38 (the Epstein Files Transparency Act, referred to in this resolution as the “Act”) was passed with overwhelming bipartisan support in both the Senate and the House of Representatives, and with their vote, every United States Senator, and 427 bipartisan House members sent a clear and simple message: Release all the Epstein files;

Whereas the Act required the release of “all” records, documents, communications, and investigation materials in a searchable and downloadable format by December 19, 2025;

Whereas the Act provided for limited, narrowly tailored grounds for withholding or redacting information made public in compliance with the law;

Whereas, on December 19, 2025, Deputy Attorney General Todd Blanche said the Justice Department would release an initial, but not complete, portion of the Epstein files, which would include “several hundred thousand documents” from its Epstein investigative files;

Whereas the Act provides no exception to meeting the December 19, 2025, release deadline;

Whereas the Department of Justice released only 12,285 documents, representing less than 1 percent of the total files in the Department’s possession, between December 19, 2025, and December 22, 2025;

Whereas the Department of Justice sought to inflate the total numbers of documents released;

Whereas, on its website, the Department of Justice has also posted other Epstein-related material, which was already made public before enactment of the Act, including records previously produced under the Freedom of Information Act, the July Maxwell interview, the Bureau of Prison footage of Epstein’s jail cell on the night of his death, prior Department of Justice Office of Professional Responsibility and Office of Inspector General reports and statements, and a link to the website of the Committee on Oversight of the House of Representatives;

Whereas the Department of Justice announced on December 24, 2025, that it had apparently discovered over 1,000,000 additional documents, and that the Department was reviewing over 5,000,000 pages, which would take several weeks to review and release to the public;

Whereas the Department of Justice released another production of files on January 30, 2025, which it represented as the final production of Epstein files;

Whereas the Department of Justice announced it would release 3,000,000 pages, which was half of the 6,000,000 pages it acknowledged collecting, yet it released fewer than 2,700,000 pages, falling materially short of its stated production;

Whereas the released documents were extensively redacted, not in compliance with the limited scope of redactions permitted in the Act; and

Whereas the released material improperly disclosed Epstein survivor information, while in other instances, withholding or redacting information concerning Epstein co-conspirators and enablers from disclosure: Now, therefore, be it

1 *Resolved*, That—

2 (1) the Majority Leader of the Senate shall ini-
3 tiate or intervene in one or more civil actions in the
4 name of the Senate in a Federal Court of competent
5 jurisdiction to seek appropriate relief regarding the
6 failure of the Department of Justice to act in a
7 manner consistent with Public Law 119–38 (the Ep-
8 stein Files Transparency Act);

1 (2) the Majority Leader of the Senate shall no-
2 tify the Senate when the body initiates or intervenes
3 in any civil action pursuant to this resolution; and
4 (3) the Office of Senate Legal Counsel, or any
5 other counsel designated at the direction of the Ma-
6 jority Leader of the Senate, following consultation
7 with the Minority Leader of the Senate, shall rep-
8 resent the Senate in any civil action initiated, or in
9 which the Senate intervenes, pursuant to this resolu-
10 tion, and any counsel so designated is authorized to
11 designate funds for such representation approved by
12 the Majority Leader of the Senate out of the mis-
13 cellaneous line item appropriations.