

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2309
OFFERED BY _____**

At the end of section 4, insert the following new sub-section:

1 (h) DISCLOSURE RELATING TO THE USE OF PRI-
2 VATE ATTORNEYS.—In each case in which a State retains
3 a private attorney to prosecute or to assist in the prosecu-
4 tion of an action brought under section 4 the State shall
5 provide to the Commission within 5 days of the earlier
6 of the date of execution or the effective date of the reten-
7 tion agreement—

8 (1) a copy of the written retention agreement
9 and any revisions thereto between the State and the
10 private attorney;

11 (2) a complete description of the terms and
12 conditions of the retention including, all hourly
13 rates, any contingent fee, and other forms of poten-
14 tial remuneration;

15 (3) the caption and docket number of any law-
16 suit initiated pursuant to the retention agreement;
17 and

1 (4) the identity of any and all private attorneys
2 expected to provide material assistance in connection
3 with the retention.

4 To the extent that there is at any time a material change
5 in any information submitted to the Commission as re-
6 quired under this subsection, the State shall provide the
7 Commission with an updated submission within 5 days of
8 becoming aware of the change. Not later than 5 days after
9 receiving any information filed pursuant to this sub-
10 section, the Commission shall publish such information in
11 the Federal Register.

