

103^D CONGRESS
2^D SESSION

S. RES. 248

To direct the Senate Legal Counsel to appear as amicus curiae in the name of the Senate in *United States v. Durenberger*.

IN THE SENATE OF THE UNITED STATES

AUGUST 13 (legislative day, AUGUST 11), 1994

Mr. MITCHELL (for himself and Mr. DOLE) submitted the following resolution; which was considered and agreed to

RESOLUTION

To direct the Senate Legal Counsel to appear as amicus curiae in the name of the Senate in *United States v. Durenberger*.

Whereas, in the case of *United States v. Durenberger*, No. 94-3105, pending on appeal in the United States Court of Appeals for the District of Columbia Circuit, the powers and responsibilities of Congress and the relationship among the branches of government have been placed in issue; and

Whereas, pursuant to sections 703(c), 706(a), and 713(a) of the Ethics in Government Act of 1978, 2 U.S.C. 288b(c), 288e(a), and 288l(a) (1988), the Senate may direct its Counsel to appear as amicus curiae in the name of the Senate in any legal action which places in issue the pow-

ers and responsibilities of Congress under the Constitution: Now, therefore, be it

1 *Resolved*, That the Senate Legal Counsel is directed
2 to appear as amicus curiae in the name of the Senate in
3 United States v. Durenberger, for the limited purpose of
4 requesting the Court to give plenary consideration to the
5 contentions of the United States and Senator Durenberger
6 in regard to the separation of powers questions presented
7 by the appeal.

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