

108TH CONGRESS
2D SESSION

S. RES. 410

To authorize Senate employees to testify and produce documents with legal representation.

IN THE SENATE OF THE UNITED STATES

JULY 20, 2004

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

RESOLUTION

To authorize Senate employees to testify and produce documents with legal representation.

Whereas the Department of Justice is requesting testimony in connection with a pending investigation into potential false statements to a committee of the Senate;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be

taken from such control or possession but by permission of the senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

1 *Resolved*, That present and former employees of the
2 Senate are authorized to testify and to produce docu-
3 ments, except as to matters for which a privilege should
4 be asserted, in connection with the pending investigation
5 into potential false statements to a committee of the Sen-
6 ate, and any related proceedings.

7 SEC. 2. The Senate Legal Counsel is authorized to
8 represent present and former employees of the Senate in
9 connection with the testimony authorized in section one
10 of this resolution.

○