108TH CONGRESS
2D SESSION

S. RES. 443

To authorize testimony, document production, and legal representation in
United States v. Roberto Martin.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2004

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

RESOLUTION

To authorize testimony, document production, and legal
representation in United States v. Roberto Martin.

Whereas, in the case of United States v. Roberto Martin,
Crim. No. 04–CR–20075, pending in federal district
court in the Southern District of Florida, testimony and
documents have been requested from an employee in the
office of Senator Bob Graham;

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 rep-
resent employees of the Senate with respect to any sub-
poena, 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 evi-

dence 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 employees of Senator Graham's office

2 from whom testimony or the production of documents may

3 be required are authorized to testify and produce docu-

4 ments in the case of United States v. Roberto Martin, ex-

5 cept concerning matters for which a privilege should be

6 asserted.

7   SEC. 2. The Senate Legal Counsel is authorized to

8 represent Senator Graham's staff in the action referenced

9 in section one of this resolution.

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