

109TH CONGRESS
2^D SESSION

S. RES. 584

To authorize the production of records, testimony, and legal representation.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25, 2006

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

RESOLUTION

To authorize the production of records, testimony, and legal
representation.

Whereas the United States Attorney's Office for the District
of Columbia is conducting an investigation of the finan-
cial disclosures made by Dr. Lester Crawford to the
Committee on Health, Education, Labor, and Pensions in
connection with confirmation proceedings on Dr.
Crawford's nomination to be Commissioner of the Food
and Drug Administration;

Whereas the Committee on Health, Education, Labor, and
Pensions has received a request from the United States
Attorney's Office for testimony of three employees of the
Committee and for records of the Committee relevant to
the investigation;

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 can, by administrative or judicial 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 is needed for the promotion 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 the Committee on Health, Education,
 2 Labor, and Pensions is authorized to produce documents
 3 and committee staff are authorized to testify in these and
 4 related proceedings, except where a privilege should be as-
 5 serted.

6 SEC. 2. The Senate Legal Counsel is authorized to
 7 represent employees of the Committee on Health, Edu-
 8 cation, Labor, and Pensions in connection with the docu-
 9 ment production and testimony authorized in section one
 10 of this resolution.

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