

117TH CONGRESS  
1ST SESSION

# S. RES. 316

To authorize representation by the Senate Legal Counsel in the case of  
*AO Alfa-Bank v. John Doe, et al.*

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IN THE SENATE OF THE UNITED STATES

JULY 22, 2021

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

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## RESOLUTION

To authorize representation by the Senate Legal Counsel  
in the case of *AO Alfa-Bank v. John Doe, et al.*

Whereas, in the case of *AO Alfa-Bank v. John Doe, et al.*,  
Case No. 50–2020–CA–006304, pending in the 15th Ju-  
dicial Circuit Court, Palm Beach County, Florida, the  
plaintiff has issued two subpoenas for deposition testi-  
mony and document production to Thomas Kirk McCon-  
nell, a staff member of the Committee on Armed Serv-  
ices;

Whereas the plaintiff has presented those Florida court sub-  
poenas to the District of Columbia Superior Court, which  
has issued the subpoenas under local law, Case No.  
2021–02459;

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 committees and current and former employees of the Senate with respect to any subpoena, order, or request for testimony or documents relating to their official responsibilities; and

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: Now, therefore, be it

1       *Resolved*, That Senate Legal Counsel is authorized to  
 2 represent the Committee on Armed Services and Thomas  
 3 Kirk McConnell in this matter to seek to quash the sub-  
 4 poenas.

5       SEC. 2. Elizabeth King, Majority Staff Director of  
 6 the Committee on Armed Services, is authorized to provide  
 7 a limited declaration sufficient to demonstrate the applica-  
 8 bility of the Speech or Debate Clause privilege in this mat-  
 9 ter, without waiving the Committee's privilege.

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