

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. RES. 291

To authorize testimony, document production, and legal representation in  
United States v. Milton Thomas Black.

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IN THE SENATE OF THE UNITED STATES

JUNE 25, 2002

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

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## RESOLUTION

To authorize testimony, document production, and legal  
representation in United States v. Milton Thomas Black.

Whereas, in the case of United States v. Milton Thomas Black, Cr. No. S-02-016-PMP, pending in the United States District Court for the District of Nevada, subpoenas for testimony have been issued to Clara Kircher and Phil Toomajian, employees in the office of Senator Patrick J. Leahy; Donald Wilson, an employee in the office of Senator Harry Reid; and Katharine Dillingham and Craig Spilsbury, employees in the office of Senator Orrin G. Hatch;

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 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 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 consistently with the privileges of the Senate: Now, therefore, be it

1       *Resolved*, That Clara Kircher, Phil Toomajian, Don-  
 2       ald Wilson, Katharine Dillingham, Craig Spilsbury, and  
 3       any other employee of the Senate from whom testimony  
 4       or document production is required, are authorized to tes-  
 5       tify and produce documents in the case of United States  
 6       v. Milton Thomas Black, except concerning matters for  
 7       which a privilege should be asserted.

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

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