

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

# S. RES. 353

To authorize testimony, document production, and legal representation in  
United States v. John Murtari

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IN THE SENATE OF THE UNITED STATES

OCTOBER 17, 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. John Murtari

Whereas, in the case of United States v. John Murtari, Crim.  
Act. No. 02–CR–369, pending in the United States Dis-  
trict Court for the Northern District of New York, testi-  
mony has been requested from Cathy Calhoun, an em-  
ployee in the office of Senator Hillary Rodham Clinton;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the  
Ethnics in Government Act of 1978, 2 U.S.C. sections  
288b(a) and 288c(a)(2), the Senate may direct its coun-  
sel 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 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 consistently with the privileges of the Senate: Now, therefore, be it

1       *Resolved*, That Cathy Calhoun, and any other em-  
 2 ployee of the Senate from whom testimony or document  
 3 production is required, are authorized to testify and  
 4 produce documents in the case of United States v. John  
 5 Murtari, except concerning matters for which a privilege  
 6 should be asserted.

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

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