

117TH CONGRESS
1ST SESSION

S. RES. 236

To authorize testimony, documents, and representation in *United States v. Wornick*.

IN THE SENATE OF THE UNITED STATES

MAY 25, 2021

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

RESOLUTION

To authorize testimony, documents, and representation in
United States v. Wornick.

Whereas, in the case of *United States v. Wornick*, Cr. No. 20–106, pending in the United States District Court for the District of Colorado, the prosecution has requested the production of testimony and, if necessary, documents from Bailey McCue, an employee of the office of former Senator Cory Gardner;

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 current and former employees of the Senate with respect to any subpoena, order, or request for testimony or documents 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 consistent with the privileges of the Senate: Now, therefore, be it

1 *Resolved*, That Bailey McCue, an employee of the of-
 2 fice of former Senator Cory Gardner, and any other em-
 3 ployee of the former Senator's office from whom relevant
 4 evidence may be necessary, are authorized to testify and
 5 produce documents in the case of *United States v.*
 6 *Wornick*, except concerning matters for which a privilege
 7 should be asserted.

8 SEC. 2. The Senate Legal Counsel is authorized to
 9 represent Senator Gardner and any employees of his
 10 former office in connection with the production of evidence
 11 authorized in section one of this resolution.

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