

103^D CONGRESS
1ST SESSION

S. RES. 140

To authorize the testimony of Senate employees.

IN THE SENATE OF THE UNITED STATES

AUGUST 6 (legislative day, JUNE 30), 1993

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

RESOLUTION

To authorize the testimony of Senate employees.

Whereas, in the case of *United States v. Dean*, Cr. No. 92–0181, Independent Counsel Arlin M. Adams has requested the trial testimony of Kenneth A. McLean, a former Senate employee on the staff of the Committee on Banking, Housing, and Urban Affairs;

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 process, be taken from such control or possession but by permission of the Senate;

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; and

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) (1988), the Senate may direct its counsel to represent committees, Members, officers and employees of the Senate with respect to subpoenas or orders issued to them in their official capacity: Now, therefore, be it

1 *Resolved*, That Kenneth A. McLean, and any other
2 present or former Senate employee whose testimony may
3 be required, is authorized to testify in the trial of United
4 States v. Deborah Dean, Cr. No. 92-0181 (D.D.C.), ex-
5 cept as to matters for which a privilege should be asserted.

6 SEC. 2. That the Senate Legal Counsel is directed
7 to represent Kenneth A. McLean, and any other present
8 or former Senate employee, in connection with the testi-
9 mony authorized under section 1.

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