

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. RES. 88

To authorize testimony and to authorize representation by the Senate Legal  
Counsel.

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## IN THE SENATE OF THE UNITED STATES

APRIL 1 (legislative day, MARCH 3), 1993

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

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## RESOLUTION

To authorize testimony and to authorize representation by  
the Senate Legal Counsel.

Whereas, in the case of *United States v. Armand D'Amato*,  
Cr. No. 92-00274, pending in the United States District  
Court for the Eastern District of New York, the United  
States seeks the trial testimony of Senate employees,  
Claudia Breggia and Shirley Tucker;

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 Sen-  
ate can, by administrative or 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 is needed for the pro-

motion of justice, the Senate will take such action as will promote the ends of justice consistent 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), the Senate may direct its counsel to represent employees of the Senate with respect to requests for testimony made to them in their official capacities: Now, therefore, be it

1       *Resolved*, That Claudia Breggia and Shirley Tucker  
2 are authorized to testify in United States v. Armand  
3 D'Amato, Cr. No. 92-00274 (E.D. N.Y.), except concern-  
4 ing matters for which a privilege should be asserted.

5       SEC. 2. The Senate Legal Counsel is authorized to  
6 represent Claudia Breggia and Shirley Tucker in connec-  
7 tion with the testimony authorized by section 1 of this  
8 resolution.

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