

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. RES. 135

To authorize production of documents, testimony by a former Senate employee, and representation by Senate Legal Counsel.

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## IN THE SENATE OF THE UNITED STATES

JUNE 15 (legislative day, JUNE 5), 1995

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

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## **RESOLUTION**

To authorize production of documents, testimony by a former Senate employee, and representation by Senate Legal Counsel.

Whereas the plaintiffs in *Schneider v. Schaaf*, Civ. No. 95–C–1056 and *Schneider v. Messer*, Civ. No. 93–C–124, civil actions pending in State court in North Dakota have sought the deposition testimony of Ross Keys, a former Senate employee who worked for Senator Kent Conrad and documents from Senator Conrad’s office;

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 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 promotion 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 Ross Keys is authorized to produce  
2 records and provide testimony in the cases of Schneider  
3 v. Schaaf and Schneider v. Messer, except concerning mat-  
4 ters for which a privilege should be asserted.

5       SEC. 2. The Senate Legal Counsel is authorized to  
6 represent Ross Keys in connection with the testimony au-  
7 thorized by section 1 of this resolution.

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