

105TH CONGRESS  
1ST SESSION

# S. RES. 21

To direct the Senate Legal Counsel to appear as *amicus curiae* in the name of the Senate in Senator Robert C. Byrd, et al. v. Franklin D. Raines, et al.

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IN THE SENATE OF THE UNITED STATES

JANUARY 22, 1997

Mr. LOTT (for himself, Mr. McCAIN, Mr. COATS, and Mr. STEVENS)  
submitted the following resolution; which was considered and agreed to

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## RESOLUTION

To direct the Senate Legal Counsel to appear as *amicus curiae* in the name of the Senate in Senator Robert C. Byrd, et al. v. Franklin D. Raines, et al.

Whereas, in the case of Senator Robert C. Byrd, et al. v. Franklin D. Raines, et al., C.A. No. 97–0001, pending in the United States District Court for the District of Columbia, the constitutionality of the Line Item Veto Act (Public Law 104–130; 110 Stat. 1200), has been placed in issue;

Whereas, pursuant to sections 703(c), 706(a), and 713(a) of the Ethics in Government Act of 1978 (2 U.S.C. 288b(c), 288e(a), 288l(a)), the Senate may direct its counsel to appear as *amicus curiae* in the name of the Senate in any legal action in which the powers and responsibilities of

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Congress under the Constitution are placed in issue:  
Now, therefore, be it

1       *Resolved*, That the Senate Legal Counsel is directed  
2 to appear as amicus curiae on behalf of the Senate in the  
3 case of Senator Robert C. Byrd et al. v. Franklin D.  
4 Raines, et al., to defend the constitutionality of the Line  
5 Item Veto Act.

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