

105TH CONGRESS
2D SESSION

S. RES. 233

To authorize testimony and document production and representation of Senate employees in *People v. James Eugene Arenas*.

IN THE SENATE OF THE UNITED STATES

MAY 21, 1998

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

RESOLUTION

To authorize testimony and document production and representation of Senate employees in *People v. James Eugene Arenas*.

Whereas, in the case of *People v. James Eugene Arenas*, Case No. 98F2403, pending in the Municipal Court for Fresno, California, testimony and document production have been requested from Kelly Gill, an employee on the staff of Senator Barbara Boxer;

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 any subpoena, order, or request for testimony or the production of 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 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 consistently with the privileges of the Senate: Now, therefore, be it

1 *Resolved*, That Kelly Gill, and any other employee
 2 from whom testimony or document production may be re-
 3 quired, are authorized to testify and produce documents
 4 in the case of People v. James Eugene Arenas, except con-
 5 cerning matters for which a privilege should be asserted.

6 SEC. 2. That the Senate Legal Counsel is authorized
 7 to represent Kelly Gill, and any other employee from
 8 whom testimony or document production may be required,
 9 in connection with People v. James Eugene Arenas.

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