

105<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. RES. 269

To authorize production of Senate documents and representation by Senate Legal Counsel in the case of Rose Larker, et al. v. Kevin A. Carias-Herrera, et al.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 1 (legislative day, AUGUST 31), 1998

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

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## RESOLUTION

To authorize production of Senate documents and representation by Senate Legal Counsel in the case of Rose Larker, et al. v. Kevin A. Carias-Herrera, et al.

Whereas, in the case of Rose Larker, et al. v. Kevin A. Carias-Herrera, et al., Civil No. 97CA06257, pending in the Superior Court for the District of Columbia, a subpoena has been issued for the production of documents of the Sergeant-at-Arms and Doorkeeper of the Senate;

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 Members, officers, and employees of the Senate with respect to any subpoena, order, or request for testi-

mony or document production 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 or administrative process, be taken from such control or possession 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 the Sergeant-at-Arms and Doorkeeper  
2 of the Senate is authorized to produce documents relevant  
3 to the case of Rose Larker, et al. v. Kevin A. Carias-Her-  
4 rera, et al.

5       SEC. 2. That the Senate Legal Counsel is authorized  
6 to represent the Sergeant-at-Arms and Doorkeeper of the  
7 Senate in connection with the production of documents in  
8 this case.

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