

108TH CONGRESS
1ST SESSION

S. RES. 105

To authorize testimony and legal representation in State of New Hampshire
v. Macy E. Morse, et al.

IN THE SENATE OF THE UNITED STATES

APRIL 7, 2003

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

RESOLUTION

To authorize testimony and legal representation in State
of New Hampshire v. Macy E. Morse, et al.

Whereas, in the case of State of New Hampshire v. Macy E. Morse, et al., pending in Portsmouth District Court for the State of New Hampshire, testimony has been requested from Joel Maiola, a staff member in the office of Senator Judd Gregg;

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 228c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony 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 evi-

dence under the control or in the possession of the Senate may, by the judicial or administrative 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 Joel Maiola is authorized to provide
 2 testimony in the case of State of New Hampshire v. Macy
 3 E. Morse, et al., except concerning matters for which a
 4 privilege should be asserted.

5 SEC. 2. The Senate Legal Counsel is authorized to
 6 represent Joel Maiola in connection with any testimony
 7 authorized in section one of this resolution.

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