

105TH CONGRESS
1ST SESSION

S. RES. 152

To direct the Senate Legal Counsel to appear as amicus curiae in the name of the Senate in City of New York, et al. v. William Clinton, et al., and related cases.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 9, 1997

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

RESOLUTION

To direct the Senate Legal Counsel to appear as amicus curiae in the name of the Senate in City of New York, et al. v. William Clinton, et al., and related cases.

Whereas, in the cases of City of New York, et al. v. William Clinton, et al., Civ. No. 97–2393, National Treasury Employees Union, et al., v. United States, et al., Civ. No. 97–2399, and Snake River Potato Growers, Inc., et al., v. Robert Rubin, Civ. No. 97–2463, all pending in the United States District Court for the District of Columbia, the constitutionality of the Line Item Veto Act, Public Law No. 104–130, 110 Stat. 1200 (1996), has been placed in issue; and

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), and 2881(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 Congress under the Constitution are placed in issue: Now, therefore, be it

Resolved, That the Senate Legal Counsel is directed to appear as amicus curiae on behalf of the Senate in the cases of City of New York, et al. v. William Clinton, et al.; National Treasury Employees Union, et al., v. United States, et al.; and Snake River Potato Growers, Inc., et al., v. Robert Rubin, to defend the constitutionality of the Line Item Veto Act.

SEC. 2. That while the Senate is adjourned the Senate Legal Counsel is authorized to appear as amicus curiae on behalf of the Senate in other cases in which the constitutionality of the Line Item Veto Act is placed in issue: *Provided*, That the Joint Leadership Group authorizes the Senate Legal Counsel to appear as amicus curiae on behalf of the Senate in such other cases.

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