

105TH CONGRESS
2D SESSION

S. RES. 281

To authorize testimony and representation of employees of the Senate in
United States v. Alphonso Michael Espy.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 23, 1998

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

RESOLUTION

To authorize testimony and representation of employees of
the Senate in United States v. Alphonso Michael Espy.

Whereas, in the case of United States v. Alphonso Michael Espy, Criminal Case No. 97–0335, pending in the United States District Court for the District of Columbia, a trial subpoena has been served upon Galen Fountain and Jo Nobles, employees of the Senate, and Leslie Chalmers Tagg, formerly an employee 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 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 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 Galen Fountain, Jo Nobles, Leslie
2 Chalmers Tagg, and any other employee from whom testi-
3 mony may be required, are authorized to testify in the case
4 of United States v. Alphonso Michael Espy, 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 Galen Fountain, Jo Nobles, Leslie Chalmers
8 Tagg, and any other employee of the Senate, in connection
9 with testimony in United States v. Alphonso Michael
10 Espy.

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