

106TH CONGRESS
1ST SESSION

S. RES. 104

To authorize testimony, production of documents, and legal representation
in United States v. Nippon Miniature Bearing, Inc., et al.

IN THE SENATE OF THE UNITED STATES

MAY 20, 1999

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

RESOLUTION

To authorize testimony, production of documents, and legal
representation in United States v. Nippon Miniature
Bearing, Inc., et al.

Whereas, in the case of United States v. Nippon Miniature
Bearing, Inc., et al., Court No. 96–12–02853, pending in
the United States Court of International Trade, a sub-
poena for testimony and documents has been issued to
Tim Osborn, a former employee of the Senate Committee
on Small Business, concerning the performance of his du-
ties on behalf of the Committee.

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 rep-
resent Members or employees of the Senate with respect

to any subpoena, order, or request for testimony or 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 Tim Osborn, and any other former
2 Senate Member or employee from whom testimony may
3 be required, are authorized to testify and produce documents in the case of United States v. Nippon Miniature
4 Bearing, Inc., et al., except concerning matters for which
5 a privilege should be asserted.

7 SEC. 2. The Senate Legal Counsel is authorized to
8 represent Tim Osborn, and any other former Member or
9 employee of the Senate from whom testimony may be required, in connection with the case of United States v.
10 Nippon Miniature Bearing, Inc., et al.

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