

109TH CONGRESS
2D SESSION

S. RES. 376

To authorize representation by the Senate Legal Counsel in the case of
Keyter v. McCain, et al.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 16, 2006

Mr. REID submitted the following resolution; which was considered and agreed
to

RESOLUTION

To authorize representation by the Senate Legal Counsel
in the case of Keyter v. McCain, et al.

Whereas, pursuant to Senate Resolution 213, 109th Congress, the Senate Legal Counsel is currently representing Senators John McCain and Jon Kyl in the case of Keyter v. McCain, et al., filed in the United States District Court for the District of Arizona, Civ. No. 05–1923–PHX–DGC;

Whereas the plaintiff filed an amended complaint naming Senators Bill Frist, Joseph I. Lieberman, Mitch McConnell, Rick Santorum, and Ted Stevens as additional defendants in the action;

Whereas the District Court dismissed the action for lack of jurisdiction and for failure to state a claim upon which relief may be granted;

Whereas the plaintiff has appealed the dismissal of the action to the United States Court of Appeals for the Ninth Circuit; and

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Members of the Senate in civil actions relating to their official responsibilities: Now, therefore, be it

1 *Resolved*, That the Senate Legal Counsel is author-
2 ized to represent Senators Bill Frist, Joseph I. Lieberman,
3 Mitch McConnell, Rick Santorum, and Ted Stevens in the
4 case of Keyter v. McCain, et al.

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