

109TH CONGRESS
2D SESSION

S. RES. 432

To authorize testimony of a Member of the Senate in E.M. Gunderson
v. Neil G. Galatz.

IN THE SENATE OF THE UNITED STATES

APRIL 5, 2006

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

RESOLUTION

To authorize testimony of a Member of the Senate in E.M.
Gunderson v. Neil G. Galatz.

Whereas, in E.M. Gunderson v. Neil G. Galatz, File No. 04–
106, pending before the Fee Dispute Arbitration Com-
mittee of the State Bar of Nevada, the petitioner has re-
quested an affidavit from Senator Harry Reid;

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 of the Senate with respect to any sub-
poena, 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 Sen-

ate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, by rule VI of the Standing Rules of the Senate, no Senator shall absent himself from the service of the Senate without leave; 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 consistent with the privileges of the Senate: Now, therefore, be it

1 *Resolved*, That Senator Harry Reid is authorized to
 2 testify in the case of E.M. Gunderson v. Neil G. Galatz,
 3 except when his attendance at the Senate is necessary for
 4 the performance of his legislative duties and except con-
 5 cerning matters for which a privilege should be asserted.

6 SEC. 2. The Senate Legal Counsel is authorized to
 7 represent Senator Harry Reid in connection with the testi-
 8 mony authorized in section one of this resolution.

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