

110TH CONGRESS  
1ST SESSION

# S. RES. 80

To authorize testimony, document production, and legal representation in  
State of Oregon v. Rebecca Michelson, Michele Darr, and Vernon Huffman.

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 2007

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

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## RESOLUTION

To authorize testimony, document production, and legal representation in State of Oregon v. Rebecca Michelson, Michele Darr, and Vernon Huffman.

Whereas, in the cases of State of Oregon v. Rebecca Michelson (2101093–1), Michele Darr (2101093–2), and Vernon Huffman (2101093–3), pending in Multnomah County Circuit Court in Portland, Oregon, testimony and documents have been requested from Kellie Lute, an employee in the office of Senator Gordon Smith;

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 or administrative 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 consistent with the privileges of the Senate: Now, therefore, be it

1       *Resolved*, That Kellie Lute and any other employees  
 2 of Senator Smith's office from whom testimony or the pro-  
 3 duction of documents may be required are authorized to  
 4 testify and produce documents in the cases of State of Or-  
 5 egon v. Rebecca Michelson, Michele Darr, and Vernon  
 6 Huffman, except concerning matters for which a privilege  
 7 should be asserted.

8       SEC. 2. The Senate Legal Counsel is authorized to  
 9 represent Kellie Lute and other employees of Senator  
 10 Smith's staff in the actions referenced in section one of  
 11 this resolution.

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