

112TH CONGRESS  
2D SESSION

# S. RES. 506

To authorize legal representation in *Bilbrey v. Tyler*.

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IN THE SENATE OF THE UNITED STATES

JUNE 26, 2012

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

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## RESOLUTION

To authorize legal representation in *Bilbrey v. Tyler*.

Whereas, in the case of *Bilbrey v. Tyler*, No. 18C04–1111–SC–2209, pending in Delaware Circuit Court No. 4, Small Claims Division, in Muncie, Indiana, the plaintiff has sought testimony from former Senator Evan Bayh and an unnamed employee of his former Senate office;

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 former Members and former 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 Sen-

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

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 the Senate Legal Counsel is author-  
2 ized to represent Senator Bayh and former employees of  
3 his Senate office in *Bilbrey v. Tyler* and related pro-  
4 ceedings.

5       SEC. 2. Senator Bayh's former director of constituent  
6 services, Karen Railing, is authorized to submit a declara-  
7 tion in this case.

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