

113TH CONGRESS
2D SESSION

S. RES. 360

To authorize testimony and representation in *United States v. Onstad*.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 24, 2014

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

RESOLUTION

To authorize testimony and representation in *United States
v. Onstad*.

Whereas, in the case of *United States v. Onstad*, Crim. No. 13–65, pending in the United States District Court for the District of Montana, the prosecution has requested the production of testimony from Tom Lopach, Chief of Staff for United States Senator Jon Tester;

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 current 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 evi-

dence 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 Tom Lopach, Chief of Staff for United
 2 States Senator Jon Tester, and any other current or
 3 former employee of the Senator's office from whom relevant
 4 testimony may be sought, are authorized to testify
 5 in the case of *United States v. Onstad*, except concerning
 6 matters for which a privilege should be asserted.

7 SEC. 2. The Senate Legal Counsel is authorized to
 8 represent current and former employees of Senator Tester's
 9 office in connection with the production of testimony
 10 authorized in section one of this resolution.

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