

113TH CONGRESS
2D SESSION

S. RES. 422

To authorize written testimony, document production, and representation in
Montana Fish, Wildlife and Parks Foundation, Inc. v. United States.

IN THE SENATE OF THE UNITED STATES

APRIL 10, 2014

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

RESOLUTION

To authorize written testimony, document production, and
representation in *Montana Fish, Wildlife and Parks
Foundation, Inc. v. United States.*

Whereas, in the case of *Montana Fish, Wildlife and Parks
Foundation, Inc. v. United States*, No. 09–568 C, pending
in the United States Court of Federal Claims, the plain-
tiff has issued a subpoena for testimony and production
of documents from Holly Luck, a former employee of
Senator Baucus;

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 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 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 Holly Luck is authorized to provide
 2 written testimony and produce documents in the case of
 3 *Montana Fish, Wildlife and Parks Foundation, Inc. v.*
 4 *United States*, except concerning matters for which a privi-
 5 lege should be asserted.

6 SEC. 2. The Senate Legal Counsel is authorized to
 7 represent Holly Luck in connection with the written testi-
 8 mony and document production authorized by section 1
 9 of this resolution.

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