

104TH CONGRESS
1ST SESSION

S. RES. 106

To authorize testimony by former Senate employee and representation by
Senate Legal Counsel

IN THE SENATE OF THE UNITED STATES

APRIL 6 (legislative day, APRIL 5), 1995

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

RESOLUTION

To authorize testimony by former Senate employee and
representation by Senate Legal Counsel

Whereas, in the case of Pittston Coal Group, Inc. v. I.U.,
UMWA, Case No. 93-0162-A, pending in the United
States District Court for the Western District of Vir-
ginia, a subpoena for testimony at a deposition has been
issued to Marisa Spatafore, a former employee of the
Senate on the staff of Senator Rockefeller;

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 process, be taken from such con-
trol 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 adminis-

tration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate;

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) (1988)), the Senate may direct its counsel to represent committees, Members, officers and employees of the Senate with respect to subpoenas or orders issued to them in their official capacity: Now, therefore, be it

1 *Resolved*, That Marisa Spatafore is authorized to tes-
2 tify in the case of Pittston Coal Group, Inc. v. I.U.,
3 UMWA, except concerning matters for which a privilege
4 should be asserted.

5 SEC. 2. That the Senate Legal Counsel is directed
6 to represent Senator Rockefeller, Marisa Spatafore, and
7 any other Member or employee of the Senate from whom
8 testimony or documents may be sought in connection with
9 this case.

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