

117TH CONGRESS  
2D SESSION

# S. RES. 645

To authorize testimony and representation in *United States v. Hale-Cusanelli*.

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IN THE SENATE OF THE UNITED STATES

MAY 19, 2022

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

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## RESOLUTION

To authorize testimony and representation in *United States v. Hale-Cusanelli*.

Whereas, in the case of *United States v. Hale-Cusanelli*, Cr. No. 21–37, pending in the United States District Court for the District of Columbia, the prosecution has requested the production of testimony from Daniel Schwager, a former employee of the Office of the Secretary of the Senate, and from Nate Russell and Diego Torres, custodians of records in the Senate Recording Studio, a department of the Office of the Sergeant at Arms and Doorkeeper 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), the Senate may direct its counsel to represent current and former officers and employees of the

Senate with respect to any subpoena, order, or request for evidence 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 Daniel Schwager, a former employee  
 2 of the Office of the Secretary of the Senate, and Nate Rus-  
 3 sell and Diego Torres, custodians of records in the Senate  
 4 Recording Studio, are authorized to provide relevant testi-  
 5 mony in the case of *United States v. Hale-Cusanelli*, except  
 6 concerning matters for which a privilege should be as-  
 7 serted.

8       SEC. 2. The Senate Legal Counsel is authorized to  
 9 represent Messrs. Schwager, Russell, and Torres, and any  
 10 current or former officer or employee of their offices, in  
 11 connection with the production of evidence authorized in  
 12 section one of this resolution.

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