

118TH CONGRESS  
1ST SESSION

# S. RES. 329

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

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 6, 2023

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. Horn*.

Whereas, in the case of *United States v. Horn*, Cr. No. 21-301, pending in the United States District Court for the District of Columbia, the prosecution is seeking the production of testimony from Michael J. Mastrian, Director of the Senate Radio and Television Gallery, and Jeffrey S. Kent, Director of the Press Photographers' Gallery, departments 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 Michael J. Mastrian, Director of the  
2 Senate Radio and Television Gallery, and Jeffrey S. Kent,  
3 Director of the Press Photographers' Gallery, are author-  
4 ized to provide relevant testimony in the case of *United*  
5 *States v. Horn*, except concerning matters for which a  
6 privilege should be asserted.

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

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