

The resolution (S. Res. 352) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 352

Whereas, in the case of Judicial Watch, Inc. v. William J. Clinton, et al., No. 1:02-cv-01633 (EGS), pending in the United States District Court for the District of Columbia, the plaintiff has named as defendants current and former Senators, along with former President William J. Clinton and several Members of the House of Representatives;

Whereas, pursuant to sections 703(a) and 794(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Members of the Senate in civil actions relating to their official responsibilities: Now therefore, be it

*Resolved*, That the Senate Legal Counsel is authorized to represent Senator Graham, former Senator Bryan, former Senator Robb, and any other Senator who may be named as a defendant in the case of Judicial Watch, Inc. v. William J. Clinton, et al., and who requests representation by the Senate Legal Counsel.

**AUTHORIZING TESTIMONY, DOCUMENT PRODUCTION, AND LEGAL REPRESENTATION**

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 353.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 353) to authorize testimony, document production, and legal representation in United States v. John Murtari.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DASCHLE. Mr. President, a Federal information in the Northern District of New York has been filed against an individual on four counts of refusing to follow lawful orders, obstructing a corridor, and trespass inside a Federal office building in Syracuse, NY. The charges arise from the refusal of the defendant to vacate the premises outside the office of Senator CLINTON, despite being directed to do so by Federal Protective Service personnel charged with maintaining security in the Federal building.

The U.S. Attorney has requested testimony at trial by an employee on the staff of Senator CLINTON who had contact with the defendant.

This resolution would authorize the Senate employee to testify and produce documents in this case with representation by the Senate Legal Counsel.

Mr. REID. Mr. President, I ask unanimous consent that the resolution and the preamble be agreed to; that the motion to reconsider be laid upon the table; and that any statements in relation thereto, be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 353) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 353

Whereas, in the case of United States v. John Murtari, Crim. Act. No. 02-CR-369, pending in the United States District Court for the Northern District of New York, testimony has been requested from Cathy Calhoun, an employee in the office of Senator Hillary Rodham Clinton;

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 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 actions as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

*Resolved* That Cathy Calhoun, and any other employee of the Senate from whom testimony or document production is required, are authorized to testify and produce documents in the case of United States v. John Murtari, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent employees of the Senate in connection with the testimony and document production authorized in section one of this resolution.

**THANKING THE PRESIDING OFFICER AND STAFF**

Mr. REID. Mr. President, we have, I am sure, a few other items to do before we close until later next month. I just want to say, first of all, the Presiding Officer is so available and I appreciate that very much. We all do. As I am sure everyone in this Chamber knows, it is difficult late at night to find people willing to preside, and the Senator from Minnesota, Mr. DAYTON, is always so courteous and willing to preside. I told him personally what an excellent job he does. Presiding is more than just being here. The Presiding Officer has to be firm and consistent, as he is.

Also, Mr. President, it took a lot to get to where we are tonight. I read through these items very quickly, but people work for days, weeks, and months on some of this legislation. As I read the titles, some may not seem too significant, but they are important, and we were able to pass them tonight.

Also, it is hard to describe to the viewing public how hard the staff works, without the attention we get, to get us to where we are. The staff certainly deserves more attention than they get. Anything that happens in the Senate, we take the credit, but we should give them some recognition. We would not be where we are without them.

To do all this takes a lot of people: the Official Reporters, those who are

experts on different legislation. Senators' staff have been waiting here for days, it seems, but it has only been hours, to see what happened to legislation on this final day before a somewhat long break. In addition we have the Parliamentarians, the legislative and Journal clerks, and all the various staff. The staff who are here tonight—Senators are going to go home at 10:25 p.m.—will be here for hours working on the RECORD, and other issues. We have the pages who are juniors in high school, but they are here with us doing what we ask them to do.

This is really a team effort. To all the security people, and the others, I express my personal appreciation for everything everybody does to allow us to get our work done.

The PRESIDING OFFICER. The Chair fully concurs.

**ORDERS THROUGH NOVEMBER 12, 2002**

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10:30 a.m. on the following days for pro forma sessions only, unless the majority leader, or his designee, with the concurrence of the Republican leader, is seeking recognition; that upon completion of each session, the Senate adjourn until the next listed date:

October 21, October 24, October 28, October 31, November 4, November 7, and November 8. This is all in compliance with the United States Constitution. Further, that if the majority leader, or his designee, seeks recognition, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following the adjournment on November 8, the Senate reconvene on November 12 at 1 p.m.; that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and that there be a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, again, thank you very much.

**ADJOURNMENT UNTIL MONDAY, OCTOBER 21, 2002**

Mr. REID. Mr. President, if the Chair has no further business, and I have nothing more, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 10:25 p.m., adjourned until Monday, October 21, 2002, at 10:30 a.m.

**NOMINATIONS**

Executive nominations received by the Senate October 17, 2002:

**NATIONAL SCIENCE FOUNDATION**

STEVEN C. BEERING, OF INDIANA, TO BE A MEMBER OF THE NATIONAL SCIENCE BOARD, NATIONAL SCIENCE