

HOUSE RESOLUTION NO. 10

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES FOSTER, Thomas, Millett, Johansen, Harris, Muñoz, Neuman, Johnson, Ramras, Austerman, Joule, Wilson, Edgmon, Dahlstrom, Chenault, Hawker, Gruenberg, Tuck, Kelly, Olson, Seaton

Introduced: 4/8/09

Referred: Special Order of Business

A RESOLUTION

1 **Expressing support for Senator Ted Stevens and severe displeasure and indignation**
2 **with the federal government's deplorable investigation and prosecution of the Senator.**

3 **BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:**

4 **WHEREAS** United States Senator Ted Stevens' public service began with his military
5 service during World War II; and

6 **WHEREAS** Senator Stevens served the State of Alaska for over 50 years as a United
7 States Attorney, member of the Alaska House of Representatives and United States Senator;
8 and

9 **WHEREAS** Senator Stevens is the longest serving Republican and seventh longest
10 serving senator in the history of the United States; and

11 **WHEREAS** Alaska and its communities owe a debt of gratitude to Senator Stevens
12 for his tireless efforts on behalf of the state; and

13 **WHEREAS** the United States Department of Justice has moved "to set aside the
14 verdict and dismiss the indictment [against Senator Stevens] with prejudice"; and

15 **WHEREAS** the prosecutors in the case withheld information that should have been
16 provided to the defense during the trial; and

1 **WHEREAS** the Department of Justice's prosecution team was found in contempt of
2 court for wilfully failing to abide by the laws and procedures of the federal court; and

3 **WHEREAS** this prosecutorial misconduct influenced in myriad ways the 2008
4 election for the office held by Senator Stevens; and

5 **WHEREAS**, under 5 U.S.C. 1502(a)(1) (Hatch Act), a federal "employee may not use
6 his official authority or influence for the purpose of interfering with or affecting the result of
7 an election"; and

8 **WHEREAS** it would be unreasonable to conclude that the timing of Senator Stevens'
9 indictment and ensuing trial would not have interfered with or affected the 2008 general
10 election; and

11 **WHEREAS** the dismissal of these charges does not restore Senator Stevens'
12 reputation and legacy or compensate Senator Stevens for his legal expenses and loss of future
13 income; and

14 **WHEREAS** the federal government cannot be sued without its permission, except as
15 provided under 28 U.S.C. 1348 (Federal Tort Claims Act);

16 **BE IT RESOLVED** that the Alaska House of Representatives demands that the
17 federal government grant Senator Stevens permission to sue the United States Department of
18 Justice for redress; and be it

19 **FURTHER RESOLVED** that federal employees involved with Senator Stevens'
20 prosecution be investigated for violations of the Hatch Act and, if found guilty, be subject to
21 penalty under the Act; and be it

22 **FURTHER RESOLVED** that the United States Government should issue a formal
23 apology to Senator Stevens and the People of Alaska for this heinous miscarriage of justice.

24 **COPIES** of this resolution shall be sent to the Honorable Barack Obama, President of
25 the United States; the Honorable Joseph R. Biden, Jr., Vice-President of the United States and
26 President of the U.S. Senate; the Honorable Eric H. Holder, Jr., Attorney General of the
27 United States; and the Honorable Lisa Murkowski and the Honorable Mark Begich, U.S.
28 Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska
29 delegation in Congress.