

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RUBIN YOUNG, President, et al,	:	CIVIL ACTION
BLACKS ORGANIZING LEADERSHIP	:	
DEVELOPMENT (B.O.L.D),	:	
Plaintiffs,	:	
	:	
v.	:	NO. 99-6562
	:	
WILLIAM GOODLING,	:	
Pennsylvania,	:	
Defendant.	:	

MEMORANDUM

R.F. KELLY, J.

DECEMBER 29, 1999

On December 23, 1999, Plaintiff filed a Complaint pro se against "William Goodling, Pennsylvania." Paragraph 2 of the Complaint identifies the Defendant as "a member of the United States Congress . . . located in the United States House of Representatives, Washington, D.C. 20510." (Compl. ¶ 2.)

From the face of the Complaint, it would appear that venue does not lie in the Eastern District of Pennsylvania. See 28 U.S.C. § 1391. The Complaint should also be dismissed because the action would violate the Speech or Debate Clause. Art. I, Sec. 6., cl. 1 of the United States Constitution provides that "for any Speech or Debate in either House, they [Members of Congress] shall not be questioned in any other Place." U.S. CONST. art. I., § 6, cl. 1.

The Speech and Debate Clause has been given a broad reading and includes within its protection anything "generally

done in a session of the House by one of its members in relation to the business before it." Doe v. McMillan, 412 U.S. 306, 311 (1973)(citations omitted). Accordingly, the Complaint must be dismissed as frivolous. 28 U.S.C. § 1915(e)(2)(B)(i) (West Supp. 1999).

An Order follows.

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Pennsylvania,	:	
Defendant.	:	

ORDER

AND NOW, this 29th day of December, 1999, since the Plaintiff appears to be unable to pay the costs of commencing this suit, leave to proceed in forma pauperis is granted. 28 U.S.C. § 1915(a)(1). The Complaint is dismissed as frivolous. 28 U.S.C. § 1915(e)(2)(B)(i) (West Supp. 1999).

BY THE COURT:

Robert F. Kelly, J.