

for “miscellaneous items” under “Contingent Expenses of the Senate” in any appropriation Act, the amounts received by the Sergeant at Arms and Doorkeeper shall be deposited in the Treasury of the United States for credit to such appropriation. This section does not apply to amounts received from the sale of used or surplus furniture and equipment.

(Pub. L. 96–214, Mar. 24, 1980, 94 Stat. 122.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 111a of this title prior to editorial reclassification and renumbering as this section.

#### **§ 6626. Reimbursements to Sergeant at Arms and Doorkeeper of Senate for equipment provided to Senators, etc., which has been lost, stolen, damaged, or otherwise unaccounted for; deposit of receipts**

The Sergeant at Arms and Doorkeeper of the Senate shall deposit in the United States Treasury for credit to the appropriation account, within the contingent fund of the Senate, for the “Sergeant at Arms and Doorkeeper of the Senate”, all moneys received by him as reimbursement for equipment provided to Senators, committee chairmen, and other officers and employees of the Senate, which has been lost, stolen, damaged, or otherwise unaccounted for.

(Pub. L. 98–367, title I, § 5, July 17, 1984, 98 Stat. 475.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 117d of this title prior to editorial reclassification and renumbering as this section.

Section is from the Congressional Operations Appropriation Act, 1985, which is title I of the Legislative Branch Appropriations Act, 1985.

#### **§ 6627. Compensation for lost or damaged property**

##### **(a) In general**

Any amounts received by the Sergeant at Arms and Doorkeeper of the Senate (in this section referred to as the “Sergeant at Arms”) for compensation for damage to, loss of, or loss of use of property of the Sergeant at Arms that was procured using amounts available to the Sergeant at Arms in the account for Contingent Expenses, Sergeant at Arms and Doorkeeper of the Senate, shall be credited to that account or, if applicable, to any subaccount of that account.

##### **(b) Availability**

Amounts credited to any account or subaccount under subsection (a) shall be merged with amounts in that account or subaccount and shall be available to the same extent, and subject to the same terms and conditions, as amounts in that account or subaccount.

##### **(c) Effective date**

This section shall apply with respect to fiscal year 2005 and each fiscal year thereafter.

(Pub. L. 108–447, div. G, title I, § 8, Dec. 8, 2004, 118 Stat. 3170.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 117d–1 of this title prior to editorial reclassification and renumbering as this section.

Section is from the Legislative Branch Appropriations Act, 2005, which is div. G of the Consolidated Appropriations Act, 2005.

#### **§ 6628. Treatment of electronic services provided by Sergeant at Arms**

##### **(a) In general**

In this section—

(1) the term “agent of the Office of the SAA” includes a provider of electronic communication service or remote computing service commissioned or used through the Office of the SAA by a Senate office to provide such services to the Senate office;

(2) the term “electronic communication service” has the meaning given that term in section 2510 of title 18;

(3) the term “Office of the SAA” means the Office of the Sergeant at Arms and Doorkeeper of the Senate;

(4) the term “provider for a Senate office” means a provider of electronic communication service or remote computing service directly commissioned or used by a Senate office to provide such services;

(5) the term “remote computing service” has the meaning given that term in section 2711 of title 18;

(6) the term “Senate data”, with respect to a Senate office, means any electronic mail or other electronic or data communication, other data (including metadata), or other information of the Senate office; and

(7) the term “Senate office” means a committee or office of the Senate, including a Senator, an officer of the Senate, or an employee of, intern at, or other agent of a committee or office of the Senate.

##### **(b) Treatment**

##### **(1) Retaining possession**

##### **(A) In general**

A Senate office shall be deemed to retain possession of any Senate data of the Senate office, without regard to the use by the Senate office of any individual or entity described in paragraph (2) for the purposes of any function or service described in paragraph (2).

##### **(B) Rule of construction**

Subparagraph (A) shall not be construed to limit the use by an intended recipient of any Senate data from a Senate office.

##### **(2) Sergeant at Arms and providers for a Senate office**

The Office of the SAA, any officer, employee, or agent of the Office of the SAA, and any provider for a Senate office shall not be treated as acquiring possession, custody, or control of any Senate data by reason of its being transmitted, processed, or stored (whether temporarily or otherwise) through the use of an electronic system established,

maintained, or operated, or the use of electronic services provided, in whole or in part by the Office of the SAA, the officer, employee, or agent of the Office of the SAA, or the provider for the Senate office.

**(c) Notification**

Notwithstanding any other provision of law or rule of civil or criminal procedure, the Office of the SAA, any officer, employee, or agent of the Office of the SAA, and any provider for a Senate office that is providing services to or used by a Senate office shall not be barred, through operation of any court order or any statutory provision, from notifying the Senate office of any legal process seeking disclosure of Senate data of the Senate office that is transmitted, processed, or stored (whether temporarily or otherwise) through the use of an electronic system established, maintained, or operated, or the use of electronic services provided, in whole or in part by the Office of the SAA, the officer, employee, or agent of the Office of the SAA, or the provider for a Senate office.

**(d) Motions to quash or modify**

Upon a motion made promptly by a Senate office or provider for a Senate office, a court of competent jurisdiction shall quash or modify any legal process directed to the provider for a Senate office if compliance with the legal process would require the disclosure of Senate data of the Senate office.

**(e) Information regarding implications of using providers**

The Office of the SAA, in consultation with the Senate Legal Counsel, shall provide information to each Senate office that commissions or uses a provider of electronic communication service or remote computing service to provide such services to the Senate office regarding the potential constitutional implications and the potential impact on privileges that may be asserted by the Senate office.

**(f) Applicable privileges**

Nothing in this section shall be construed to limit or supersede any applicable privilege, immunity, or other objection that may apply to the disclosure of Senate data.

**(g) Preemption**

Except as provided in this section, any provision of law or rule of civil or criminal procedure of any State, political subdivision, or agency thereof, which is inconsistent with this section shall be deemed to be preempted and superseded.

**(h) Effective date**

This section shall apply to fiscal year 2005 and each fiscal year thereafter.

(Pub. L. 108-447, div. G, title I, §10, Dec. 8, 2004, 118 Stat. 3170; Pub. L. 109-289, div. B, title II, §20701(c)(1), as added Pub. L. 110-5, §2, Feb. 15, 2007, 121 Stat. 38; Pub. L. 116-260, div. FF, title IV, §401(a), Dec. 27, 2020, 134 Stat. 3134.)

**Editorial Notes**

**CODIFICATION**

Section was formerly classified to section 61f-12 of this title prior to editorial reclassification and renumbering as this section.

Section is from the Legislative Branch Appropriations Act, 2005, which is div. G of the Consolidated Appropriations Act, 2005.

**AMENDMENTS**

2020—Pub. L. 116-260 added subsecs. (a) to (g), redesignated former subsec. (b) as (h), and struck out former subsec. (a). Prior to amendment, text of subsec. (a) read as follows: “The Office of the Sergeant at Arms and Doorkeeper of the United States Senate, and any officer, employee, or agent of the Office, shall not be treated as acquiring possession, custody, or control of any electronic mail or other electronic communication, data, or information by reason of its being transmitted, processed, or stored (whether temporarily or otherwise) through the use of an electronic system established, maintained, or operated, or the use of electronic services provided, in whole or in part by the Office.”

2007—Pub. L. 109-289, §20701(c)(1), as added by Pub. L. 110-5, designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE OF 2020 AMENDMENT**

Pub. L. 116-260, div. FF, title IV, §401(b), Dec. 27, 2020, 134 Stat. 3135, provided that:

“(1) In this subsection, the terms ‘Senate data’ and ‘Senate office’ have the meanings given such terms in section 10 of the Legislative Branch Appropriations Act, 2005 [2 U.S.C. 6628], as amended by subsection (a) of this section.

“(2) The amendments made by this section shall—

“(A) take effect as though included in the Legislative Branch Appropriations Act, 2005 (division G of Public Law 108-447; 118 Stat. 3166); and

“(B) apply with respect to—

“(i) any legal process seeking disclosure of Senate data of a Senate office that is filed, issued, or made on or after the date of enactment of this Act [Dec. 27, 2020]; and

“(ii) any matter that is pending on or after the date of enactment of this Act that relates to legal process described in clause (i) that is filed, issued, or made before the date of enactment of this Act, unless the Senate data of the Senate office was disclosed in accordance with such legal process before the date of enactment of this Act.”

**EFFECTIVE DATE OF 2007 AMENDMENT**

Pub. L. 109-289, div. B, title II, §20701(c)(2), as added by Pub. L. 110-5, §2, Feb. 15, 2007, 121 Stat. 38, provided that: “The amendments made by this subsection [amending this section] shall take effect as though included in the Legislative Branch Appropriations Act, 2005 [Pub. L. 108-447, div. G].”

**§ 6629. Purchase, lease, exchange, maintenance, and operation of vehicles out of account for Sergeant at Arms and Doorkeeper of Senate within Senate contingent fund; authorization of appropriations**

For each fiscal year (commencing with the fiscal year ending September 30, 1985) there is authorized to be appropriated to the account, within the contingent fund of the Senate, for the Sergeant at Arms and Doorkeeper of the Senate, such funds (which shall be in addition to funds authorized to be so appropriated for other purposes) as may be necessary for the purchase, lease, exchange, maintenance, and operation of vehicles as follows: one for the Vice President, one for the President pro tempore of the Senate, one for the Majority Leader of the Senate, one for the Minority Leader of the Senate, one for the Majority Whip of the Senate, one for the Mi-