

116TH CONGRESS
2D SESSION

S. 5086

AN ACT

To allow Senators, Senators-elect, committees of the Senate, leadership offices, and other offices of the Senate to share employees, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Senate Shared Em-
3 ployee Act”.

4 **SEC. 2. ALLOWING SENATORS, COMMITTEES, LEADERSHIP**
5 **OFFICES, AND OTHER OFFICES OF THE SEN-**
6 **ATE TO SHARE EMPLOYEES.**

7 (a) IN GENERAL.—Section 114 of the Legislative
8 Branch Appropriation Act, 1978 (2 U.S.C. 4576) is
9 amended—

10 (1) by inserting “(a)” before “Notwith-
11 standing”;

12 (2) by striking “position, each of” and all that
13 follows through the period at the end and inserting
14 the following: “qualifying position if the aggregate
15 gross pay from those positions does not exceed—

16 “(1) the maximum rate specified in section
17 105(d)(2) of the Legislative Branch Appropriation
18 Act, 1968 (2 U.S.C. 4575(d)(2)), as amended and
19 modified; or

20 “(2) in a case where 1 or more of the individ-
21 ual’s qualifying positions are positions described in
22 subsection (d)(2)(B), the maximum rate specified in
23 section 105(e)(3) of the Legislative Branch Appro-
24 priation Act, 1968 (2 U.S.C. 4575(e)(3)), as amend-
25 ed and modified.”; and

26 (3) by adding at the end the following:

1 “(b)(1) For an individual serving in more than 1
2 qualifying position under subsection (a), the cost of any
3 travel for official business shall be paid by the office au-
4 thorizing the travel.

5 “(2) Messages for each electronic mail account used
6 in connection with carrying out the official duties of an
7 individual serving in more than 1 qualifying position under
8 subsection (a) may be delivered to and sent from a single
9 handheld communications device provided to the individual
10 for purposes of official business.

11 “(3)(A) For purposes of the Ethics in Government
12 Act of 1978 (5 U.S.C. App.), the rate of basic pay for
13 an individual serving in more than 1 qualifying position
14 under subsection (a) shall be the total basic pay received
15 by the individual from all such positions.

16 “(B) For an individual serving in more than one
17 qualifying position under subsection (a), for purposes of
18 the rights and obligations described in, or described in the
19 provisions applied under, title II of the Congressional Ac-
20 countability Act of 1995 (2 U.S.C. 1311 et seq.) related
21 to practices used at a time when the individual is serving
22 in such a qualifying position with an employing office, the
23 rate of pay for the individual shall be the individual rate
24 of pay received from the employing office.

1 “(c)(1) If the duties of a qualifying position under
 2 subsection (a) include information technology services and
 3 support, an individual may only serve in the qualifying po-
 4 sition and 1 or more additional qualifying positions under
 5 such subsection if the individual is in compliance with each
 6 information technology standard and policy established for
 7 Senate offices by the Office of the Sergeant at Arms and
 8 Doorkeeper of the Senate.

9 “(2) Notwithstanding subsection (a), an employee
 10 serving in a qualifying position in the Office of the Sec-
 11 retary of the Senate or the Office of the Sergeant at Arms
 12 and Doorkeeper of the Senate may serve in an additional
 13 qualifying position only if—

14 “(A) the other qualifying position is with the
 15 other Office; or

16 “(B) the Committee on Rules and Administra-
 17 tion of the Senate has approved the arrangement.

18 “(d) In this section, the term ‘qualifying position’
 19 means a position that—

20 “(1) is designated as a shared position for pur-
 21 poses of this section by the Senator or other head
 22 of the office in which the position is located; and

23 “(2) is one of the following:

24 “(A) A position—

1 “(i) that is in the office of a Senator;
2 and

3 “(ii) the pay of which is disbursed by
4 the Secretary of the Senate.

5 “(B) A position—

6 “(i) that is in any committee of the
7 Senate (including a select or special com-
8 mittee) or a joint committee of Congress;
9 and

10 “(ii) the pay of which is disbursed by
11 the Secretary of the Senate out of an ap-
12 propriation under the heading ‘INQUIRIES
13 AND INVESTIGATIONS’ or ‘JOINT ECO-
14 NOMIC COMMITTEE’, or a heading relating
15 to a Joint Congressional Committee on In-
16 augural Ceremonies.

17 “(C) A position—

18 “(i) that is in another office (exclud-
19 ing the Office of the Vice President and
20 the Office of the Chaplain of the Senate);
21 and

22 “(ii) the pay of which is disbursed by
23 the Secretary of the Senate out of an ap-
24 propriation under the heading ‘SALARIES,
25 OFFICERS AND EMPLOYEES’.

1 “(D) A position—

2 “(i) that is filled pursuant to section
3 105 of the Second Supplemental Appro-
4 priations Act, 1978 (2 U.S.C. 6311); and

5 “(ii) the pay of which is disbursed by
6 the Secretary of the Senate out of an ap-
7 propriation under the heading ‘MISCELLA-
8 NEOUS ITEMS’.”.

9 (b) EFFECTIVE DATE.—The amendments made by
10 subsection (a) shall take effect beginning on the day that
11 is 6 months after the date of enactment of this Act.

Passed the Senate January 1, 2021.

Attest:

Secretary.

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