

and receive payment for such services and equipment by certification, voucher, or otherwise.

(2) All moneys, derived from the payment of metered charges on copying equipment provided from funds from the Appropriation Account within the contingent fund of the Senate for “Contingent Expenses, Sergeant at Arms and Doorkeeper of the Senate” under the line item for the Service Department, shall be deposited in and made a part of such Appropriation Account and under such line item, and shall be available for expenditure or obligation, or both, in like manner and subject to the same limitations as any other moneys in such account and under such line item.

(Pub. L. 101-520, title I, §4(a), (b), Nov. 5, 1990, 104 Stat. 2257.)

Editorial Notes

REFERENCES IN TEXT

This section, referred to in text, means section 4 of Pub. L. 101-520, which enacted this section, amended section 6314 of this title, and enacted provisions set out as a note under section 6314 of this title.

CODIFICATION

Section was formerly classified to section 58a-4 of this title prior to editorial reclassification and renumbering as this section.

Section is from the Congressional Operations Appropriations Act, 1991, which is title I of the Legislative Branch Appropriations Act, 1991.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Oct. 1, 1990, see section 4(d) of Pub. L. 101-520, set out as an Effective Date of 1990 Amendment note under section 6314 of this title.

§ 6625. Receipts from sales of items by Sergeant at Arms and Doorkeeper of Senate, to Senators, etc., to be credited to appropriation from which purchased

In any case in which appropriated funds are used by a Senator or a committee or office of the Senate to purchase from the Sergeant at Arms and Doorkeeper of the Senate items which were purchased by him from the appropriation 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 Treas-

ury 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 Minority Whip of the Senate, one for the attending physician, one as authorized by Senate Resolution 90 of the 100th Congress¹ such number as is needed for carrying mails, and for official use of the offices of the Secretary of the Senate, the Sergeant at Arms and Doorkeeper of the Senate, the Secretary for the Majority, and the Secretary for the Minority, and such additional number as is otherwise specifically authorized by law.

(Pub. L. 99-88, title I, §192, Aug. 15, 1985, 99 Stat. 349; Pub. L. 100-202, §101(i) [title I, §3(a)], Dec. 22, 1987, 101 Stat. 1329-290, 1329-294.)

Editorial Notes

REFERENCES IN TEXT

Senate Resolution 90 of the 100th Congress, referred to in text, which was agreed to Jan. 28, 1987, provided in part for the Sergeant at Arms and Doorkeeper of the Senate to provide, by lease or purchase, and maintain an automobile for the former President pro tempore of the Senate.

¹ So in original. Probably should be followed by a comma.

CODIFICATION

Section was formerly classified to section 68-5 of this title prior to editorial reclassification and renumbering as this section.

Section is from the Supplemental Appropriations Act, 1985.

AMENDMENTS

1987—Pub. L. 100-202 substituted “one for the attending physician, one as authorized by Senate Resolution 90 of the 100th Congress” for “and” and inserted “, and such additional number as is otherwise specifically authorized by law”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1987 AMENDMENT

Pub. L. 100-202, §101(i) [title I, §3(b)], Dec. 22, 1987, 101 Stat. 1329-290, 1329-294, provided that: “The amendments made by subsection (a) [amending this section] shall be effective in the case of fiscal years ending after September 30, 1986.”

§ 6630. Disposal of used or surplus furniture and equipment by Sergeant at Arms and Doorkeeper of Senate; procedure; deposit of receipts

Effective October 1, 1981, the Sergeant at Arms and Doorkeeper of the Senate is authorized to dispose of used or surplus furniture and equipment by trade-in or by sale directly or through the General Services Administration. Receipts from the sale of such furniture and equipment shall be deposited in the United States Treasury for credit to the appropriation for “Miscellaneous Items” under the heading “Contingent Expenses of the Senate”.

(Pub. L. 95-94, title I, §103, Aug. 5, 1977, 91 Stat. 660; Pub. L. 97-51, §118, Oct. 1, 1981, 95 Stat. 964.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 59c and then to section 117b of this title prior to editorial reclassification and renumbering as this section.

Section is from the Congressional Operations Appropriation Act, 1978, which is title I of the Legislative Branch Appropriation Act, 1978.

AMENDMENTS

1981—Pub. L. 97-51 substituted “Effective October 1, 1981” for “Effective October 1, 1977” and struck out provisions requiring that all receipts from the sale of furniture and equipment, other than such furniture and equipment as was replaced in kind, be deposited in the United States Treasury as miscellaneous receipts.

§ 6631. Transfer of excess or surplus educationally useful equipment to public schools

(a) Authorization

The Sergeant at Arms and Doorkeeper of the Senate may directly, or through the General Services Administration, transfer title to excess or surplus educationally useful equipment to a public school. Any such transfer shall be completed at the lowest possible cost to the public school and the Senate.

(b) Regulations

The Committee on Rules and Administration of the Senate shall prescribe regulations to carry out the provisions of this section.