

116TH CONGRESS
2D SESSION

S. 5086

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

IN THE SENATE OF THE UNITED STATES

JANUARY 1, 2021

Ms. KLOBUCHAR introduced the following bill; which was read twice, considered, read the third time, and passed

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Senate Shared Em-
5 ployee Act”.

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

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

7 (1) by inserting “(a)” before “Notwith-
 8 standing”;

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

13 “(1) the maximum rate specified in section
 14 105(d)(2) of the Legislative Branch Appropriation
 15 Act, 1968 (2 U.S.C. 4575(d)(2)), as amended and
 16 modified; or

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

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

24 “(b)(1) For an individual serving in more than 1
 25 qualifying position under subsection (a), the cost of any

1 travel for official business shall be paid by the office au-
2 thorizing the travel.

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

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

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

23 “(c)(1) If the duties of a qualifying position under
24 subsection (a) include information technology services and
25 support, an individual may only serve in the qualifying po-

1 sition and 1 or more additional qualifying positions under
2 such subsection if the individual is in compliance with each
3 information technology standard and policy established for
4 Senate offices by the Office of the Sergeant at Arms and
5 Doorkeeper of the Senate.

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

11 “(A) the other qualifying position is with the
12 other Office; or

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

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

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

20 “(2) is one of the following:

21 “(A) A position—

22 “(i) that is in the office of a Senator;
23 and

24 “(ii) the pay of which is disbursed by
25 the Secretary of the Senate.

1 “(B) A position—

2 “(i) that is in any committee of the
3 Senate (including a select or special com-
4 mittee) or a joint committee of Congress;
5 and

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

13 “(C) A position—

14 “(i) that is in another office (exclud-
15 ing the Office of the Vice President and
16 the Office of the Chaplain of the Senate);
17 and

18 “(ii) the pay of which is disbursed by
19 the Secretary of the Senate out of an ap-
20 propriation under the heading ‘SALARIES,
21 OFFICERS AND EMPLOYEES’.

22 “(D) A position—

23 “(i) that is filled pursuant to section
24 105 of the Second Supplemental Appro-
25 priations Act, 1978 (2 U.S.C. 6311); and

1 “(ii) the pay of which is disbursed by
2 the Secretary of the Senate out of an ap-
3 propriation under the heading ‘MISCELLA-
4 NEOUS ITEMS’.”.

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

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