

(June 5, 1952, ch. 369, Ch. I, 66 Stat. 101.)

CODIFICATION

Section is also set out as section 125a of this title.

§ 39. Deductions for absence

The Secretary of the Senate and Sergeant at Arms of the House, respectively, shall deduct from the monthly payments (or other periodic payments authorized by law) of each Member or Delegate the amount of his salary for each day that he has been absent from the Senate or House, respectively, unless such Member or Delegate assigns as the reason for such absence the sickness of himself or of some member of his family.

(R.S. § 40; Pub. L. 97-51, § 112(d), Oct. 1, 1981, 95 Stat. 963.)

CODIFICATION

R.S. § 40 derived from act Aug. 16, 1856, ch. 123, § 6, 11 Stat. 49.

AMENDMENTS

1981—Pub. L. 97-51 substituted “from the monthly payments (or other periodic payments authorized by law)” for “from the monthly payments”.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-51 effective in the case of compensation payable for months after December 1981, see section 112(e) of Pub. L. 97-51, set out as a note under section 33 of this title.

TRANSFER OF FUNCTIONS

Certain functions of Sergeant at Arms of House of Representatives transferred to Director of Non-legislative and Financial Services by section 7 of House Resolution No. 423, One Hundred Second Congress, Apr. 9, 1992. Director of Non-legislative and Financial Services replaced by Chief Administrative Officer of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 25b of this title.

§ 40. Deductions for withdrawal

When any Member or Delegate withdraws from his seat and does not return before the adjournment of Congress, he shall, in addition to the sum deducted for each day, forfeit a sum equal to the amount which would have been allowed by law for his mileage in returning home; and such sum shall be deducted from his compensation, unless the withdrawal is with the leave of the Senate or House of Representatives respectively.

(R.S. § 41.)

CODIFICATION

R.S. § 41 derived from Res. July 17, 1862, No. 68, § 2, 12 Stat. 628.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 25b of this title.

§ 40a. Deductions for delinquent indebtedness

Whenever a Representative, Delegate, Resident Commissioner, or a United States Senator, shall fail to pay any sum or sums due from such person to the House of Representatives or Sen-

ate, respectively, the appropriate committee or officer of the House of Representatives or Senate, as the case may be, having jurisdiction of the activity under which such debt arose, shall certify such delinquent sum or sums to the Sergeant at Arms of the House in the case of an indebtedness to the House of Representatives and to the Secretary of the Senate in the case of an indebtedness to the Senate, and such latter officials are authorized and directed, respectively, to deduct from any salary, mileage, or expense money due to any such delinquent such certified amounts or so much thereof as the balance or balances due such delinquent may cover. Sums so deducted by the Secretary of the Senate shall be disposed of by him in accordance with existing law, and sums so deducted by the Sergeant at Arms of the House shall be paid to the Clerk of the House and disposed of by him in accordance with existing law.

(June 19, 1934, ch. 648, title I, § 1, 48 Stat. 1024.)

TRANSFER OF FUNCTIONS

Certain functions of Sergeant at Arms and Clerk of House of Representatives transferred to Director of Non-legislative and Financial Services by section 7 of House Resolution No. 423, One Hundred Second Congress, Apr. 9, 1992. Director of Non-legislative and Financial Services replaced by Chief Administrative Officer of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

CROSS REFERENCES

Claims for overpayment of pay or allowances to Senators, see section 130c of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 25b of this title.

§ 41. Newspapers

No Member or Delegate is entitled to any allowance for newspapers.

(R.S. § 43.)

CODIFICATION

R.S. § 43 derived from act Feb. 12, 1868, ch. 8, § 1, 15 Stat. 35.

APPLICABILITY OF PROHIBITION DURING NINETY-FIFTH CONGRESS

Section 302(c) of House Resolution No. 287, Ninety-fifth Congress, Mar. 2, 1977, enacted into permanent law by Pub. L. 95-94, title I, § 115, Aug. 5, 1977, 91 Stat. 668, provided that: “Chapter 8, section 1 of the Act of February 12, 1868 (2 U.S.C. 41) shall have no effect during the Ninety-fifth Congress.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 25b of this title.

§ 42. Postage

(a) In addition to postage stamps authorized to be furnished under any other provision of law, until otherwise provided by law, the Clerk of the House of Representatives shall procure and furnish United States postage stamps (1) to each Representative, the Resident Commissioner of Puerto Rico, and the Delegate from the District of Columbia in an amount not exceeding \$210 and (2) to each standing committee of the House of Representatives upon request of the chairman thereof, in an amount not exceeding \$130.