

112TH CONGRESS
2D SESSION

H. R. 6085

To amend section 40 of the Revised Statutes of the United States to clarify that for purposes of determining whether a Member of the House of Representatives is subject to a deduction in pay by reason of absence from the House on a day, the Member shall be considered to be absent if the Member misses any vote held in the House on that day, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 9, 2012

Mr. BOUSTANY introduced the following bill; which was referred to the
Committee on House Administration

A BILL

To amend section 40 of the Revised Statutes of the United States to clarify that for purposes of determining whether a Member of the House of Representatives is subject to a deduction in pay by reason of absence from the House on a day, the Member shall be considered to be absent if the Member misses any vote held in the House on that day, 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. DETERMINATION OF ABSENCE OF MEMBERS**
2 **FROM HOUSE FOR PURPOSES OF DEDUC-**
3 **TIONS FROM PAY.**

4 (a) ABSENCE BASED ON MISSING VOTES.—Section
5 40 of the Revised Statutes of the United States (2 U.S.C.
6 39) is amended—

7 (1) by striking “or Delegate” the first place it
8 appears and inserting “(including a Delegate or
9 Resident Commissioner to the Congress)”;

10 (2) by striking “or Delegate” the second place
11 it appears; and

12 (3) by adding at the end the following new sen-
13 tence: “For purposes of the previous sentence, a
14 Member shall be considered to be absent from the
15 House on a day if the Member does not cast a vote
16 on any vote taken in the House (including any vote
17 taken in the Committee of the Whole House on the
18 State of the Union) on that day.”.

19 (b) CRITERIA FOR DETERMINING EXCUSABLE AB-
20 SENCES.—Section 40 of the Revised Statutes of the
21 United States (2 U.S.C. 39), as amended by subsection
22 (a)(2), is amended by striking “unless such Member as-
23 signs as the reason for such absence the sickness of him-
24 self or of some member of his family” and inserting the
25 following: “unless such Member submits a written notice
26 to the Speaker that the reason for such absence is the

1 sickness of the Member or of some member of the Mem-
2 ber's family''.

3 (c) PUBLICATION OF LIST OF MEMBERS SUBMIT-
4 TING REQUESTS FOR EXCUSABLE ABSENCES AND MEM-
5 BERS SUBJECT TO DEDUCTION FROM PAY.—Section 40
6 of the Revised Statutes of the United States (2 U.S.C.
7 39) is amended—

8 (1) by striking “The Chief” and inserting “(a)
9 DEDUCTIONS FROM PAY.—The Chief”; and

10 (2) by adding at the end the following new sub-
11 section:

12 “(b) PUBLICATION OF LIST OF MEMBERS.—Not
13 later than 5 days after the end of each month (excluding
14 Saturdays, Sundays, and legal public holidays), the Chief
15 Administrative Officer shall publish on the official public
16 Internet site of the House of Representatives a list show-
17 ing the following information:

18 “(1) Each Member whose pay was subject to
19 deduction under subsection (a) for the month, to-
20 gether with (for each such Member)—

21 “(A) the amount of the Member's pay
22 which was deducted during the month and the
23 aggregate amount of the Member's pay which
24 was deducted during the session of Congress in-
25 volved; and

1 “(B) the number of days for which the
2 Member’s pay was subject to deduction during
3 the month and the aggregate number of days
4 for which the Member’s pay was subject to de-
5 duction during the session of Congress involved.

6 “(2) Each Member who submitted a written no-
7 tice to the Speaker under subsection (a) during the
8 month, together with a copy of the notice.”.

9 (d) EFFECTIVE DATE.—The amendments made by
10 this section shall take effect January 1, 2013.

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