

TITLE 2 - THE CONGRESS

CHAPTER 4 - OFFICERS AND EMPLOYEES OF SENATE AND HOUSE OF REPRESENTATIVES

§ 118. Actions against officers for official acts

In any action brought against any person for or on account of anything done by him while an officer of either House of Congress in the discharge of his official duty, in executing any order of such House, the United States attorney for the district within which the action is brought, on being thereto requested by the officer sued, shall enter an appearance in behalf of such officer; and all provisions of the eighth section of the Act of July 28, 1866, entitled “An Act to protect the revenue, and for other purposes”, and also all provisions of the sections of former Acts therein referred to, so far as the same relate to the removal of suits, the withholding of executions, and the paying of judgments against revenue or other officers of the United States, shall become applicable to such action and to all proceedings and matters whatsoever connected therewith, and the defense of such action shall thenceforth be conducted under the supervision and direction of the Attorney General.

(Mar. 3, 1875, ch. 130, § 8, 18 Stat. 401; June 25, 1948, ch. 646, § 1, 62 Stat. 909.)

References in Text

The provisions of section 8 of act July 28, 1866, ch. 298, 14 Stat. 329, referred to in text, were contained generally in R.S. § 643, which was incorporated in the former Judicial Code, § 33, and was repealed by act June 25, 1948, ch. 646, § 39, 62 Stat. 992. See sections 1442, 1446, and 1447 of Title 28, Judiciary and Judicial Procedure. Other provisions referred to were contained in R.S. §§ 771, 989, which were also repealed by act June 25, 1948. See sections 509, 547, and 2006, respectively, of Title 28.

Change of Name

Act June 25, 1948, eff. Sept. 1, 1948, substituted “United States attorney” for “district attorney”. See section 541 of Title 28, Judiciary and Judicial Procedure.