

the House of Representatives, the collection of which would be against equity and good conscience and not in the best interests of the United States, may be waived in whole or in part by the Speaker of the House.

(b) Investigation and report

An application for waiver of a claim shall be investigated by the Chief Administrative Officer of the House of Representatives who shall submit a written report of his investigation to the Speaker of the House.

(c) Prohibition of waiver

The Speaker of the House may not exercise his authority under this section to waive any claim—

(1) if, in his opinion, there exists, in connection with the claim, an indication of fraud, misrepresentation, fault, or lack of good faith on the part of the officer or employee or any other person having an interest in obtaining a waiver of the claim; or

(2) if the application for waiver is received in his office after the expiration of 3 years immediately following the date on which the erroneous payment of pay or allowances was discovered.

(d) Credit for waiver

In the audit and settlement of the accounts of any accountable officer or official, full credit shall be given for any amounts with respect to which collection by the United States is waived under this section.

(e) Effect of waiver

An erroneous payment, the collection of which is waived under this section, is deemed a valid payment for all purposes.

(f) Construction with other laws

This section does not affect any authority under any other law to litigate, settle, compromise, or waive any claim of the United States.

(g) Rules and regulations

The Speaker of the House shall prescribe rules and regulations to carry out the provisions of this section.

(Pub. L. 93-359, §3, July 25, 1974, 88 Stat. 395; Pub. L. 104-186, title II, §204(76), Aug. 20, 1996, 110 Stat. 1742; Pub. L. 104-316, title I, §102(c), Oct. 19, 1996, 110 Stat. 3828.)

AMENDMENTS

1996—Subsec. (a). Pub. L. 104-316 struck out “, if the claim is not the subject of an exception made by the Comptroller General in the account of any accountable officer or official” before period at end.

Pub. L. 104-186 substituted “Chief Administrative Officer” for “Clerk”.

Subsec. (b). Pub. L. 104-186 substituted “Chief Administrative Officer” for “Clerk”.

CROSS REFERENCES

Claims for overpayment of pay or allowances to employees of agencies generally, see section 5584 of Title 5, Government Organization and Employees.

§ 130e. Special Services Office

There is established, as a joint office of Congress, the Special Services Office, which (under

the supervision and control of a board, to be known as the Special Services Board, comprised of the Sergeant at Arms of the House of Representatives, the Sergeant at Arms and Doorkeeper of the Senate, and the Architect of the Capitol) shall provide special services to Members of Congress, and to officers, employees, and guests of Congress.

(Pub. L. 101-163, title III, §310, Nov. 21, 1989, 103 Stat. 1065; Pub. L. 104-53, title I, §112, Nov. 19, 1995, 109 Stat. 525.)

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 1990.

AMENDMENTS

1995—Pub. L. 104-53 substituted “Sergeant at Arms” for “Clerk” after “comprised of the” and “Architect of the Capitol” for “Librarian of Congress”.

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§ 131. Collections composing Library; location

The Library of Congress, composed of the books, maps, and other publications which on December 1, 1873, remained in existence, from the collections theretofore united under authority of law and those added from time to time by purchase, exchange, donation, reservation from publications ordered by Congress, acquisition of material under the copyright law, and otherwise, shall be preserved in the Library Building. (R.S. §80; Feb. 19, 1897, ch. 265, §1, 29 Stat. 545, 546; Pub. L. 94-553, title I, §105(g), Oct. 19, 1976, 90 Stat. 2599; Pub. L. 100-202, §101(i) [title III, §310], Dec. 22, 1987, 101 Stat. 1329-290, 1329-310.)

CODIFICATION

R.S. §80 derived from act Jan. 26, 1802, ch. 2, 2 Stat. 128; Res. Oct. 21, 1814, No. 3, 3 Stat. 246; act Jan. 30, 1815, ch. 27, 3 Stat. 195; act June 25, 1864, ch. 147, §1, 13 Stat. 148; Res. July 25, 1866, No. 77, 14 Stat. 365; and act Mar. 2, 1867, ch. 167, §1, 14 Stat. 464.

AMENDMENTS

1987—Pub. L. 100-202 struck out after first sentence "The law library shall be preserved in the Capitol in the rooms which were on July 4, 1872, appropriated to its use, and in such others as may hereafter be assigned thereto."

1976—Pub. L. 94-553 substituted "acquisition of material under the copyright law" for "deposit to secure copyright".

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-553 effective Jan. 1, 1978, see section 102 of Pub. L. 94-553 set out as an Effective Date note preceding section 101 of Title 17, Copyrights.

TRANSFER TO LIBRARY BUILDING

Provisions for the removal of the Library to the Library Building, erected pursuant to act Apr. 15, 1886, ch. 50, 24 Stat. 12, and for the custody, care, and maintenance of that building, were made by act Feb. 19, 1897.

ORGANIZING AND MICROFILMING OF PRESIDENTIAL PAPERS; APPROPRIATION

Pub. L. 85-147, Aug. 16, 1957, 71 Stat. 368, as amended by Pub. L. 87-263, Sept. 21, 1961, 75 Stat. 544; Pub. L. 88-299, Apr. 27, 1964, 78 Stat. 183, provided: "That the Librarian of Congress is authorized and directed to arrange, index and microfilm the papers of the Presidents of the United States in the collections of the Library of Congress, in order to preserve their contents against destruction by war or other calamity and for the purpose of making them more readily available for study and research to the fullest possible extent consistent with any existing limitations that may have been imposed on the use of or the access to such papers by their donors or by those placing them on deposit with the Library of Congress. Neither the United States nor any officer or employee of the United States shall be liable for damages for infringement of literary property rights by reason of any activity authorized by this Act."

"SEC. 2. There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act."

§ 132. Departments of Library

The Library of Congress shall be arranged in two departments, a general library and a law library.

(R.S. § 81.)

CODIFICATION

R.S. § 81 derived from act July 14, 1832, ch. 221, § 1, 4 Stat. 579.

§ 132a. Appropriations for increase of general library

The unexpended balance of any sums appropriated by Congress for the increase of the general library, together with such sums as may hereafter be appropriated to the same purpose, shall be laid out under the direction of the Joint Committee of Congress on the Library.

(R.S. § 82; Feb. 7, 1902, No. 5, 32 Stat. 735; Aug. 2, 1946, ch. 753, title II, § 223, 60 Stat. 838.)

CODIFICATION

R.S. § 82 derived from acts Apr. 24, 1800, ch. 37, § 5, 2 Stat. 56, and Jan. 26, 1802, ch. 2, § 6, 2 Stat. 129.

AMENDMENTS

1946—Act Aug. 2, 1946, changed composition of Joint Committee. See section 132b of this title.

EFFECTIVE DATE OF 1946 AMENDMENT

Amendment by act Aug. 2, 1946, effective Jan. 3, 1947, see section 245 of that act, set out as a note under section 72a of this title.

CROSS REFERENCES

Librarian of Congress to make rules and regulations for government of library, see section 136 of this title.

§ 132a-1. Obligations for reimbursable and revolving fund activities; limitation

Effective for fiscal years beginning with fiscal year 1995, obligations for any reimbursable and revolving fund activities performed by the Library of Congress are limited to the total amounts provided (1) in the annual regular appropriations Act making appropriations for the legislative branch, or (2) in a supplemental appropriations Act that makes appropriations for the legislative branch.

(Pub. L. 103-69, title II, § 206, Aug. 11, 1993, 107 Stat. 706.)

§ 132b. Joint Committee on the Library

The Joint Committee of Congress on the Library shall, on and after January 3, 1947, consist of the chairman and four members of the Committee on Rules and Administration of the Senate and the chairman and four members of the Committee on House Oversight of the House of Representatives.

(Aug. 2, 1946, ch. 753, title II, § 223, 60 Stat. 838; Pub. L. 104-186, title II, § 205, Aug. 20, 1996, 110 Stat. 1742.)

AMENDMENTS

1996—Pub. L. 104-186 substituted “House Oversight” for “House Administration”.

EFFECTIVE DATE

Section effective Jan. 3, 1947, see section 245 of act Aug. 2, 1946, set out as a note under section 72a of this title.

§ 133. Joint Committee during recess of Congress

The portion of the Joint Committee of Congress on the Library on the part of the Senate

remaining in office as Senators shall during the recess of Congress exercise the powers and discharge the duties conferred by law upon the Joint Committee of Congress on the Library.

(Mar. 3, 1883, ch. 141, § 2, 22 Stat. 592; Aug. 2, 1946, ch. 753, title II, § 223, 60 Stat. 838.)

AMENDMENTS

1946—Act Aug. 2, 1946, changed composition of Joint Committee. See section 132b of this title.

EFFECTIVE DATE OF 1946 AMENDMENT

Amendment by act Aug. 2, 1946, effective Jan. 3, 1947, see section 245 of that act, set out as a note under section 72a of this title.

§ 134. Incidental expenses of law library

The incidental expenses of the law library shall be paid out of the appropriations for the Library of Congress.

(R.S. § 83.)

CODIFICATION

R.S. § 83 derived from act July 14, 1832, ch. 221, § 3, 4 Stat. 579.

§ 135. Purchase of books for law library

The Librarian shall make the purchases of books for the law library, under the direction of and pursuant to the catalogue furnished him by the Chief Justice of the Supreme Court.

(R.S. § 84.)

CODIFICATION

R.S. § 84 derived from act July 14, 1832, ch. 221, § 4, 4 Stat. 579.

§ 135a. Books and sound-reproduction records for blind and other physically handicapped residents; annual appropriations; purchases

There is authorized to be appropriated annually to the Library of Congress, in addition to appropriations otherwise made to said Library, such sums for expenditure under the direction of the Librarian of Congress as may be necessary to provide books published either in raised characters, on sound-reproduction recordings or in any other form, and for purchase, maintenance, and replacement of reproducers for such sound-reproduction recordings, for the use of the blind and for other physically handicapped residents of the United States, including the several States, Territories, insular possessions, and the District of Columbia, all of which books, recordings, and reproducers will remain the property of the Library of Congress but will be loaned to blind and to other physically handicapped readers certified by competent authority as unable to read normal printed material as a result of physical limitations, under regulations prescribed by the Librarian of Congress for this service. In the purchase of books in either raised characters or in sound-reproduction recordings the Librarian of Congress, without reference to the provisions of section 5 of title 41, shall give preference to nonprofit-making institutions or agencies whose activities are primarily concerned with the blind and with other physically handicapped persons, in all cases where the prices or bids submitted by such institutions or

agencies are, by said Librarian, under all the circumstances and needs involved, determined to be fair and reasonable.

(Mar. 3, 1931, ch. 400, §1, 46 Stat. 1487; Mar. 4, 1933, ch. 279, 47 Stat. 1570; June 14, 1935, ch. 242, §1, 49 Stat. 374; Apr. 23, 1937, ch. 125, §1, 50 Stat. 72; June 7, 1939, ch. 191, 53 Stat. 812; June 6, 1940, ch. 255, 54 Stat. 245; Oct. 1, 1942, ch. 575, §1, 56 Stat. 764; June 13, 1944, ch. 246, §1, 58 Stat. 276; Aug. 8, 1946, ch. 868, §1, 60 Stat. 908; July 3, 1952, ch. 566, 66 Stat. 326; Pub. L. 85-308, §1, Sept. 7, 1957, 71 Stat. 630; Pub. L. 89-522, §1, July 30, 1966, 80 Stat. 330.)

AMENDMENTS

1966—Pub. L. 89-522 amended section generally, extending availability of books and materials under this section by authorizing their loan to other physically handicapped residents, in addition to blind persons, certified by competent authority as unable to read normal printed material as a result of physical limitations.

1957—Pub. L. 85-308 authorized annual appropriation of necessary sums in lieu of provisions which limited annual appropriation to \$1,125,000, and struck out limitation of \$200,000 on amount of appropriated funds to be expended annually for books in raised characters.

1952—Act July 3, 1952, included children within its provisions as well as adults.

1946—Act Aug. 8, 1946, increased annual appropriation from \$500,000 to \$1,125,000.

1944—Act June 13, 1944, increased annual appropriation from \$370,000 to \$500,000, the amount allocated to sound-reproduction records from \$250,000 to \$400,000, and struck out provision allocating \$20,000 to maintenance and replacement of Government-owned reproducers.

1942—Act Oct. 1, 1942, substituted "\$370,000" for "\$350,000", and inserted clause at end of first sentence relating to expenditure of not exceeding \$20,000 for maintenance and replacement of reproducers for sound-reproduction records.

1940—Act June 6, 1940, substituted "\$350,000" for "\$275,000" and "\$250,000" for "\$175,000".

1939—Act June 7, 1939, inserted last sentence.

1937—Act Apr. 23, 1937, substituted "\$275,000" for "\$175,000" in two places and "\$175,000" for "\$75,000".

1935—Act June 14, 1935, substituted "\$175,000" for "\$100,000" and inserted provision that \$100,000 of the \$175,000 annual appropriation be expended for books in raised characters and the balance for sound-reproduction records.

1933—Act Mar. 4, 1933, inserted "published either in raised characters, on sound-reproduction records, or in any other form".

EFFECTIVE DATE OF 1957 AMENDMENT

Section 2 of Pub. L. 85-308 provided that: "This Act [amending this section] shall be applicable with respect to the fiscal year ending June 30, 1958, and for each fiscal year thereafter."

EFFECTIVE DATE OF 1946 AMENDMENT

Section 2 of act Aug. 8, 1946, provided: "This Act [amending this section] shall be applicable with respect to the fiscal year ending June 30, 1947, and for each fiscal year thereafter."

EFFECTIVE DATE OF 1944 AMENDMENT

Section 2 of act June 13, 1944, provided: "This Act [amending this section] shall be applicable with respect to the fiscal year ending June 30, 1945, and for each fiscal year thereafter."

EFFECTIVE DATE OF 1942 AMENDMENT

Section 2 of act Oct. 1, 1942, provided: "This Act [amending this section] shall be applicable with respect

to the fiscal year ending June 30, 1943, and for each fiscal year thereafter."

EFFECTIVE DATE OF 1937 AMENDMENT

Section 2 of act Apr. 23, 1937, provided that: "This Act [amending this section] shall be applicable with respect to the fiscal year ending June 30, 1938, and for each fiscal year thereafter."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 135b of this title; title 17 section 121; title 39 section 3403.

§ 135a-1. Library of musical scores, instructional texts, and other specialized materials for use of blind persons or other physically handicapped residents; authorization of appropriations

(a) The Librarian of Congress shall establish and maintain a library of musical scores, instructional texts, and other specialized materials for the use of the blind and for other physically handicapped residents of the United States and its possessions in furthering their educational, vocational, and cultural opportunities in the field of music. Such scores, texts, and materials shall be made available on a loan basis under regulations developed by the Librarian or his designee in consultation with persons, organizations, and agencies engaged in work for the blind and for other physically handicapped persons.

(b) There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this section.

(Pub. L. 87-765, Oct. 9, 1962, 76 Stat. 763; Pub. L. 89-522, §2, July 30, 1966, 80 Stat. 331.)

AMENDMENTS

1966—Pub. L. 89-522 made the library of musical scores and materials available to other physically handicapped residents of the United States and added persons, organizations, and agencies engaged in work for physically handicapped persons to the groups with which the Librarian shall consult in making the materials available on a loan basis.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 135b of this title.

§ 135b. Local and regional centers; preference to blind and other physically handicapped veterans; rules and regulations; authorization of appropriations

(a) The Librarian of Congress may contract or otherwise arrange with such public or other non-profit libraries, agencies, or organizations as he may deem appropriate to serve as local or regional centers for the circulation of (1) books, recordings, and reproducers referred to in section 135a of this title, and (2) musical scores, instructional texts, and other specialized materials referred to in section 135a-1 of this title, under such conditions and regulations as he may prescribe. In the lending of such books, recordings, reproducers, musical scores, instructional texts, and other specialized materials, preference shall at all times be given to the needs of the blind and of the other physically handicapped persons who have been honorably discharged from the Armed Forces of the United States.

(b) There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this section.

(Mar. 3, 1931, ch. 400, §2, 46 Stat. 1487; Pub. L. 89-522, §1, July 30, 1966, 80 Stat. 330.)

AMENDMENTS

1966—Pub. L. 89-522 extended Librarian's authority to arrange for local and regional centers by authorizing him to contract with public or other nonprofit libraries, agencies, or organizations, extended field to include recordings, reproducers, musical scores, instructional texts, and other materials, substituted "Armed Forces of the United States" for "United States military or naval service", and extended veteran preference to include other physically handicapped individuals in addition to blind persons.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 39 section 3403.

§ 136. Librarian of Congress; appointment; rules and regulations

The Librarian of Congress shall be appointed by the President, by and with the advice and consent of the Senate. He shall make rules and regulations for the government of the Library.

(Feb. 19, 1897, ch. 265, §1, 29 Stat. 544, 546; Pub. L. 92-310, title II, §220(f), June 6, 1972, 86 Stat. 204.)

PRIOR PROVISIONS

R.S. §§88, 89, 4950, which were repealed by acts Feb. 28, 1933, ch. 131, §1, 47 Stat. 1349; Mar. 3, 1933, ch. 202, §1, 47 Stat. 1428, 1431.

AMENDMENTS

1972—Pub. L. 92-310 struck out provisions which required the Librarian of Congress to give a bond in the sum of \$20,000.

§§ 136a, 136a-1. Omitted

CODIFICATION

Sections were superseded by section 136a-2 of this title.

Section 136a, Pub. L. 88-426, title II, §203(c), Aug. 14, 1964, 78 Stat. 415; Pub. L. 90-206, title II, §§219(2), 225(h), Dec. 16, 1967, 81 Stat. 639, 644; Pub. L. 94-82, title II, §204(b), Aug. 9, 1975, 89 Stat. 421, set compensation of Librarian of Congress at an annual rate equal to rate for positions at level IV of Executive Schedule.

A prior section 136a, acts Mar. 6, 1928, ch. 134, 45 Stat. 197; Oct. 15, 1949, ch. 695, §5(a), 63 Stat. 890, which contained similar provisions, was repealed by Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 647, 655.

Section 136a-1, Pub. L. 88-426, title II, §203(d), Aug. 14, 1964, 78 Stat. 415; Pub. L. 90-206, title II §§219(3), 225(h), Dec. 16, 1967, 81 Stat. 639, 644; Pub. L. 94-82, title II, §204(b), Aug. 9, 1975, 89 Stat. 421, set compensation of Deputy Librarian of Congress at an annual rate equal to rate for positions at level V of Executive Schedule.

§ 136a-2. Librarian of Congress and Deputy Librarian of Congress; compensation

(a) Subject to subsection (b) of this section and notwithstanding any other provision of law—

(1) the compensation of the Librarian of Congress shall be at an annual rate which is equal to the annual rate of basic pay payable for positions at level III of the Executive Schedule under section 5314 of title 5, and

(2) the compensation of the Deputy Librarian of Congress shall be at an annual rate

which is equal to the annual rate of basic pay payable for positions at level IV of the Executive Schedule under section 5315 of title 5.

(b) The limitations contained in section 306 of S. 2939, Ninety-seventh Congress, as made applicable by section 101(e) of Public Law 97-276 (as amended by section 128(a)¹ of Public Law 97-377) shall, after application of section 128(b)² of Public Law 97-377, be applicable to the compensation of the Librarian of Congress and the Deputy Librarian of Congress, as fixed by subsection (a) of this section.

(Pub. L. 98-63, title I, §904(a), (b), July 30, 1983, 97 Stat. 336.)

REFERENCES IN TEXT

Section 306 of S. 2939, Ninety-seventh Congress, as made applicable by section 101(e) of Public Law 97-276 (as amended by section 128(a) [129(a)] of Public Law 97-377), referred to in subsec. (b), is set out as notes under sections 5318 and 5384 of Title 5, Government Organization and Employees.

Section 128(b) [129(b)] of Public Law 97-377, referred to in subsec. (b), is set out as a note under section 5318 of Title 5.

EFFECTIVE DATE

Section 904(c) of Pub. L. 98-63 provided that: "The provisions of subsection (a) [enacting subsec. (a) of this section] shall take effect on the first day of the first applicable pay period commencing on or after the date of the enactment of this Act [July 30, 1983]."

SALARY INCREASES

1987—Salaries of Librarian and Deputy Librarian increased respectively to \$89,500 and \$82,500 per annum, on recommendation of the President of the United States, see note set out under section 358 of this title.

1977—Salaries of Librarian and Deputy Librarian increased respectively to \$50,000 and \$47,500 per annum, on recommendation of the President of the United States, see note set out under section 358 of this title.

1969—Salaries of Librarian and Deputy Librarian increased respectively to \$38,000 and \$36,000 per annum, on recommendation of the President of the United States, see note set out under section 358 of this title.

§ 136b. Omitted

CODIFICATION

Section, act July 17, 1947, ch. 262, 61 Stat. 372, related to maximum salary for any position in the Library. See section 162a of this title.

§ 136c. Authorized additional expenses and services for which Library of Congress salary appropriations are available

From and after October 1, 1983, appropriations in this Act available to the Library of Congress for salaries shall be available for expenses of personnel security and suitability investigations of Library employees; special and temporary services (including employees engaged by day or hour or in piecework); and services as authorized by section 3109 of title 5.

(Pub. L. 98-51, title II, §201, July 14, 1983, 97 Stat. 276.)

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 98-51, July 14, 1983, 97 Stat. 263, known as the Legislative Branch Ap-

¹ So in original. Probably should be section "129(a)".

² So in original. Probably should be section "129(b)".

ropriations Act, 1984. For complete classification of this Act to the Code, see Tables.

§ 137. Use and regulation of law library

The justices of the Supreme Court shall have free access to the law library; and they are authorized to make regulations, not inconsistent with law, for the use of the same during the sittings of the court. But such regulations shall not restrict any person authorized to take books from the Library from having access to the law library, or using the books therein in the same manner as he may be entitled to use the books of the general Library.

(R.S. §95.)

CODIFICATION

R.S. §95 derived from act July 14, 1832, ch. 221, §2, 4 Stat. 579.

§§ 137a, 137b. Omitted

CODIFICATION

Section 137a, R.S. §94, related to persons specially privileged to use library. See last sentence of section 136 of this title, which gives Librarian of Congress power to make rules and regulations for government of library.

Section 137b, act Aug. 28, 1890, No. 41, 26 Stat. 678, which related to Interstate Commerce Commission and Chief of Army Engineering Corps, was omitted from the Code as superseded by the last sentence of section 136 of this title.

JOINT COMMITTEE REPORT

With reference to former section 137a of this title, the Joint Committee on the Library, in an official report March 3, 1897 (54th Cong., 2d Sess., Senate Report 1573) declared:

“Heretofore the Joint Committee on the Library has had authority to approve such rules and regulations as have been made by the Librarian of Congress, but the provision of law under which the Joint Committee has hitherto passed upon said rules and regulations would appear to be repealed by the more recent act (section 136 of this title) which places this power in the hands of the Librarian of Congress.”

§ 137c. Withdrawal of books from Library of Congress

The chief judge and associate judges of the United States Court of Appeals for the District of Columbia and the chief judge and associate judges of the United States District Court for the District of Columbia are authorized to use and take books from the Library of Congress in the same manner and subject to the same regulations as justices of the Supreme Court of the United States.

(Joint Res. No. 9, Jan. 27, 1894, 28 Stat. 577; June 7, 1934, ch. 426, 48 Stat. 926; June 25, 1936, ch. 804, 49 Stat. 1921; June 25, 1948, ch. 646, §32(a), (b), 62 Stat. 991; May 24, 1949, ch. 139, §127, 63 Stat. 107.)

CHANGE OF NAME

Act June 25, 1948, eff. Sept. 1, 1948, as amended by act May 24, 1949, substituted “United States District Court for the District of Columbia” for “District Court of the United States for the District of Columbia”, “chief judge” for “chief justice” and “associate judges” for “associate justices” wherever appearing.

Act June 25, 1936, substituted “District Court of the United States for the said District” for “Supreme Court for the said District”.

Act June 7, 1934, substituted “United States Court of Appeals for the District of Columbia” for “Court of Appeals of the District of Columbia”.

§ 138. Law library; hours kept open

The law library shall be kept open every day so long as either House of Congress is in session. (July 11, 1888, ch. 615, §1, 25 Stat. 262.)

§ 139. Report of Librarian of Congress

The Librarian of Congress shall make to Congress not later than April 1, a report for the preceding fiscal year, as to the affairs of the Library of Congress, including the copyright business, and said report shall also include a detailed statement of all receipts and expenditures on account of the Library and said copyright business.

(Feb. 19, 1897, ch. 265, §1, 29 Stat. 546; Pub. L. 94-273, §30, Apr. 21, 1976, 90 Stat. 380.)

AMENDMENTS

1976—Pub. L. 94-273 substituted “not later than April 1” for “at the beginning of each regular session”.

§ 140. Employees; fitness

All persons employed in and about said Library of Congress under the Librarian shall be appointed solely with reference to their fitness for their particular duties.

(Feb. 19, 1897, ch. 265, §1, 29 Stat. 545; June 29, 1922, ch. 251, §1, 42 Stat. 715.)

§ 141. Duties of Architect of the Capitol and Librarian of Congress

The Architect of the Capitol shall have charge of all structural work at the Library of Congress buildings and grounds (as defined in section 167j of this title), including all necessary repairs, the operation, maintenance, and repair of the mechanical plant and elevators, the care and maintenance of the grounds, and the purchasing of all equipment other than office equipment. The employees required for the performance of the foregoing duties shall be appointed by the Architect of the Capitol. All other duties on June 29, 1922, required to be performed by the Superintendent of the Library Building and Grounds shall be performed under the direction of the Librarian of Congress, who shall appoint the employees necessary therefor. The Librarian of Congress shall provide for the purchase and supply of office equipment and furniture for library purposes.

(June 29, 1922, ch. 251, §1, 42 Stat. 715; Pub. L. 91-280, June 12, 1970, 84 Stat. 309; Pub. L. 101-520, title II, §205(b), Nov. 5, 1990, 104 Stat. 2272; Pub. L. 101-562, §2(a), Nov. 15, 1990, 104 Stat. 2780.)

AMENDMENTS

1990—Pub. L. 101-520 and Pub. L. 101-562 made substantively identical amendments, substituting reference to the Library of Congress buildings and grounds (as defined in section 167j of this title) for reference to the Library Building and on the grounds.

1970—Pub. L. 91-280 substituted “purchasing of all equipment other than office equipment” for “purchasing and supplying of all furniture and equipment for the building” in second sentence and inserted sentence at end.

EFFECTIVE DATE OF 1990 AMENDMENTS

Amendment by Pub. L. 101-520 and 101-562 effective on date [Nov. 6, 1991] Architect of the Capitol acquires the property and improvements described in Pub. L. 101-520, §205(a), and Pub. L. 101-562, §1, see section 205(e) of Pub. L. 101-520 and former section 2(d) of Pub. L. 101-562, set out as a Special Facilities Center; Acquisition note below.

ACQUISITION OF REAL PROPERTY FOR LIBRARY OF CONGRESS

Pub. L. 105-144, Dec. 15, 1997, 111 Stat. 2667, provided that:

“SECTION 1. ACQUISITION OF FACILITY IN CULPEPER, VIRGINIA.

“(a) ACQUISITION.—The Architect of the Capitol may acquire on behalf of the United States Government by transfer of title, without reimbursement or transfer of funds, the following property:

“(1) Three parcels totaling approximately 41 acres, more or less, located in Culpeper County, Virginia, and identified as Culpeper County Tax Parcel Numbers 51-80B, 51-80C, and 51-80D, further described as real estate (consisting of 15.949 acres) conveyed to Federal Reserve Bank of Richmond by deed from Russell H. Inskip and Jean H. Inskip, his wife, dated October 1, 1964, and recorded October 7, 1964, in the Clerk’s Office, Circuit Court of Culpeper County, Virginia, in Deed Book 177, page 431, and real estate (consisting of 20.498 acres and consisting of 4.502 acres) conveyed to Federal Reserve Bank of Richmond by deed from Russell H. Inskip and Jean H. Inskip, his wife, dated November 11, 1974, and recorded November 12, 1974, in the Clerk’s Office, Circuit Court of Culpeper County, Virginia, in Deed Book 247, page 246.

“(2) Improvements to such real property.

“(b) USES.—Effective on the date on which the Architect of the Capitol acquires the property under subsection (a), such property shall be available to the Librarian of Congress for use as a national audiovisual conservation center.

“SEC. 2. LIBRARY BUILDINGS AND GROUNDS.

“[Amended section 167j of this title.]

“SEC. 3. ACCEPTANCE OF TRANSFERRED GIFTS OR TRUST FUNDS.

“Gifts or trust funds given to the Library or the Library of Congress Trust Fund Board for the structural and mechanical work and refurbishment of Library buildings and grounds specified in section 1 shall be transferred to the Architect of the Capitol to be spent in accordance with the provisions of the first section of the Act of June 29, 1922 (2 U.S.C. 141).

“SEC. 4. FUND FOR TRANSFERRED FUNDS.

“There is established in the Treasury of the United States a fund consisting of those gifts or trust funds transferred to the Architect of the Capitol under section 3. Upon prior approval of the Committee on House Oversight of the House of Representatives and Committee on Rules and Administration of the Senate, amounts in the fund shall be available to the Architect of the Capitol, subject to appropriation, to remain available until expended, for the structural and mechanical work and refurbishment of Library buildings and grounds. Such funds shall be available for expenditure in fiscal year 1998, subject to the prior approval of the Committee on House Oversight of the House of Representatives and the Committee on Rules and Administration of the Senate.

“SEC. 5. EFFECTIVE DATE.

“(a) IN GENERAL.—Except as provided in subsection (b), the provisions of this Act shall take effect on the date of the enactment of this Act [Dec. 15, 1997].

“(b) SPECIAL RULE FOR INCLUSION OF PROPERTY WITHIN LIBRARY BUILDINGS AND GROUNDS.—The amendment made by section 2 shall take effect upon the acquisition

by the Architect of the Capitol of the property described in section 1.”

TRANSFER OF PROPERTY BY SECRETARY OF ARMY TO PROVIDE FACILITIES TO ACCOMMODATE LONG-TERM STORAGE AND SERVICE NEEDS

Pub. L. 103-110, §122, Oct. 21, 1993, 107 Stat. 1043, provided that:

“(a) Notwithstanding any other provision of law, the Secretary of the Army shall transfer, no later than September 30, 1994, without reimbursement or transfer of funds, to the Architect of the Capitol, a portion of the real property, including improvements thereon, consisting of not more than 100 acres located at Fort George G. Meade in Anne Arundel County, Maryland, as determined under subsection (c).

“(b) The Architect of the Capitol shall, upon completion of the survey performed pursuant to subsection (c) and the transfer effected pursuant to subsection (a), utilize the transferred property to provide facilities to accommodate the varied long-term storage and service needs of the Library of Congress and other Legislative Branch agencies.

“(c) The exact acreage and legal description of the property to be transferred under this section shall be determined by a survey satisfactory to the Architect of the Capitol and the Secretary of the Army, and in consultation with officials of Anne Arundel County, Maryland.

“(d) Any real property and improvements thereon transferred pursuant to this section shall be under the jurisdiction of the Architect of the Capitol, subject to the rules and regulations providing for the use of such property as may be approved by the House Office Building Commission and the Senate Committee on Rules and Administration: *Provided*, That any existing improvements made available by the Architect to the Librarian of Congress, under the direction of the Joint Committee on the Library, or hereafter erected upon such real property pursuant to law for the purposes of providing for the long-term storage and service needs of the Library of Congress shall be subject to the provisions of sections 136, 141 and 167 to 167j of title 2, United States Code.

“(e) Portions of the real property and any improvements thereon transferred pursuant to this section that are not determined to be immediately required for storage or service needs by the Architect are authorized to be leased temporarily to the Secretary of the Army: *Provided*, That nominal lease payments made by the Secretary of the Army shall be credited to the appropriation ‘Architect of the Capitol, Library Buildings and Grounds, Structural and Mechanical Care, No Year’.

“(f) There are authorized to be appropriated to the Architect of the Capitol such sums as may be necessary to carry out the provisions of this section.”

SPECIAL FACILITIES CENTER; TEMPORARY RESTRICTION ON EVENING USE

Pub. L. 102-451, §4, Oct. 23, 1992, 106 Stat. 2253, provided that: “No evening meetings may be held at the Library of Congress Special Facilities Center until an on-site parking plan for the property is approved by the Joint Committee on the Library.”

SPECIAL FACILITIES CENTER; ACQUISITION

Section 205 of Pub. L. 101-520, as amended by Pub. L. 102-451, §§1-3, Oct. 23, 1992, 106 Stat. 2253, provided that:

“(a) The Architect of the Capitol may acquire on behalf of the United States Government by purchase, condemnation, transfer, or otherwise (1) all publicly or privately owned real property in lot 51 in square 869 in the District of Columbia, as that lot appears on the records in the office of the Surveyor of the District of Columbia on August 1, 1990, extending to the outer face of the curbs of the square in which it is located and including all alleys or parts of alleys and streets within the lot lines and curb lines surrounding such real property,

and (2) improvements to such real property. The property acquired under this section shall be known as the 'Library of Congress Special Facilities Center' (hereinafter in this section referred to as the 'Center').

“(b) [Amended section 141 of this title.]

“(c) The property and improvements acquired under subsection (a) shall be repaired and altered, to the maximum extent feasible as determined by the Architect of the Capitol, in compliance with one of the nationally recognized model building codes and with other applicable nationally recognized codes (including electrical codes, fire and life safety codes, plumbing codes, as determined appropriate by the Architect), using the latest edition of the nationally recognized codes referred to in this paragraph.

“(d) [Amended section 167j of this title.]

“(e) Subsections (b) and (c) and the amendment made by subsection (d) shall take effect on the date [Nov. 6, 1991] the Architect of the Capitol acquires the property and improvements described in subsection (a).

“(f) There is authorized to be appropriated to the Architect of the Capitol \$5,000,000 for carrying out the purposes of this section, to remain available until expended.

“(g) Effective on the date [Nov. 6, 1991] on which the Architect of the Capitol acquires the property known as St. Cecilia's School (Lot 51 in square 869) in the District of Columbia, as provided by law, such property shall be available to the Librarian of Congress for use—

“(1) as a day care center for children of employees of the Library of Congress and children of other employees of the legislative branch of the Government;

“(2) for staff training and development for employees of the Library of Congress;

“(3) for external training;

“(4) for general assembly and education programs of the Library;

“(5) for temporary living quarters and common areas for visiting scholars using the collections of the Library or participating in the programs of the Library; and

“(6) for other purposes relating to the operations of the Library of Congress.

Any use of such property shall be subject to approval by the Joint Committee on the Library, the Committee on House Administration of the House of Representatives, and the Committee on Rules and Administration of the Senate.

“(h)(1) The Librarian of Congress—

“(A) may charge fees for use of the Center under paragraphs (3), (4), and (5) of subsection (g); and

“(B) shall deposit the fees in the fund under paragraph (2).

“(2) There is established in the Treasury a fund which shall consist of amounts deposited under paragraph (1) and such other amounts as may be appropriated to the fund. The fund shall be—

“(A) available to the Librarian of Congress, in amounts specified in appropriations Acts, for the expenses of the Center; and

“(B) subject to audit by the Comptroller General at the discretion of the Comptroller General.”

Similar provisions were contained in Pub. L. 101-562, §§ 1, 2, 4, Nov. 15, 1990, 104 Stat. 2780, 2781, which was repealed by Pub. L. 102-451, § 5, Oct. 23, 1992, 106 Stat. 2254, eff. Nov. 15, 1990.

ADDITIONAL BUILDING FOR LIBRARY OF CONGRESS

Pub. L. 86-469, May 14, 1960, 74 Stat. 132, authorized Architect of the Capitol, under direction and supervision of Joint Committee on the Library, to prepare preliminary plans and estimates of cost for an additional building for Library of Congress.

LIBRARY OF CONGRESS THOMAS JEFFERSON BUILDING

Pub. L. 104-208, div. A, title V, § 5402, Sept. 30, 1996, 110 Stat. 3009-511, provided that: “The Founders Hall instructional area in the House of Representatives Page School, located in the Thomas Jefferson Building of the

Library of Congress, shall be known and designated as ‘Bill Emerson Hall.’”

Pub. L. 96-269, § 1, June 13, 1980, 94 Stat. 486, provided: “That the building in the block bounded by East Capitol Street, Second Street Southeast, Independence Avenue Southeast, and First Street Southeast, in the District of Columbia (commonly known as the Library of Congress Building or the Library of Congress Main Building), shall hereafter be known and designated as the ‘Library of Congress Thomas Jefferson Building’. Any reference in any law, map, regulation, document, record, or other paper of the United States to such building shall be held to be a reference to the Library of Congress Thomas Jefferson Building.”

Pub. L. 94-264, Apr. 13, 1976, 90 Stat. 329, which had designated the Library of Congress Annex as the Library of Congress Thomas Jefferson Building, was repealed by Pub. L. 96-269, § 3, June 13, 1980, 94 Stat. 486, as part of the redesignation of that building as the Library of Congress John Adams Building and the designation of the main building of the Library of Congress as the Library of Congress Thomas Jefferson Building.

LIBRARY OF CONGRESS JOHN ADAMS BUILDING

Pub. L. 96-269, § 2, June 13, 1980, 94 Stat. 486, provided that: “The building in the block bounded by East Capitol Street, Second Street Southeast, Third Street Southeast, and Pennsylvania Avenue Southeast, in the District of Columbia (commonly known as the Library of Congress Thomas Jefferson Building or the Library of Congress Annex Building), shall hereafter be known and designated as the ‘Library of Congress John Adams Building’. Any reference in any law, map, regulation, document, record, or other paper of the United States to such building shall be held to be a reference to the Library of Congress John Adams Building.”

LIBRARY OF CONGRESS JAMES MADISON MEMORIAL BUILDING

Pub. L. 91-214, § 2, Mar. 16, 1970, 84 Stat. 69, provided that: “Nothing contained in the Act of October 19, 1965 (79 Stat. 986) [set out as a note under this section], shall be construed to authorize the use of the third Library of Congress building authorized by such Act for general office building purposes.”

Pub. L. 89-260, Oct. 19, 1965, 79 Stat. 987, as amended by Pub. L. 91-214, § 1, Mar. 16, 1970, 84 Stat. 69; Pub. L. 94-219, Feb. 27, 1976, 90 Stat. 194; Pub. L. 95-548, Oct. 30, 1978, 92 Stat. 2064, provided: “That (a) the Architect of the Capitol under the direction jointly of the House Office Building Commission, the Senate Office Building Commission, and the Joint Committee on the Library, after consultation with a committee designated by the American Institute of Architects, is authorized and directed to construct (including, but not limited to, the preparation of all necessary designs, plans, and specifications) in square 732 in the District of Columbia a third Library of Congress fireproof building, which shall be known as the Library of Congress James Madison Memorial Building. The design of such building shall include a Madison Memorial Hall and shall be in keeping with the prevailing architecture of the Federal buildings on Capitol Hill. The Madison Memorial Hall shall be developed in consultation with the James Madison Memorial Commission.

“(b) In carrying out his authority under this joint resolution, the Architect of the Capitol, under the direction jointly of the House Office Building Commission, the Senate Office Building Commission, and the Joint Committee on the Library, is authorized (1) to provide for such equipment, such connections with the Capitol Power Plant and other utilities, such access facilities over or under public streets, such changes in the present Library of Congress buildings, such changes in or additions to the present tunnels, and such other appurtenant facilities, as may be necessary, and (2) to do such landscaping as may be necessary by reason of the construction authorized by this joint resolution.

“SEC. 2. The structural and mechanical care of the building authorized by this joint resolution and the care of the surrounding grounds shall be under the Architect of the Capitol.

“SEC. 3. There is hereby authorized to be appropriated not to exceed \$130,675,000 to construct the building authorized by this joint resolution (including the preparation of all necessary designs, plans, and specifications).

“There is also authorized to be appropriated not exceeding \$10,000 to pay the expenses of the James Madison Memorial Commission.”

§ 142. Omitted

CODIFICATION

Section, acts June 29, 1922, ch. 251, § 1, 42 Stat. 715; Nov. 5, 1990, Pub. L. 101-520, title III, § 307, 104 Stat. 2277, established office of administrative assistant and disbursing officer of Library of Congress which was abolished by section 142a of this title.

§ 142a. Office of administrative assistant and disbursing officer in Library of Congress abolished; transfer of duties to appointee of Librarian

From and after June 10, 1928, the office of administrative assistant and disbursing officer of the Library of Congress, created by section 142 of this title, is abolished and thereafter the duties required to be performed by the administrative assistant and disbursing officer shall be performed, under the direction of the Librarian of Congress, by such persons as the Librarian may appoint for those purposes.

(May 11, 1928, ch. 521, 45 Stat. 497; Pub. L. 92-310, title II, § 220(h), June 6, 1972, 86 Stat. 205.)

REFERENCES IN TEXT

Section 142 of this title, referred to in text, was omitted from the Code.

AMENDMENTS

1972—Pub. L. 92-310 struck out provisions which required the person disbursing appropriations for Library of Congress and Botanic Garden to give a bond in sum of \$30,000.

TRANSFER OF FUNCTIONS

Disbursement functions of all Government agencies, except Departments of the Army, Navy, and Air Force and Panama Canal transferred to Division of Disbursements, Treasury Department, by Ex. Ord. No. 6166, § 4, June 10, 1933, and Ex. Ord. No. 6728, May 29, 1934.

Division subsequently consolidated with other agencies into Fiscal Service in Treasury Department by Reorg. Plan No. III of 1940, § 1(a)(1), eff. June 30, 1940, 5 F.R. 2107, 54 Stat. 1231. See section 306 of Title 31, Money and Finance.

§ 142b. Certifying officers of the Library of Congress; accountability; relief by Comptroller General

On and after June 13, 1957, each officer and employee of the Library of Congress, including the Copyright Office, who has been duly authorized in writing by the Librarian of Congress to certify vouchers for payment from appropriations and funds, shall (1) be held responsible for the existence and correctness of the facts recited in the certificate or otherwise stated on the voucher or its supporting papers and for the legality of the proposed payment under the appropriation or fund involved; (2) [Repealed]; (3) be held

responsible and accountable for the correctness of the computations of certified vouchers; and (4) be held accountable for and required to make good to the United States the amount of any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate made by him, as well as for any payment prohibited by law or which did not represent a legal obligation under the appropriation or fund involved: *Provided*, That the Comptroller General of the United States may, at his discretion, relieve such certifying officer or employee of liability for any payment otherwise proper whenever he finds (1) that the certification was based on official records and that such certifying officer or employee did not know, and by reasonable diligence and inquiry could not have ascertained, the actual facts, or (2) that the obligation was incurred in good faith, that the payment was not contrary to any statutory provision specifically prohibiting payments of the character involved, and the United States has received value for such payment: *Provided further*, That the Comptroller General shall relieve such certifying officer or employee of liability for an overpayment for transportation services made to any common carrier covered by section 3726 of title 31, whenever he finds that the overpayment occurred solely because the administrative examination made prior to payment of the transportation bill did not include a verification of transportation rates, freight classifications, or land grant deductions.

(Pub. L. 85-53, § 1, June 13, 1957, 71 Stat. 81; Pub. L. 92-310, title II, § 220(k), June 6, 1972, 86 Stat. 205.)

CODIFICATION

“Section 3726 of title 31” substituted in text for “title III, part II, section 322, of the Transportation Act of 1940, approved September 18, 1940 [31 U.S.C. 244]” on authority of Pub. L. 97-258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

AMENDMENTS

1972—Pub. L. 92-310 struck out provisions which required officers and employees of Library who are authorized to certify vouchers for payment to give a bond.

CROSS REFERENCES

General provisions concerning responsibilities of certifying officers, see section 3528 of Title 31, Money and Finance.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 142d of this title.

§ 142c. Enforcement of liability of certifying officers of Library of Congress

The liability of these certifying officers or employees shall be enforced in the same manner and to the same extent as now provided by law with respect to enforcement of the liability of disbursing and other accountable officers; and they shall have the right to apply for and obtain a decision by the Comptroller General on any question of law involved in a payment on any vouchers presented to them for certification.

(Pub. L. 85-53, § 2, June 13, 1957, 71 Stat. 81.)

CROSS REFERENCES

General provisions concerning enforcement of liability of certifying officers, see sections 3529 and 3541 of Title 31, Money and Finance.

§ 142d. Disbursing officer of the Library of Congress; disbursements in accordance with voucher; examination of vouchers; liability

The disbursing officer of the Library of Congress shall (1) disburse moneys of the Library of Congress only upon, and in strict accordance with, vouchers duly certified by the Librarian of Congress or by an officer or employee of the Library of Congress duly authorized in writing by the Librarian to certify such vouchers; (2) make such examination of vouchers as may be necessary to ascertain whether they are in proper form, and duly certified and approved; and (3) be held accountable accordingly: *Provided*, That the disbursing officer shall not be held accountable or responsible for any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate, the responsibility for which, under section 142b of this title, is imposed upon a certifying officer or employee of the Library of Congress.

(Pub. L. 85-53, §3, June 13, 1957, 71 Stat. 81.)

§ 142e. Disbursing Officer of the Library of Congress; disbursements for Congressional Budget Office, accountability; financial management support to Congressional Budget Office under agreement of Librarian of Congress and Director of Congressional Budget Office; Congressional Budget Office certifying officers: voucher certifications, accountability, relief by Comptroller General

From and after January 1, 1976, the Disbursing Officer of the Library of Congress is authorized to disburse funds appropriated for the Congressional Budget Office, and the Library of Congress shall provide financial management support to the Congressional Budget Office as may be required and mutually agreed to by the Librarian of Congress and the Director of the Congressional Budget Office. The Library of Congress is further authorized to compute and disburse the basic pay of all personnel of the Congressional Budget Office pursuant to the provisions of section 5504 of title 5, except the Director, who as head of an agency, shall have pay computed and disbursed pursuant to the provisions of section 5505 of title 5.

All vouchers certified for payment by duly authorized certifying officers of the Library of Congress shall be supported with a certification by an officer or employee of the Congressional Budget Office duly authorized in writing by the Director of the Congressional Budget Office to certify payments from appropriations of the Congressional Budget Office. The Congressional Budget Office certifying officers shall (1) be held responsible for the existence and correctness of the facts recited in the certificate or otherwise stated on the voucher or its supporting paper and the legality of the proposed payment under the appropriation or fund involved, (2) be held responsible and accountable for the correctness of the computations of certifications made, and (3) be held accountable for and required to make

good to the United States the amount of any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate made by him, as well as for any payment prohibited by law which did not represent a legal obligation under the appropriation or fund involved: *Provided*, That the Comptroller General of the United States may, at his discretion, relieve such certifying officer or employee of liability for any payment otherwise proper whenever he finds (1) that the certification was based on official records and that such certifying officer or employee did not know, and by reasonable diligence and inquiry could not have ascertained the actual facts, or (2) that the obligation was incurred in good faith, that the payment was not contrary to any statutory provision specifically prohibiting payments of the character involved, and the United States has received value for such payment: *Provided further*, That the Comptroller General shall relieve such certifying officer or employee of liability for an overpayment for transportation services made to any common carrier covered by section 3726 of title 31, whenever he finds that the overpayment occurred solely because the administrative examination made prior to payment of the transportation bill did not include a verification of transportation rates, freight classifications, or land grant deductions.

The Disbursing Officer of the Library of Congress shall not be held accountable or responsible for any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate, the responsibility for which is imposed upon a certifying officer or employee of the Congressional Budget Office.

(Pub. L. 96-536, §101(c), Dec. 16, 1980, 94 Stat. 3167.)

CODIFICATION

In the second par., "section 3726 of title 31" substituted for "section 244 of title 31" on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

Section is based on section 207 of title II of H.R. 7593, as passed the House of Representatives on July 21, 1980, and incorporated by reference in section 101(c) of Pub. L. 96-536, to be effective as if enacted into law.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Pub. L. 96-86, §101(c) [H.R. 4390, title II, §207], Oct. 12, 1979, 93 Stat. 657.

Pub. L. 95-391, title II, §207, Sept. 30, 1978, 92 Stat. 786.

Pub. L. 95-94, title II, §207, Aug. 5, 1977, 91 Stat. 678.

Pub. L. 94-440, title VIII, §808, Oct. 1, 1976, 90 Stat. 1458.

Pub. L. 94-157, title I, ch. IV, Dec. 18, 1975, 89 Stat. 835.

§ 142f. Office of Technology Assessment; disbursement of funds, computation and disbursement of basic pay, and provision of financial management support by Library of Congress

From and after October 1, 1981, the Disbursing Officer of the Library of Congress is authorized to disburse funds appropriated for the Office of Technology Assessment, and the Library of Congress shall provide financial management sup-

port to the Office of Technology Assessment as may be required and mutually agreed to by the Librarian of Congress and the Director of the Office of Technology Assessment. The Library of Congress is further authorized to compute and disburse the basic pay of all personnel of the Office of Technology Assessment pursuant to the provisions of section 5504 of title 5.

All vouchers certified for payment by duly authorized certifying officers of the Library of Congress shall be supported with a certification by an officer or employee of the Office of Technology Assessment duly authorized in writing by the Director of the Office of Technology Assessment to certify payments from appropriations of the Office of Technology Assessment. The Office of Technology Assessment certifying officers shall (1) be held responsible for the existence and correctness of the facts recited in the certificate or otherwise stated on the voucher or its supporting paper and the legality of the proposed payment under the appropriation or fund involved, (2) be held responsible and accountable for the correctness of the computations of certifications made, and (3) be held accountable for and required to make good to the United States the amount of any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate made by him, as well as for any payment prohibited by law which did not represent a legal obligation under the appropriation or fund involved: *Provided*, That the Comptroller General of the United States may, at his discretion, relieve such certifying officer or employee of liability for any payment otherwise proper whenever he finds (1) that the certification was based on official records and that such certifying officer or employee did not know, and by reasonable diligence and inquiry could not have ascertained the actual facts, or (2) that the obligation was incurred in good faith, that the payment was not contrary to any statutory provision specifically prohibiting payments of the character involved, and the United States has received value for such payment: *Provided further*, That the Comptroller General shall relieve such certifying officer or employee of liability for an overpayment for transportation services made to any common carrier covered by section 3726 of title 31, whenever he finds that the overpayment occurred solely because of¹ the administrative examination made prior to payment of the transportation bill did not include a verification of transportation rates, freight classifications, or land grant deductions.

The Disbursing Officer of the Library of Congress shall not be held accountable or responsible for any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate, the responsibility for which is imposed upon a certifying officer or employee of the Office of Technology Assessment.

(Pub. L. 97-51, §101(c), Oct. 1, 1981, 95 Stat. 959.)

CODIFICATION

In the second par., “section 3726 of title 31” substituted for “section 244 of title 31” on authority of

¹ So in original. The word “of” probably should not appear.

Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

Section is based on section 205 of title II of H.R. 4120, as reported July 9, 1981, and incorporated by reference in section 101(c) of Pub. L. 97-51, to be effective as if enacted into law.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 142h, 142j of this title.

§ 142g. Copyright Royalty Tribunal; computation and disbursement of pay of Tribunal personnel by Library of Congress

From and after October 1, 1983, the Library of Congress is authorized to compute and disburse basic pay of all personnel of the Copyright Royalty Tribunal pursuant to the provisions of section 5504 of title 5.

(Pub. L. 98-51, title II, §204, July 14, 1983, 97 Stat. 277.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Pub. L. 97-276, §101(e) [S. 2939, title II, §204], Oct. 2, 1982, 96 Stat. 1189.

Pub. L. 97-51, §101(c) [H.R. 4120, title II, §204], Oct. 1, 1981, 95 Stat. 959.

Pub. L. 96-536, §101(c) [H.R. 7593, title II, §208], Dec. 16, 1980, 94 Stat. 3167.

Pub. L. 96-86, §101(c) [H.R. 4390, title II, §208], Oct. 12, 1979, 93 Stat. 657.

Pub. L. 95-391, title II, §208, Sept. 30, 1978, 92 Stat. 786.

Pub. L. 95-94, title II, §208, Aug. 5, 1977, 91 Stat. 678.

§ 142h. Biomedical Ethics Board; disbursement of funds, computation and disbursement of basic pay, and provision of financial management services and support by Library of Congress

Effective October 1, 1988, and to continue thereafter, the Disbursing Officer of the Library of Congress is authorized to—

(1) disburse funds appropriated for the Biomedical Ethics Board;

(2) compute and disburse the basic pay for all personnel of the Biomedical Ethics Board; and

(3) provide financial management services and support to the Biomedical Ethics Board,

in the same manner as provided with respect to the Office of Technology Assessment under section 142f of this title.

(Pub. L. 101-163, title I, Nov. 21, 1989, 103 Stat. 1054.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation act:

Pub. L. 100-458, title I, Oct. 1, 1988, 102 Stat. 2168.

§ 142i. United States Capitol Preservation Commission; provision of financial management services and support by Library of Congress

Effective June 15, 1989, the Library of Congress shall provide financial management services and support to the United States Capitol Preservation Commission as may be required and mutually agreed to by the Librarian of Congress and

the Cochairmen of the United States Capitol Preservation Commission.

(Pub. L. 101-45, title I, June 30, 1989, 103 Stat. 107.)

§ 142j. John C. Stennis Center for Public Service Training and Development; disbursement of funds, computation and disbursement of basic pay, and provision of financial management services and support by Library of Congress; payment for services

From and after October 1, 1988, the Library of Congress is authorized to—

(1) disburse funds appropriated for the John C. Stennis Center for Public Service Training and Development;

(2) compute and disburse the basic pay for all personnel of the John C. Stennis Center for Public Service Training and Development;

(3) provide financial management services and support to the John C. Stennis Center for Public Service Training and Development, in the same manner as provided with respect to the Office of Technology Assessment under section 142f of this title; and

(4) collect from the funds appropriated for the John C. Stennis Center for Public Service Training and Development the full costs of providing the services specified in (1), (2), and (3) above, as provided under an agreement for services ordered under 31 U.S.C. 1535 and 1536.

(Pub. L. 101-163, title II, §205, Nov. 21, 1989, 103 Stat. 1060.)

§ 142k. Library of Congress disbursing office; payroll processing functions

From and after October 1, 1989, the Librarian of Congress shall take appropriate action to assure that no legislative branch employee whose salary is disbursed by the Library of Congress disbursing office is adversely affected by alternative ways of performing the personnel/payroll processing function.

(Pub. L. 101-163, title II, §206, Nov. 21, 1989, 103 Stat. 1060.)

§ 142l. Disbursing Officer of Library of Congress; disbursements for Office of Compliance; voucher certifications, accountability and relief by Comptroller General

From and after October 1, 1996, the Disbursing Officer of the Library of Congress is authorized to disburse funds appropriated for the Office of Compliance, and the Library of Congress shall provide financial management support to the Office of Compliance as may be required and mutually agreed to by the Librarian of Congress and the Executive Director of the Office of Compliance. The Library of Congress is further authorized to compute and disburse the basic pay of all personnel of the Office of Compliance pursuant to the provisions of section 5504 of title 5.

All vouchers certified for payment by duly authorized certifying officers of the Library of Congress shall be supported with a certification by an officer or employee of the Office of Compliance duly authorized in writing by the Executive Director of the Office of Compliance to certify payments from appropriations of the Office

of Compliance. The Office of Compliance certifying officers shall (1) be held responsible for the existence and correctness of the facts recited in the certificate or otherwise stated on the voucher or its supporting paper and the legality of the proposed payment under the appropriation or fund involved, (2) be held responsible and accountable for the correctness of the computations of certifications made, and (3) be held accountable for and required to make good to the United States the amount of any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate made by them, as well as for any payment prohibited by law which did not represent a legal obligation under the appropriation or fund involved: *Provided*, That the Comptroller General of the United States may, at his discretion, relieve such certifying officer or employee of liability for any payment otherwise proper whenever he finds (1) that the certification was based on official records and that such certifying officer or employee did not know, and by reasonable diligence and inquiry could not have ascertained the actual facts, or (2) that the obligation was incurred in good faith, that the payment was not contrary to any statutory provision specifically prohibiting payments of the character involved, and the United States has received value for such payment: *Provided further*, That the Comptroller General shall relieve such certifying officer or employee of liability for an overpayment for transportation services made to any common carrier covered by section 3726 of title 31, whenever he finds that the overpayment occurred solely because the administrative examination made prior to payment of the transportation bill did not include a verification of transportation rates, freight classifications, or land grant deductions.

The Disbursing Officer of the Library of Congress shall not be held accountable or responsible for any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate, the responsibility for which is imposed upon a certifying officer or employee of the Office of Compliance.

(Pub. L. 104-197, title II, §208, Sept. 16, 1996, 110 Stat. 2409.)

§ 143. Appropriations for Library Building and Grounds

All appropriations made to the Architect of the Capitol on account of the Library Building and Grounds shall be disbursed for that purpose in the same manner as other appropriations under his control.

(June 29, 1922, ch. 251, §3, 42 Stat. 715.)

TRANSFER OF FUNCTIONS

Disbursement functions of all Government agencies except Departments of the Army, Navy, and Air Force and Panama Canal transferred to Division of Disbursements, Treasury Department, by Ex. Ord. No. 6166, §4, June 10, 1933, and Ex. Ord. No. 6728, May 29, 1934.

Division subsequently consolidated with other agencies into Fiscal Service in Treasury Department by Reorg. Plan No. III of 1940, §1(a)(1), eff. June 30, 1940, 5 F.R. 2107, 54 Stat. 1231. See section 306 of Title 31, Money and Finance.

§ 143a. Disbursement of funds

From and after October 1, 1978, funds available to the Library of Congress may be expended to reimburse the Department of State for medical services rendered to employees of the Library of Congress stationed abroad and for contracting on behalf of and hiring alien employees for the Library of Congress under compensation plans comparable to those authorized by section 444 of the Foreign Service Act of 1946, as amended (22 U.S.C. 889(a)), for purchase or hire of passenger motor vehicles; for payment of travel, storage and transportation of household goods, and transportation and per diem expenses for families enroute (not to exceed twenty-four); for benefits comparable to those payable under sections 911(9), 911(11), and 941 of the Foreign Service Act of 1946, as amended (22 U.S.C. 1136(9), 1136(11), and 1156, respectively); and travel benefits comparable with those which are now or hereafter may be granted single employees of the Agency for International Development, including single Foreign Service personnel assigned to A.I.D. projects, by the Administrator of the Agency for International Development—or his designee—under the authority of section 2396(b) of title 22; subject to such rules and regulations as may be issued by the Librarian of Congress.

(Pub. L. 96-536, §101(c), Dec. 16, 1980, 94 Stat. 3167.)

REFERENCES IN TEXT

Sections 444, 911(9), 911(11), and 941 of the Foreign Service Act of 1946, referred to in text, were repealed by section 2205(1) of the Foreign Service Act of 1980, Pub. L. 96-465, title II, Oct. 17, 1980, 94 Stat. 2159. The Foreign Service Act of 1980 is classified principally to chapter 52 (§3901 et seq.) of Title 22, Foreign Relations and Intercourse. Section 2401(c) of the 1980 Act (22 U.S.C. 4172(c)) provides in part that references in law to provisions of the Foreign Service Act of 1946 shall be deemed to include reference to the corresponding provisions of the 1980 Act. For provisions corresponding to the above cited sections of the 1946 Act, see sections 408, 901(6), 901(8), and 904 of the 1980 Act (22 U.S.C. 3968, 4081(6), 4081(8), 4084).

CODIFICATION

Section is based on section 203 of title II of H.R. 7593, as passed the House of Representatives on July 21, 1980, and incorporated by reference in section 101(c) of Pub. L. 96-536, to be effective as if enacted into law.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Pub. L. 96-86, §101(c) [H.R. 4390, title II, §203], Oct. 12, 1979, 93 Stat. 657.
 Pub. L. 95-391, title II, §203, Sept. 30, 1978, 92 Stat. 785.
 Pub. L. 95-94, title II, §203, Aug. 5, 1977, 91 Stat. 677.
 Pub. L. 94-440, title VIII, §803, Oct. 1, 1976, 90 Stat. 1457.
 Pub. L. 94-59, title VII, §703, July 25, 1975, 89 Stat. 295.
 Pub. L. 93-371, Aug. 13, 1974, 88 Stat. 441.
 Pub. L. 93-145, Nov. 1, 1973, 87 Stat. 545.
 Pub. L. 92-342, July 10, 1972, 86 Stat. 446.
 Pub. L. 92-51, July 9, 1971, 85 Stat. 141.
 Pub. L. 91-382, Aug. 18, 1970, 84 Stat. 823.
 Pub. L. 91-145, Dec. 12, 1969, 83 Stat. 357.
 Pub. L. 90-417, July 28, 1968, 82 Stat. 411.
 Pub. L. 90-57, July 28, 1967, 81 Stat. 140.
 Pub. L. 89-545, Aug. 27, 1966, 80 Stat. 368.

§ 143b. Payments in advance for subscriptions or other charges

From and after October 1, 1980, payments in advance for subscriptions or other charges for bibliographical data, publications, materials in any other form, and services may be made by the Librarian of Congress whenever he determines it to be more prompt, efficient, or economical to do so in the interest of carrying out required Library programs.

(Pub. L. 96-536, §101(c), Dec. 16, 1980, 94 Stat. 3167.)

CODIFICATION

Section is based on section 204 of title II of H.R. 7593, as passed the House of Representatives on July 21, 1980, and incorporated by reference in section 101(c) of Pub. L. 96-536, to be effective as if enacted into law.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Pub. L. 96-86, §101(c) [H.R. 4390, title II, §204], Oct. 12, 1979, 93 Stat. 657.
 Pub. L. 95-391, title II, §204, Sept. 30, 1978, 92 Stat. 786.
 Pub. L. 95-94, title II, §204, Aug. 5, 1977, 91 Stat. 677.
 Pub. L. 94-440, title VIII, §804, Oct. 1, 1976, 90 Stat. 1457.
 Pub. L. 94-59, title VII, §704, July 25, 1975, 89 Stat. 295.
 Pub. L. 93-371, Aug. 13, 1974, 88 Stat. 441.
 Pub. L. 93-145, Nov. 1, 1973, 87 Stat. 545.
 Pub. L. 92-342, July 10, 1972, 86 Stat. 447.
 Pub. L. 92-51, July 9, 1971, 85 Stat. 142.
 Pub. L. 91-382, Aug. 18, 1970, 84 Stat. 823.
 Pub. L. 91-145, Dec. 12, 1969, 83 Stat. 357.
 Pub. L. 90-417, July 23, 1968, 82 Stat. 411.
 Pub. L. 90-57, July 28, 1967, 81 Stat. 140.

§ 144. Copies of Statutes at Large

Ten of the copies of the Statutes at Large, published by Little, Brown & Co., which were deposited in the Library prior to February 5, 1859, shall be retained by the Librarian for the use of the justices of the Supreme Court, during the terms of court.

(R.S. §96.)

CODIFICATION

R.S. §96 derived from act Feb. 5, 1859, ch. 22, §11, 11 Stat. 381.

§ 145. Copies of journals and documents

Two copies of the journals and documents, and of each book printed by either House of Congress, well bound in calf, shall be deposited in the Library, and must not be taken therefrom.

(R.S. §97.)

CODIFICATION

R.S. §97 derived from Res. Jan. 2, 1857, No. 5, §5, 11 Stat. 253.

CROSS REFERENCES

Binding materials, generally, see section 1123 of Title 44, Public Printing and Documents.

Copies of House and Senate documents to be deposited with Library of Congress, see section 701 of Title 44.

Distribution of printed copies of Journals of Senate and House of Representatives, see section 713 of Title 44.

§ 145a. Periodical binding of printed hearings of committee testimony

The Librarian of the Library of Congress is authorized and directed to have bound at the end of each session of Congress the printed hearings of testimony taken by each committee of the Congress at the preceding session.

(Aug. 2, 1946, ch. 753, title I, §141, 60 Stat. 834.)

EFFECTIVE DATE

Section effective Aug. 2, 1946, see section 142 of act Aug. 2, 1946.

§ 146. Deposit of Journals of Senate and House

Twenty-five copies of the public Journals of the Senate, and of the House of Representatives, shall be deposited in the Library of the United States, at the seat of government, to be delivered to Members of Congress during any session, and to all other persons authorized by law to use the books in the Library, upon their application to the Librarian, and giving their responsible receipts for the same, in like manner as for other books.

(R.S. §98.)

CODIFICATION

R.S. §98 derived from Res. Dec. 27, 1813, No. 1, 3 Stat. 140; Res. July 20, 1840, No. 5, 5 Stat. 409.

§ 147. Repealed. Oct. 25, 1951, ch. 562, §1(D), 65 Stat. 638

Section, act June 6, 1900, ch. 791, §1, 31 Stat. 642, related to bound volumes from files of House of Representatives. See sections 2103 and 2114 of Title 44, Public Printing and Documents.

§ 148. Repealed. Oct. 31, 1951, ch. 654, §1(D), 65 Stat. 701

Section, act Feb. 25, 1903, ch. 755, §1, 32 Stat. 865, related to transfer of books from executive departments to Library. See sections 471(c) and 472 of Title 40, Public Buildings, Property, and Works.

§ 149. Transfer of books to other libraries

The Librarian of Congress may from time to time transfer to other governmental libraries within the District of Columbia, including the Public Library, books and material in the possession of the Library of Congress in his judgment no longer necessary to its uses, but in the judgment of the custodians of such other collections likely to be useful to them, and may dispose of or destroy such material as has become useless: *Provided*, That no records of the Federal Government shall be transferred, disposed of, or destroyed under the authority granted in this section.

(Mar. 4, 1909, ch. 297, §1, 35 Stat. 858; Oct. 25, 1951, ch. 562, §4(1), 65 Stat. 640.)

AMENDMENTS

1951—Act Oct. 25, 1951, inserted proviso.

CROSS REFERENCES

Management and disposition of records, see sections 2101 et seq., 2501 et seq., 2901 et seq., 3101 et seq., and 3301 et seq. of Title 44, Public Printing and Documents.

Transfer of miscellaneous books to District public library, see section 484-1 of Title 40, Public Buildings, Property, and Works.

§ 150. Sale of copies of card indexes and other publications

The Librarian of Congress is authorized to furnish to such institutions or individuals as may desire to buy them, such copies of the card indexes and other publications of the Library as may not be required for its ordinary transactions, and charge for the same a price which will cover their cost and ten per centum added, and all moneys received by him shall be deposited in the Treasury and shall be credited to the appropriation for necessary expenses for the preparation and distribution of catalog cards and other publications of the Library.

(June 28, 1902, ch. 1301, §1, 32 Stat. 480; Pub. L. 95-94, title IV, §405(a), Aug. 5, 1977, 91 Stat. 682.)

AMENDMENTS

1977—Pub. L. 95-94 inserted provisions relating to crediting of the moneys deposited in the Treasury.

EFFECTIVE DATE OF 1977 AMENDMENT

Section 405(b) of Pub. L. 95-94 provided that: "The amendment made by subsection (a) [amending this section] shall take effect on October 1, 1977."

§ 151. Smithsonian Library

The library collected by the Smithsonian Institution under the provisions of the Act of August 10, 1846, chapter 25, and removed from the building of that institution, with the consent of the Regents thereof, to the Library of Congress, shall, while there deposited, be subject to the same regulations as the Library of Congress, except as hereinafter provided.

(R.S. §99.)

REFERENCES IN TEXT

Act of August 10, 1846, chapter 25, referred to in text, probably should be act Aug. 10, 1846, ch. 178, 9 Stat. 102, which was entitled "An Act to establish the 'Smithsonian Institution', for the increase and diffusion of knowledge among men".

CODIFICATION

R.S. §99 derived from act Apr. 5, 1866, ch. 25, §1, 14 Stat. 13.

CROSS REFERENCES

Smithsonian Institution, see section 41 et seq. of Title 20, Education, and sections 1305 and 1321 of Title 31, Money and Finance.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 152 of this title.

§ 152. Care and use of Smithsonian Library

The Smithsonian Institution shall have the use of the library referred to in section 151 of this title in like manner as before its removal. All the books, maps, and charts of the Smithsonian Library shall be properly cared for and preserved in like manner as are those of the Congressional Library; from which the Smithsonian Library shall not be removed except on reimbursement by the Smithsonian Institution to the Treasury of the United States of expenses incurred in binding and in taking care of the same, or upon such terms and conditions as shall be mutually agreed upon by Congress and the Regents of the Institution.

(R.S. § 100.)

CODIFICATION

R.S. § 100 derived from act Apr. 5, 1866, ch. 25, § 2, 14 Stat. 13.

§ 153. Control of library of House of Representatives

The library of the House of Representatives shall be under the control and direction of the Librarian of Congress, who shall provide all needful books of reference therefor. The librarian, two assistant librarians, and assistant in the library, shall be appointed by the Clerk of the House, with the approval of the Speaker of the House of Representatives. No removals shall be made from the said positions except for cause reported to and approved by the Committee on Rules.

(Mar. 3, 1901, ch. 830, § 1, 31 Stat. 964.)

§ 154. Library of Congress Trust Fund Board; members; quorum; seal; rules and regulations

A board is created and established, to be known as the "Library of Congress Trust Fund Board" (hereinafter referred to as the board), which shall consist of the Secretary of the Treasury (or an Assistant Secretary designated in writing by the Secretary of the Treasury), the chairman of the Joint Committee on the Library, the Librarian of Congress, two persons appointed by the President for a term of five years each (the first appointments being for three and five years, respectively), four persons appointed by the Speaker of the House of Representatives (in consultation with the minority leader of the House of Representatives) for a term of five years each (the first appointments being for two, three, four, and five years, respectively), and four persons appointed by the majority leader of the Senate (in consultation with the minority leader of the Senate) for a term of five years each (the first appointments being for two, three, four, and five years, respectively). Nine members of the board shall constitute a quorum for the transaction of business, and the board shall have an official seal, which shall be judicially noticed. The board may adopt rules and regulations in regard to its procedure and the conduct of its business.

(Mar. 3, 1925, ch. 423, § 1, 43 Stat. 1107; Pub. L. 95-277, May 12, 1978, 92 Stat. 236; Pub. L. 102-246, §§ 1, 2, Feb. 18, 1992, 106 Stat. 31.)

CODIFICATION

Section is comprised of first par. of section 1 of act Mar. 3, 1925. Second par. of section 1 is classified to section 155 of this title.

AMENDMENTS

1992—Pub. L. 102-246 struck out "and" after "Librarian of Congress," inserted " , four persons appointed by the Speaker of the House of Representatives (in consultation with the minority leader of the House of Representatives) for a term of five years each (the first appointments being for two, three, four, and five years, respectively), and four persons appointed by the majority leader of the Senate (in consultation with the minority leader of the Senate) for a term of five years each (the first appointments being for two, three, four,

and five years, respectively)" after "respectively)", and substituted "Nine" for "Three".

1978—Pub. L. 95-277 inserted "(or an Assistant Secretary designated in writing by the Secretary of the Treasury)".

SHORT TITLE

Act Mar. 3, 1925, enacting sections 154 to 162 and 163 of this title, is popularly known as the "Library of Congress Trust Fund Board Act".

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 160 of this title.

§ 155. Compensation and expenses of Library of Congress Trust Fund Board

No compensation shall be paid to the members of the board for their services as such members, but they shall be reimbursed for the expenses necessarily incurred by them, out of the income from the fund or funds in connection with which such expenses are incurred. The voucher of the chairman of the board shall be sufficient evidence that the expenses are properly allowable. Any expenses of the board, including the cost of its seal, not properly chargeable to the income of any trust fund held by it, shall be estimated for in the annual estimates of the librarian for the maintenance of the Library of Congress.

(Mar. 3, 1925, ch. 423, § 1, 43 Stat. 1107.)

CODIFICATION

Section is comprised of second par. of section 1 of act Mar. 3, 1925. First par. of section 1 is classified to section 154 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 160 of this title.

§ 156. Gifts, etc., to Library of Congress Trust Fund Board

The Board is authorized to accept, receive, hold, and administer such gifts, bequests, or devises of property for the benefit of, or in connection with, the Library, its collections, or its service, as may be approved by the Board and by the Joint Committee on the Library.

(Mar. 3, 1925, ch. 423, § 2, formerly § 1, 43 Stat. 1107, renumbered Apr. 13, 1936, ch. 213, 49 Stat. 1205.)

CODIFICATION

Section is comprised of first par. of section 2 of act Mar. 3, 1925. Second, third, and fourth pars. of section 2 are classified to sections 157, 158, and 158a of this title, respectively.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 158a, 160 of this title.

§ 157. Funds of Library of Congress Trust Fund Board; management of

The moneys or securities composing the trust funds given or bequeathed to the board shall be receipted for by the Secretary of the Treasury, who shall invest, reinvest, or retain investments as the board may from time to time determine. The income as and when collected shall be deposited with the Treasurer of the United States, who shall enter it in a special account to the

credit of the Library of Congress and subject to disbursement by the librarian for the purposes in each case specified; and the Treasurer of the United States is authorized to honor the requisitions of the librarian made in such manner and in accordance with such regulations as the Treasurer may from time to time prescribe: *Provided, however*, That the board is not authorized to engage in any business nor to exercise any voting privilege which may be incidental to securities in its hands, nor shall the board make any investments that could not lawfully be made by a trust company in the District of Columbia, except that it may make any investments directly authorized by the instrument of gift, and may retain any investments accepted by it.

(Mar. 3, 1925, ch. 423, §2, formerly §1, 43 Stat. 1107, renumbered Apr. 13, 1936, ch. 213, 49 Stat. 1205.)

CODIFICATION

Section is comprised of second par. of section 2 of act Mar. 3, 1925. First, third, and fourth pars. of section 2 are classified to sections 156, 158, and 158a of this title, respectively.

CROSS REFERENCES

Library of Congress gift fund and trust fund, investment account, to be classified on books of Treasury as trust funds, see section 1321 of Title 31, Money and Finance.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 158a, 160 of this title.

§ 158. Deposits by Library of Congress Trust Fund Board with Treasurer of United States

In the absence of any specification to the contrary, the board may deposit the principal sum, in cash, with the Treasurer of the United States as a permanent loan to the United States Treasury, and the Treasurer shall thereafter credit such deposit with interest at a rate which is the higher of the rate of 4 per centum per annum or a rate which is 0.25 percentage points less than a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding long-term marketable obligations of the United States, adjusted to the nearest one-eighth of 1 per centum, payable semi-annually, such interest, as income, being subject to disbursement by the Librarian of Congress for the purposes specified: *Provided, however*, That the total of such principal sums at any time so held by the Treasurer under this authorization shall not exceed the sum of \$10,000,000.

(Mar. 3, 1925, ch. 423, §2, formerly §1, 43 Stat. 1107; renumbered §2, Apr. 13, 1936, ch. 213, 49 Stat. 1205; amended June 23, 1936, ch. 734, 49 Stat. 1894; Pub. L. 87-522, July 3, 1962, 76 Stat. 135; Pub. L. 94-289, May 22, 1976, 90 Stat. 521.)

CODIFICATION

Section is comprised of third par. of section 2 of act Mar. 3, 1925. First, second, and fourth pars. of section 2 are classified to sections 156, 157, and 158a of this title, respectively.

AMENDMENTS

1976—Pub. L. 94-289 substituted “a rate which is the higher of the rate of 4 per centum per annum or a rate

which is 0.25 percentage points less than a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding long-term marketable obligations of the United States, adjusted to the nearest one-eighth of 1 per centum” for “the rate of 4 per centum per annum”.

1962—Pub. L. 87-522 increased the total amount of deposits which can be held by the Treasurer from \$5,000,000 to \$10,000,000.

1936—Act June 23, 1936, substituted “in the absence of any specification to the contrary” for “Should any gift or bequest so provide”.

CROSS REFERENCES

Library of Congress gift fund and trust fund, investment account, to be classified on books of Treasury as trust funds, see section 1321 of Title 31, Money and Finance.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 160 of this title.

§ 158a. Temporary possession of gifts of money or securities to Library of Congress; investment

In the case of a gift of money or securities offered to the Library of Congress, if, because of conditions attached by the donor or similar considerations, expedited action is necessary, the Librarian of Congress may take temporary possession of the gift, subject to approval under section 156 of this title. The gift shall be received for and invested, reinvested, or retained as provided in section 157 of this title, except that—

(1) a gift of securities may not be invested or reinvested; and

(2) any investment or reinvestment of a gift of money shall be made in an interest bearing obligation of the United States or an obligation guaranteed as to principal and interest by the United States.

If the gift is not so approved within the 12-month period after the Librarian so takes possession, the principal of the gift shall be returned to the donor and any income earned during that period shall be available for use with respect to the Library of Congress as provided by law.

(Mar. 3, 1925, ch. 423, §2(par.), as added Pub. L. 102-246, §3, Feb. 18, 1992, 106 Stat. 31.)

CODIFICATION

Section is comprised of fourth par. of section 2 of act Mar. 3, 1925, as added by Pub. L. 102-246. First, second, and third pars. of section 2 are classified to sections 156, 157, and 158 of this title, respectively.

§ 159. Perpetual succession and suits by or against Library of Congress Trust Fund Board

The board shall have perpetual succession, with all the usual powers and obligations of a trustee, including the power to sell, except as herein limited, in respect of all property, moneys, or securities which shall be conveyed, transferred, assigned, bequeathed, delivered, or paid over to it for the purposes above specified. The board may be sued in the United States District Court for the District of Columbia, which is given jurisdiction of such suits, for the purpose of enforcing the provisions of any trust accepted by it.

(Mar. 3, 1925, ch. 423, §3, 43 Stat. 1108; Jan. 27, 1926, ch. 6, §1, 44 Stat. 2; June 25, 1936, ch. 804, 49 Stat. 1921; June 25, 1948, ch. 646, §32(a), 62 Stat. 991; May 24, 1949, ch. 139, §127, 63 Stat. 107.)

AMENDMENTS

1926—Act Jan. 27, 1926, inserted “including the power to sell” in first sentence.

CHANGE OF NAME

Act June 25, 1948, eff. Sept. 1, 1948, as amended by act May 24, 1949, substituted “United States District Court for the District of Columbia” for “district court of the United States for the District of Columbia”.

Act June 25, 1936, provided that the Supreme Court of the District of Columbia is to be known as the District Court of the United States for the District of Columbia.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 160 of this title.

§ 160. Disbursement of gifts, etc., to Library

Nothing in sections 154 to 162 and 163 of this title shall be construed as prohibiting or restricting the Librarian of Congress from accepting in the name of the United States gifts or bequests of money for immediate disbursement in the interest of the Library, its collections, or its service. Such gifts or bequests, after acceptance by the librarian, shall be paid by the donor or his representative to the Treasurer of the United States, whose receipts shall be their acquittance. The Treasurer of the United States shall enter them in a special account to the credit of the Library of Congress and subject to disbursement by the librarian for the purposes in each case specified.

Upon agreement by the Librarian of Congress and the Board, a gift or bequest accepted by the Librarian under the first paragraph of this section may be invested or reinvested in the same manner as provided for trust funds under section 157 of this title.

(Mar. 3, 1925, ch. 423, §4, 43 Stat. 1108; Pub. L. 105-55, title II, §208, Oct. 7, 1997, 111 Stat. 1194.)

AMENDMENTS

1997—Pub. L. 105-55 added second par.

§ 161. Tax exemption of gifts, etc., to Library of Congress

Gifts or bequests or devises to or for the benefit of the Library of Congress, including those to the board, and the income therefrom, shall be exempt from all Federal taxes, including all taxes levied by the District of Columbia.

(Mar. 3, 1925, ch. 423, §5, 43 Stat. 1108; Oct. 2, 1942, ch. 576, 56 Stat. 765.)

AMENDMENTS

1942—Act Oct. 2, 1942, included devises in the exemptions, and exempted gifts, bequests and devises, and the income therefrom, from taxes levied by the District of Columbia.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 160 of this title; title 26 section 2055.

§ 162. Compensation of Library of Congress employees

Employees of the Library of Congress who perform special functions for the performance of

which funds have been entrusted to the board or the librarian, or in connection with cooperative undertakings in which the Library of Congress is engaged, shall not be subject to section 209 of title 18; and section 5533 of title 5 shall not apply to any additional compensation so paid to such employees.

(Mar. 3, 1925, ch. 423, §6, 43 Stat. 1108; Jan. 27, 1926, ch. 6, §2, 44 Stat. 2; Pub. L. 88-448, title IV, §401(j), Aug. 19, 1964, 78 Stat. 491.)

CODIFICATION

“Section 209 of title 18” substituted in text for reference to the Act of March 3, 1917, 39 Stat. 1106 (5 U.S.C. 66), on authority of (1) act June 25, 1948, ch. 645, 62 Stat. 683, section 1 of which enacted Title 18, Crimes and Criminal Procedure, and which enacted in section 1914 of Title 18 the provisions formerly classified to section 66 of Title 5; and (2) section 2 of Pub. L. 87-849, Oct. 23, 1962, 76 Stat. 1126, which repealed section 1914 of Title 18 and supplanted it with section 209, and which provided that exemptions from section 1914 shall be deemed exemptions from section 209. For further details, see Exemptions note set out under section 203 of Title 18.

“Section 5533 of title 5” substituted in text for “section 301 of the Dual Compensation Act [5 U.S.C. 3105]” on authority of sec. 7(b) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

Section was formerly classified to sections 60 and 65 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 378.

AMENDMENTS

1964—Pub. L. 88-448 substituted “and section 301 of the Dual Compensation Act [5 U.S.C. 3105] shall not apply to any additional compensation so paid to such employees” for “nor shall any additional compensation so paid to such employees be construed as a double salary under the provisions of section 6 of the Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1917, as amended (Thirty-ninth Statutes at Large, page 582) [5 U.S.C. 58]”.

1926—Act Jan. 27, 1926, struck out the comma after “undertakings”.

EFFECTIVE DATE OF 1964 AMENDMENT

Amendment by Pub. L. 88-448 effective on first day of first month which begins later than the ninetieth day following Aug. 19, 1964, see section 403 of Pub. L. 88-448.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 160, 162a of this title; title 5 section 5533.

§ 162a. Gross salary of Library of Congress employees

Hereafter the gross salary of any position in the Library which is augmented by payment of an honorarium from other than appropriated funds under terms of section 162 of this title shall not exceed an amount, which when combined with such honorarium, will exceed the maximum salary provided in chapter 51 and subchapter III of chapter 53 of title 5.

(June 22, 1949, ch. 235, §101, 63 Stat. 226; Oct. 28, 1949, ch. 782, title XI, §1106(a), 63 Stat. 972.)

CODIFICATION

“Chapter 51 and subchapter III of chapter 53 of title 5” substituted in text for “the Classification Act of

1949” on authority of section 7(b) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 631, section 1 of which enacted Title 5, Government Organization and Employees.

AMENDMENTS

1949—Act Oct. 28, 1949, substituted “Classification Act of 1949” for “Classification Act of 1923”.

REPEALS

Act Oct. 28, 1949, ch. 782, cited as a credit to this section, was repealed (subject to a savings clause) by Pub. L. 89-554, Sept. 6, 1966, § 8, 80 Stat. 632, 655.

§ 163. Report to Congress by Library of Congress Trust Fund Board

The board shall submit to the Congress an annual report of the moneys or securities received and held by it and of its operations.

(Mar. 3, 1925, ch. 423, § 7, 43 Stat. 1108.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 160 of this title.

§ 164. Index and digest of State legislation; preparation

The Librarian of Congress is authorized and directed to prepare biennially an index to the legislation of the States of the United States enacted during the biennium, together with a supplemental digest of the more important legislation of the period.

(Feb. 10, 1927, ch. 99, § 1, 44 Stat. 1066; Feb. 28, 1929, ch. 367, § 1, 45 Stat. 1398.)

AMENDMENTS

1929—Act Feb. 28, 1929, repealed provision that the Librarian of Congress report biennially to Congress an index and digest of State legislation.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 164a, 165 of this title.

§ 164a. Official distribution of State legislation index and digest

The Librarian of Congress is directed to have the indexes and digests authorized by section 164 of this title printed and bound for official distribution only.

(Feb. 28, 1929, ch. 367, § 1, 45 Stat. 1398.)

§ 165. Authorization for appropriation for biennial index

There is authorized to be appropriated annually for carrying out the provisions of section 164 of this title the sum of \$30,000, to remain available until expended.

(Feb. 10, 1927, ch. 99, § 2, 44 Stat. 1066.)

§ 166. Congressional Research Service

(a) Redesignation of Legislative Reference Service

The Legislative Reference Service in the Library of Congress is hereby continued as a separate department in the Library of Congress and is redesignated the “Congressional Research Service”.

(b) Functions and objectives

It is the policy of Congress that—

(1) the Librarian of Congress shall, in every possible way, encourage, assist, and promote the Congressional Research Service in—

(A) rendering to Congress the most effective and efficient service,

(B) responding most expeditiously, effectively, and efficiently to the special needs of Congress, and

(C) discharging its responsibilities to Congress;

and

(2) the Librarian of Congress shall grant and accord to the Congressional Research Service complete research independence and the maximum practicable administrative independence consistent with these objectives.

(c) Appointment and compensation of Director, Deputy Director, and other necessary personnel; minimum grade for Senior Specialists; placement in grades GS-16, 17, and 18 of Specialists and Senior Specialists; appointment without regard to civil service laws and political affiliation and on basis of fitness to perform duties

(1) After consultation with the Joint Committee on the Library, the Librarian of Congress shall appoint the Director of the Congressional Research Service. The basic pay of the Director shall be at a per annum rate equal to the rate of basic pay provided for level V of the Executive Schedule contained in section 5316 of title 5.

(2) The Librarian of Congress, upon the recommendation of the Director, shall appoint a Deputy Director of the Congressional Research Service and all other necessary personnel thereof. The basic pay of the Deputy Director shall be fixed in accordance with chapter 51 (relating to classification) and subchapter III (relating to General Schedule pay rates) of chapter 53 of title 5, but without regard to section 5108(a) of such title. The basic pay of all other necessary personnel of the Congressional Research Service shall be fixed in accordance with chapter 51 (relating to classification) and subchapter III (relating to General Schedule pay rates) of chapter 53 of title 5, except that—

(A) the grade of Senior Specialist in each field within the purview of subsection (e) of this section shall not be less than the highest grade in the executive branch of the Government to which research analysts and consultants, without supervisory responsibility, are currently assigned; and

(B) the positions of Specialist and Senior Specialist in the Congressional Research Service may be placed in GS-16, 17, and 18 of the General Schedule of section 5332 of title 5, without regard to section 5108(a) of such title, subject to the prior approval of the Joint Committee on the Library, of the placement of each such position in any of such grades.

(3) Each appointment made under paragraphs (1) and (2) of this subsection and subsection (e) of this section shall be without regard to the civil service laws, without regard to political affiliation, and solely on the basis of fitness to perform the duties of the position.

(d) Duties of Service; assistance to Congressional committees; list of terminating programs and subjects for analysis; legislative data, studies, etc.; information research; digest of bills, preparation; legislation, purpose and effect, and preparation of memoranda; information and research capability, development

It shall be the duty of the Congressional Research Service, without partisan bias—

(1) upon request, to advise and assist any committee of the Senate or House of Representatives and any joint committee of Congress in the analysis, appraisal, and evaluation of legislative proposals within that committee's jurisdiction, or of recommendations submitted to Congress, by the President or any executive agency, so as to assist the committee in—

(A) determining the advisability of enacting such proposals;

(B) estimating the probable results of such proposals and alternatives thereto; and

(C) evaluating alternative methods for accomplishing those results;

and, by providing such other research and analytical services as the committee considers appropriate for these purposes, otherwise to assist in furnishing a basis for the proper evaluation and determination of legislative proposals and recommendations generally; and in the performance of this duty the Service shall have authority, when so authorized by a committee and acting as the agent of that committee, to request of any department or agency of the United States the production of such books, records, correspondence, memoranda, papers, and documents as the Service considers necessary, and such department or agency of the United States shall comply with such request; and further, in the performance of this and any other relevant duty, the Service shall maintain continuous liaison with all committees;

(2) to make available to each committee of the Senate and House of Representatives and each joint committee of the two Houses, at the opening of a new Congress, a list of programs and activities being carried out under existing law scheduled to terminate during the current Congress, which are within the jurisdiction of the committee;

(3) to make available to each committee of the Senate and House of Representatives and each joint committee of the two Houses, at the opening of a new Congress, a list of subjects and policy areas which the committee might profitably analyze in depth;

(4) upon request, or upon its own initiative in anticipation of requests, to collect, classify, and analyze in the form of studies, reports, compilations, digests, bulletins, indexes, translations, and otherwise, data having a bearing on legislation, and to make such data available and serviceable to committees and Members of the Senate and House of Representatives and joint committees of Congress;

(5) upon request, or upon its own initiative in anticipation of requests, to prepare and provide information, research, and reference materials and services to committees and Mem-

bers of the Senate and House of Representatives and joint committees of Congress to assist them in their legislative and representative functions;

(6) to prepare summaries and digests of bills and resolutions of a public general nature introduced in the Senate or House of Representatives;

(7) upon request made by any committee or Member of the Congress, to prepare and transmit to such committee or Member a concise memorandum with respect to one or more legislative measures upon which hearings by any committee of the Congress have been announced, which memorandum shall contain a statement of the purpose and effect of each such measure, a description of other relevant measures of similar purpose or effect previously introduced in the Congress, and a recitation of all action taken theretofore by or within the Congress with respect to each such other measure; and

(8) to develop and maintain an information and research capability, to include Senior Specialists, Specialists, other employees, and consultants, as necessary, to perform the functions provided for in this subsection.

(e) Specialists and Senior Specialists; appointment; fields of appointment

The Librarian of Congress is authorized to appoint in the Congressional Research Service, upon the recommendation of the Director, Specialists and Senior Specialists in the following broad fields:

(1) agriculture;

(2) American government and public administration;

(3) American public law;

(4) conservation;

(5) education;

(6) engineering and public works;

(7) housing;

(8) industrial organization and corporation finance;

(9) international affairs;

(10) international trade and economic geography;

(11) labor and employment;

(12) mineral economics;

(13) money and banking;

(14) national defense;

(15) price economics;

(16) science;

(17) social welfare;

(18) taxation and fiscal policy;

(19) technology;

(20) transportation and communications;

(21) urban affairs;

(22) veterans' affairs; and

(23) such other broad fields as the Director may consider appropriate.

Such Specialists and Senior Specialists, together with such other employees of the Congressional Research Service as may be necessary, shall be available for special work with the committees and Members of the Senate and House of Representatives and the joint committees of Congress for any of the purposes of subsection (d) of this section.

(f) Duties of Director; establishment and change of research and reference divisions or other organizational units, or both

The Director is authorized—

(1) to classify, organize, arrange, group, and divide, from time to time, as he considers advisable, the requests for advice, assistance, and other services submitted to the Congressional Research Service by committees and Members of the Senate and House of Representatives and joint committees of Congress, into such classes and categories as he considers necessary to—

(A) expedite and facilitate the handling of the individual requests submitted by Members of the Senate and House of Representatives,

(B) promote efficiency in the performance of services for committees of the Senate and House of Representatives and joint committees of Congress, and

(C) provide a basis for the efficient performance by the Congressional Research Service of its legislative research and related functions generally,

and

(2) to establish and change, from time to time, as he considers advisable, within the Congressional Research Service, such research and reference divisions or other organizational units, or both, as he considers necessary to accomplish the purposes of this section.

(g) Budget estimates

The Director of the Congressional Research Service will submit to the Librarian of Congress for review, consideration, evaluation, and approval, the budget estimates of the Congressional Research Service for inclusion in the Budget of the United States Government.

(h) Experts or consultants, individual or organizational, and persons and organizations with specialized knowledge; procurement of temporary or intermittent assistance; contracts, nonpersonal and personal service; advertisement requirements inapplicable; end product; pay; travel time

(1) The Director of the Congressional Research Service may procure the temporary or intermittent assistance of individual experts or consultants (including stenographic reporters) and of persons learned in particular or specialized fields of knowledge—

(A) by nonpersonal service contract, without regard to any provision of law requiring advertising for contract bids, with the individual expert, consultant, or other person concerned, as an independent contractor, for the furnishing by him to the Congressional Research Service of a written study, treatise, theme, discourse, dissertation, thesis, summary, advisory opinion, or other end product; or

(B) by employment (for a period of not more than one year) in the Congressional Research Service of the individual expert, consultant, or other person concerned, by personal service contract or otherwise, without regard to the position classification laws, at a rate of pay not in excess of the per diem equivalent of the highest rate of basic pay then currently in ef-

fect for the General Schedule of section 5332 of title 5, including payment of such rate for necessary travel time.

(2) The Director of the Congressional Research Service may procure by contract, without regard to any provision of law requiring advertising for contract bids, the temporary (for respective periods not in excess of one year) or intermittent assistance of educational, research, or other organizations of experts and consultants (including stenographic reporters) and of educational, research, and other organizations of persons learned in particular or specialized fields of knowledge.

(i) Special report to Joint Committee on the Library

The Director of the Congressional Research Service shall prepare and file with the Joint Committee on the Library at the beginning of each regular session of Congress a separate and special report covering, in summary and in detail, all phases of activity of the Congressional Research Service for the immediately preceding fiscal year.

(j) Authorization of appropriations

There are hereby authorized to be appropriated to the Congressional Research Service each fiscal year such sums as may be necessary to carry on the work of the Service.

(Aug. 2, 1946, ch. 753, title II, §203(a), (b), 60 Stat. 836; Oct. 28, 1949, ch. 782, title XI, §1106(a), 63 Stat. 972; Pub. L. 91-510, title III, §321(a), Oct. 26, 1970, 84 Stat. 1181; Pub. L. 99-190, §133, Dec. 19, 1985, 99 Stat. 1322.)

REFERENCES IN TEXT

The civil service laws, referred to in subsec. (c)(3), are set forth in Title 5, Government Organization and Employees. See, particularly, section 3301 et seq. of that title.

AMENDMENTS

1985—Subsec. (g). Pub. L. 99-190 amended subsec. (g) generally. Prior to amendment subsec. (g) read as follows: "In order to facilitate the study, consideration, evaluation, and determination by the Congress of the budget requirements of the Congressional Research Service for each fiscal year, the Librarian of Congress shall receive from the Director and submit, for inclusion in the Budget of the United States Government, the budget estimates of the Congressional Research Service which shall be prepared separately by the Director in detail for each fiscal year as a separate item of the budget estimates of the Library of Congress for such fiscal year."

1970—Subsec. (a). Pub. L. 91-510 substituted provision for continuation of Legislative Reference Service, redesignated "Congressional Research Service", for prior authorization for establishment of Legislative Reference Service and deleted second sentence, cls. (1) to (3), prescribing as duties of such Service for the Congress and its committees, the giving of advice and assistance, making data available, and preparing summaries and digests of public hearings before committees and of bills and resolutions of public nature, which was incorporated in subsec. (d)(1), (d)(4), and (d)(6), respectively, of this section.

Subsec. (b). Pub. L. 91-510 added subsec. (b). Former subsec. (b)(1) provided for appointment of director, assistant director, and other necessary personnel of Legislative Reference Service, without regard to civil-service laws, without reference to political affiliations, on ground of fitness to perform duties of the office, for

compensation in accordance with Classification Act of 1949, with a prescribed minimum for senior specialists in the various fields, and made all employees of the Service subject to civil-service retirement laws, now incorporated in subsec. (c)(1), (2)(A), and (3) of this section and sections 8331(1)(viii) and 8347(j) of Title 5, Government Organization and Employees. Former subsec. (b)(2) provided for appointment of senior specialists in certain enumerated fields and was covered in subsec. (e) of this section.

Subsec. (c). Pub. L. 91-510 incorporated in provisions added as subsec. (c) provisions of former subsec. (b) (1), and in revising them, provided in par. (1) for consultation with Joint Committee on the Library before appointment of Director and for basic pay rate of Director equal to level V of Executive Schedule, provided in par. (2) for appointment, upon recommendation of the Director, of a Deputy Director and made references to classification and General Schedule pay rate provisions of revised Title 5, reenacted as subpar. (A) proviso of second sentence of former subsec. (b)(1), and added subpar. (B), and in par. (3) reenacted part of first sentence of former subsec. (b)(1).

Subsec. (d). Pub. L. 91-510 incorporated in provisions added as subsec. (d) second sentence, cls. (1) to (3), of former subsec. (a), and in revising the provision, added pars. (2), (3), (5), (7), and (8), substituted "Congressional Research Service" for "Legislative Reference Service", reenacted introductory "without partisan bias" provision of former cl. (2), incorporated in par. (1) former cl. (1), substituting "proposals within that committee's jurisdiction" for "proposals pending before it" and "otherwise to assist in furnishing a basis for the proper evaluation and determination of legislative proposals and recommendations generally" for "otherwise to assist in furnishing a basis for the proper determination of measures before the committee", added subpars. (A) to (C), provision for assistance by providing other research and analytical services, authorization for production of books, records, etc., compliance with request for such production, and maintenance of liaison with all committees, incorporated in par. (4) former cl. (2), substituting "collect" for "gather" and including analysis in form of studies and reports, and making data available to joint committees, and incorporated in par. (6) former cl. (3), omitting provision respecting summaries and digests of public hearings before committees of Congress.

Subsec. (e). Pub. L. 91-510 incorporated in provisions added as subsec. (e) provisions of former subsec. (b)(2), and in revising them, in introductory text, substituted "Congressional Research Service" for "Legislative Reference Service" and authorized appointments "upon the recommendation of the Director", including Specialists; provided numerical item designations for broad fields listed in prior paragraph in run-on form, added fields of national defense, science, technology, urban affairs, and other broad fields as deemed appropriate by the Director in items (14), (16), (19), (21), and (23), and combined separate fields of "full employment" and "labor" in "labor and employment" in item (11); and in last sentence, included Senior Specialists and substituted "such other employees of the Congressional Research Service" for "such other members of the staff" and "special work with the committees and Members of the Senate and House of Representatives and the joint committees of Congress for any of the purposes of subsection (d) of this section" for "special work with the appropriate committees of Congress for any of the purposes set out in subsection (a)(1) of this section".

Subsecs. (f) to (i). Pub. L. 91-510 added subsecs. (f) to (i).

Subsec. (j). Pub. L. 91-510 incorporated in provisions added as subsec. (j) appropriations authorization of section 203(c) of Act Aug. 2, 1946, which had also provided \$550,000, \$650,000, and \$750,000, for fiscal years ending June 30, 1947, 1948, and 1949, respectively.

1949—Subsec. (b)(1). Act Oct. 28, 1949, substituted "Classification Act of 1949" for "Classification Act of 1923".

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment of provisions, other than enactment of subsecs. (d)(2), (3) and (i) of this section, and enactment of subsecs. (d)(2), (3) and (i) by Pub. L. 91-510 effective immediately prior to noon on Jan. 3, 1971, at the close of the first session of the Ninety-second Congress, and with respect to fiscal years beginning on or after July 1, 1970, respectively, see section 601(1), (3), and (4) of Pub. L. 91-510, set out as a note under section 72a of this title.

EFFECTIVE DATE

Section effective Aug. 2, 1946, see section 245 of that act, set out as a note under section 72a of this title.

REPEALS

Act Oct. 28, 1949, ch. 782, cited as a credit to this section, was repealed (subject to a savings clause) by Pub. L. 89-554, Sept. 6, 1966, § 8, 80 Stat. 632, 655.

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, § 101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

COMPENSATION OF DIRECTOR OF CONGRESSIONAL RESEARCH SERVICE

Pub. L. 105-55, title I, Oct. 7, 1997, 111 Stat. 1190, provided in part: "That, notwithstanding any other provision of law, the compensation of the Director of the Congressional Research Service, Library of Congress, shall be at an annual rate which is equal to the annual rate of basic pay for positions at level IV of the Executive Schedule under section 5315 of title 5, United States Code."

Similar provisions were contained in the following prior appropriation acts:

- Pub. L. 104-197, title I, Sept. 16, 1996, 110 Stat. 2406.
- Pub. L. 104-53, title I, Nov. 19, 1995, 109 Stat. 529.
- Pub. L. 103-283, title I, July 22, 1994, 108 Stat. 1435.
- Pub. L. 103-69, title I, Aug. 11, 1993, 107 Stat. 703.
- Pub. L. 102-392, title I, Oct. 6, 1992, 106 Stat. 1715.
- Pub. L. 102-90, title I, Aug. 14, 1991, 105 Stat. 460.
- Pub. L. 101-520, title I, Nov. 5, 1990, 104 Stat. 2269.
- Pub. L. 101-163, title I, Nov. 21, 1989, 103 Stat. 1057.
- Pub. L. 100-458, title I, Oct. 1, 1988, 102 Stat. 2171.
- Pub. L. 100-202, § 101(i) [title I], Dec. 22, 1987, 101 Stat. 1329-290, 1329-303.
- Pub. L. 99-500, § 101(j) [H.R. 5203, title I], Oct. 18, 1986, 100 Stat. 1783-287, and Pub. L. 99-591, § 101(j), Oct. 30, 1986, 100 Stat. 3341-287.
- Pub. L. 99-151, title I, Nov. 13, 1985, 99 Stat. 802.
- Pub. L. 98-367, title I, July 17, 1984, 98 Stat. 484.

§ 167. Buildings and grounds; designation of employees as police

The Librarian of Congress may designate employees of the Library of Congress as police for duty with respect to the Library of Congress buildings and adjacent streets. The rank structure and pay for employees so designated shall be the same as the rank structure and pay for the Capitol Police.

(Aug. 4, 1950, ch. 561, § 1, 64 Stat. 411; Pub. L. 90-610, § 1, Oct. 21, 1968, 82 Stat. 1201; Pub. L. 93-175, § 1, Dec. 5, 1973, 87 Stat. 693; Pub. L. 100-135, § 1(a), Oct. 16, 1987, 101 Stat. 811.)

AMENDMENTS

1987—Pub. L. 100-135 amended section generally. Prior to amendment, section read as follows:

“(a) The Librarian of Congress may designate employees of the Library of Congress as special policemen for duty in connection with policing of the Library of Congress buildings and grounds and adjacent streets and shall fix their rates of basic pay as follows:

“(1) Private GS-7—step one through five;

“(2) Sergeant GS-8—step one through five;

“(3) Lieutenant GS-9—step one through five;

“(4) Senior Lieutenant GS-10—step one through five; and

“(5) Captain GS-11—step one through seven.

“(b) The Librarian of Congress may apply the provisions of subchapter V of chapter 55 of title 5 to members of the special police force of the Library of Congress.”

1973—Subsec. (a)(1). Pub. L. 93-175 substituted “Private GS-7—step one through five” for “Private—not to exceed the rate for GS-5, Step 5”.

Subsec. (a)(2). Pub. L. 93-175 substituted “Sergeant GS-8—step one through five” for “Sergeant—not to exceed the rate for GS-6, Step 5”.

Subsec. (a)(3). Pub. L. 93-175 substituted “Lieutenant GS-9—step one through five” for “Lieutenant—not to exceed the rate for GS-7, Step 5”.

Subsec. (a)(4). Pub. L. 93-175 substituted “Senior Lieutenant GS-10—step one through five” for “Senior Lieutenant—not to exceed the rate for GS-9, Step 5”.

Subsec. (a)(5). Pub. L. 93-175 substituted “Captain GS-11—step one through seven” for “Captain—not to exceed the rate for GS-10, Step 5”.

1968—Pub. L. 90-610 struck out provisions which permitted the Librarian to designate employees as special policemen without additional compensation, and inserted provisions permitting designation of employees as special employees, prescribing their rates of basic pay, and empowering the Librarian to apply the provisions of subchapter V of chapter 55 of title 5 to members of the special police force.

EFFECTIVE DATE OF 1987 AMENDMENT

Section 3 of Pub. L. 100-135 provided that: “The amendments made by section 1 [amending sections 167 and 167h of this title and section 5102 of Title 5, Government Organization and Employees] shall apply with respect to pay periods beginning after September 30, 1987, except that any pay increase for employees of the Library of Congress, pursuant to the amendments made by such section, shall be subject to appropriation and shall be implemented in four approximately equal annual increments, so that pay parity with the Capitol Police occurs beginning with the first pay period beginning after September 30, 1990.”

EFFECTIVE DATE OF 1973 AMENDMENT

Section 2 of Pub. L. 93-175 provided that: “The amendment made by this Act [amending this section] shall take effect on the first day of the first pay period which begins on or after the date of enactment of this Act [Dec. 5, 1973].”

EFFECTIVE DATE OF 1968 AMENDMENT

Section 3 of Pub. L. 90-610 provided that: “The amendments made by this Act [amending this section and section 5102 of Title 5, Government Organization and Employees] shall take effect on the first day of the first pay period which begins on or after the date of enactment of this Act [Oct. 21, 1968]. Notwithstanding any provisions of this Act, no rate of basic pay shall be reduced by reason of the enactment of this Act.”

TRANSITION RULE FOR CERTAIN EMPLOYEES

Section 2 of Pub. L. 100-135 provided that:

“(a) IN GENERAL.—Notwithstanding the amendments made by section 1 [amending this section, section 167h of this title, and section 5102 of Title 5, Government Organization and Employees], each identified employee shall be paid in accordance with prior law until the earliest of—

“(1) the first pay period during which the employee does not perform Sunday work or night work;

“(2) the first pay period for which the pay of the employee, computed in accordance with the amendments made by section 1 and without regard to this section, exceeds the pay computed under prior law; or

“(3) the first pay period beginning after September 30, 1989.

“(b) DEFINITIONS.—As used in this section—

“(1) the term ‘identified employee’ means an employee identified by the Librarian of Congress as an employee who (with respect to each of the thirteen pay periods immediately before the first pay period to which the amendments made by section 1 apply) is designated by the Librarian for police duty, at the rank of private, and receives additional pay for Sunday work or night work under section 5544 or section 5545 of title 5, United States Code; and

“(2) the term ‘prior law’ means the first section of the Act entitled ‘An Act relating to the policing of the buildings and grounds of the Library of Congress’, approved August 4, 1950 (2 U.S.C. 167), as in effect immediately before the first pay period to which the amendments made by section 1 apply.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 167h, 167j of this title; title 5 section 5102.

§ 167a. Public use of Library of Congress grounds

Public travel in and occupancy of the Library of Congress grounds is restricted to the sidewalks and other paved surfaces.

(Aug. 4, 1950, ch. 561, § 2, 64 Stat. 411.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 167f, 167g, 167h, 167i, 167j of this title.

§ 167b. Sales, advertisements, and solicitations in Library buildings and grounds

It shall be unlawful to offer or expose any article for sale in the Library of Congress buildings or grounds; to display any sign, placard, or other form of advertisement therein; or to solicit fares, alms, subscriptions, or contributions therein.

(Aug. 4, 1950, ch. 561, § 3, 64 Stat. 411.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 167f, 167g, 167h, 167i, 167j of this title.

§ 167c. Injuries to Library property

It shall be unlawful to step or climb upon, remove, or in any way injure any statue, seat, wall fountain, or other erection or architectural¹ feature, or any tree, shrub, plant, or turf in the Library of Congress buildings or grounds.

(Aug. 4, 1950, ch. 561, § 4, 64 Stat. 411.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 167f, 167g, 167h, 167i, 167j of this title.

§ 167d. Firearms or fireworks; speeches; objectionable language in Library buildings and grounds

It shall be unlawful to discharge any firearm, firework or explosive, set fire to any combustible, make any harangue or oration, or utter loud, threatening, or abusive language in the Library of Congress buildings or grounds.

¹ So in original. Probably should be “architectural”.

(Aug. 4, 1950, ch. 561, § 5, 64 Stat. 411.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 167f, 167g, 167h, 167i, 167j of this title.

§ 167e. Parades, assemblages or display of flags in Library buildings and grounds

It shall be unlawful to parade, stand, or move in processions or assemblages in the Library of Congress buildings or grounds, or to display therein any flag, banner, or device designed or adapted to bring into public notice any party, organization, or movement.

(Aug. 4, 1950, ch. 561, § 6, 64 Stat. 411.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 167f, 167g, 167h, 167i, 167j of this title.

§ 167f. Regulations for Library buildings and grounds; publication; effective date

(a) In addition to the restrictions and requirements specified in sections 167a to 167e of this title, the Librarian of Congress may prescribe such regulations as may be deemed necessary for the adequate protection of the Library of Congress buildings and grounds and of persons and property therein, and for the maintenance of suitable order and decorum within the Library of Congress buildings and grounds.

(b) All regulations promulgated under the authority of this section shall be printed in one or more of the daily newspapers published in the District of Columbia, and shall not become effective until the expiration of ten days after the date of such publication.

(Aug. 4, 1950, ch. 561, § 7, 64 Stat. 411.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 167g, 167h, 167j of this title.

§ 167g. Prosecution and punishment of offenses in Library buildings and grounds

Whoever violates any provision of sections 167a to 167e of this title, or of any regulation prescribed under section 167f of this title, commits a Class B misdemeanor, prosecution for such offenses to be had in the Superior Court of the District of Columbia upon information by the United States attorney or any of his assistants: *Provided*, That in any case where, in the commission of any such offense, public property is damaged in an amount exceeding \$100, the person commits a Class D felony.

(Aug. 4, 1950, ch. 561, § 8, 64 Stat. 412; Pub. L. 88-60, § 1, July 8, 1963, 77 Stat. 77; Pub. L. 91-358, § 111, July 29, 1970, 84 Stat. 473; Pub. L. 101-562, § 3, Nov. 15, 1990, 104 Stat. 2781.)

AMENDMENTS

1990—Pub. L. 101-562 substituted “commits a Class B misdemeanor” for “shall be fined not more than \$100 or imprisoned not more than sixty days, or both” and “the person commits a Class D felony” for “the period of imprisonment for the offense may not be more than five years”.

CHANGE OF NAME

“District of Columbia Court of General Sessions” substituted in text for “Municipal Court for the Dis-

trict of Columbia” pursuant to act Apr. 1, 1942, ch. 207, §§ 1, 4, 56 Stat. 190, 192, which consolidated into a single court powers and functions of Police Court of District of Columbia and Municipal Court of District of Columbia, and Pub. L. 87-873, § 1, Oct. 23, 1962, 76 Stat. 1171 and Pub. L. 88-60, § 1, July 8, 1963, 77 Stat. 77, which both redesignated the “Municipal Court for the District of Columbia” as the “District of Columbia Court of General Sessions”.

“District of Columbia Court of General Sessions” changed to “Superior Court of the District of Columbia” pursuant to Pub. L. 91-358, which provided that such change is effective the first day of the seventh calendar month which begins after July 29, 1970.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 167j of this title.

§ 167h. Jurisdiction of police within Library buildings, grounds, and adjacent streets

The police provided for in section 167 of this title shall have the power, within the Library of Congress buildings and grounds and adjacent streets, to enforce and make arrests for violations of any provision of sections 167a to 167e of this title, of any regulation prescribed under section 167f of this title, or of any law of the United States, any law of the District of Columbia, or of any State, or any regulation promulgated pursuant thereto: *Provided*, That the Metropolitan Police force of the District of Columbia are authorized to make arrests within the Library of Congress buildings and grounds for any violations of any such laws or regulations, but such authority shall not be construed as authorizing the Metropolitan Police force, except with the consent or upon the request of the Librarian of Congress or his assistants, to enter the Library of Congress buildings to make arrests in response to complaints or to serve warrants or to patrol the Library of Congress buildings or grounds.

(Aug. 4, 1950, ch. 561, § 9, 64 Stat. 412; Pub. L. 93-198, title VII, § 739(g)(9), Dec. 24, 1973, 87 Stat. 829; Pub. L. 100-135, § 1(b)(1), Oct. 16, 1987, 101 Stat. 811.)

AMENDMENTS

1987—Pub. L. 100-135 substituted “The police” for “The special police”.

1973—Pub. L. 93-198 inserted reference to violations of any law of the District of Columbia.

EFFECTIVE DATE OF 1987 AMENDMENT

Amendment by Pub. L. 100-135 applicable with respect to pay periods beginning after Sept. 30, 1987, except that any pay increase for employees of Library of Congress, pursuant to such amendment, to be subject to appropriation and to be implemented in four approximately equal annual increments, so that pay parity with Capitol Police occurs beginning with first pay period beginning after Sept. 30, 1990, see section 3 of Pub. L. 100-135, set out as a note under section 167 of this title.

EFFECTIVE DATE OF 1973 AMENDMENT

Section 771(e) of Pub. L. 93-198 provided that the amendment made by Pub. L. 93-198 is effective Jan. 2, 1975, if a majority of the registered qualified electors in the District of Columbia voting on the charter issue in the charter referendum accept the charter set out in Title IV of Pub. L. 93-198, Dec. 24, 1973, 87 Stat. 785. The charter was approved by the voters on May 7, 1974.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 167j of this title.

§ 167i. Suspension of prohibitions against use of Library buildings and grounds

In order to permit the observance of authorized ceremonies within the Library of Congress buildings and grounds, the Librarian of Congress may suspend for such occasions so much of the prohibitions contained in sections 167a to 167e of this title as may be necessary for the occasion, but only if responsible officers shall have been appointed, and arrangements determined which are adequate, in the judgment of the Librarian, for the maintenance of suitable order and decorum in the proceedings, and for the protection of the Library buildings and grounds and of persons and property therein.

(Aug. 4, 1950, ch. 561, §10, 64 Stat. 412.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 167j of this title.

§ 167j. Area comprising Library of Congress grounds; “buildings and grounds” defined

(a) For the purposes of sections 167 to 167j of this title the Library of Congress grounds shall be held to extend to the line of the face of the east curb of First Street Southeast, between B Street Southeast and East Capitol Street; to the line of the face of the south curb of East Capitol Street, between First Street Southeast and Second Street Southeast; to the line of the face of the west curb of Second Street Southeast, between East Capitol Street and B Street Southeast; to the line of the face of the north curb of B Street Southeast, between First Street Southeast and Second Street Southeast; and to the line of the face of the east curb of Second Street Southeast, between Pennsylvania Avenue Southeast and the north side of the alley separating the Library Annex Building and the Folger Shakespeare Library; to the line of the north side of the same alley, between Second Street Southeast and Third Street Southeast; to the line of the face of the west curb of Third Street Southeast, between the north side of the same alley and B Street Southeast; to the line of the face of the north curb of B Street Southeast, between Third Street Southeast and Pennsylvania Avenue Southeast; to the line of the face of the northeast curb of Pennsylvania Avenue Southeast, between B Street Southeast and Second Street Southeast.

(b) For the purposes of sections 167 to 167j of this title, the term “Library of Congress buildings and grounds” shall include (1) the whole or any part of any building or structure which is occupied under lease or otherwise by the Library of Congress and is subject to supervision and control by the Librarian of Congress, (2) the land upon which there is situated any building or structure which is occupied wholly by the Library of Congress, and (3) any subway or enclosed passageway connecting two or more buildings or structures occupied in whole or in part by the Library of Congress.

(c) For the purpose of sections 167 to 167j of this title, the term “Library of Congress buildings and grounds” shall include (1) all real property in lot 51 in square 869 in the District of Columbia, as that lot appears on the records in the office of the Surveyor of the District of Colum-

bia on August 1, 1990, extending to the outer face of the curbs of the square in which it is located and including all alleys or parts of alleys and streets within the lot lines and curb lines surrounding such real property, and (2) improvements to such real property.

(d) For the purposes of sections 167 to 167j of this title, the term “Library of Congress buildings and grounds” shall include the following property:

(1) Three parcels totaling approximately 41 acres, more or less, located in Culpeper County, Virginia, and identified as Culpeper County Tax Parcel Numbers 51-80B, 51-80C, and 51-80D, further described as real estate (consisting of 15.949 acres) conveyed to Federal Reserve Bank of Richmond by deed from Russell H. Inskeep and Jean H. Inskeep, his wife, dated October 1, 1964, and recorded October 7, 1964, in the Clerk’s Office, Circuit Court of Culpeper County, Virginia, in Deed Book 177, page 431; and real estate (consisting of 20.498 acres and consisting of 4.502 acres) conveyed to Federal Reserve Bank of Richmond by deed from Russell H. Inskeep and Jean H. Inskeep, his wife, dated November 11, 1974, and recorded November 12, 1974, in the Clerk’s Office, Circuit Court of Culpeper County, Virginia, in Deed Book 247, page 246.

(2) Improvements to such real property.

(Aug. 4, 1950, ch. 561, §11, 64 Stat. 412; Pub. L. 91-281, June 17, 1970, 84 Stat. 309; Pub. L. 101-520, title II, §205(d), Nov. 5, 1990, 104 Stat. 2272; Pub. L. 101-562, §2(c), Nov. 15, 1990, 104 Stat. 2780; Pub. L. 105-144, §2, Dec. 15, 1997, 111 Stat. 2667.)

AMENDMENTS

1997—Subsec. (d). Pub. L. 105-144 added subsec. (d).

1990—Subsec. (c). Pub. L. 101-520 and Pub. L. 101-562 made substantively identical amendments, adding subsec. (c).

1970—Pub. L. 91-281 designated existing provisions as subsec. (a) and added subsec. (b).

EFFECTIVE DATE OF 1997 AMENDMENT

Amendment by Pub. L. 105-144 effective upon acquisition by Architect of the Capitol of property described in section 1 of Pub. L. 105-144, see section 5 of Pub. L. 105-144, set out as an Acquisition of Real Property for Library of Congress note under section 141 of this title.

EFFECTIVE DATE OF 1990 AMENDMENTS

Amendment by Pub. L. 101-520 and Pub. L. 101-562 effective on date [Nov. 6, 1991] Architect of the Capitol acquires the property and improvements described in Pub. L. 101-520, §205(a), and Pub. L. 101-562, §1, see section 205(e) of Pub. L. 101-520 and former section 2(d) of Pub. L. 101-562, set out as a Special Facilities Center; Acquisition note under section 141 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 141 of this title; title 40 section 136.

§ 168. Constitution of the United States; preparation and publication of revised edition; annotations; supplements; decennial editions and supplements

The Librarian of Congress shall have prepared—

(1) a hardbound revised edition of the Constitution of the United States of America—

Analysis and Interpretation, published as Senate Document Numbered 39, Eighty-eighth Congress (referred to hereinafter as the "Constitution Annotated"), which shall contain annotations of decisions of the Supreme Court of the United States through the end of the October 1971 term of the Supreme Court, construing provisions of the Constitution;

(2) upon the completion of each of the October 1973, October 1975, October 1977, and October 1979 terms of the Supreme Court, a cumulative pocket-part supplement to the hardbound revised edition of the Constitution Annotated prepared pursuant to clause (1), which shall contain cumulative annotations of all such decisions rendered by the Supreme Court after the end of the October 1971 term;

(3) upon the completion of the October 1981 term of the Supreme Court, and upon the completion of each tenth October term of the Supreme Court thereafter, a hardbound decennial revised edition of the Constitution Annotated, which shall contain annotations of all decisions theretofore rendered by the Supreme Court construing provisions of the Constitution; and

(4) upon the completion of the October 1983 term of the Supreme Court, and upon the completion of each subsequent October term of the Supreme Court beginning in an odd-numbered year (the final digit of which is not a 1), a cumulative pocket-part supplement to the most recent hardbound decennial revised edition of the Constitution Annotated, which shall contain cumulative annotations of all such decisions rendered by the Supreme Court which were not included in that hardbound decennial revised edition of the Constitution Annotated.

(Pub. L. 91-589, § 1, Dec. 24, 1970, 84 Stat. 1586.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 168b, 168d of this title.

§ 168a. Printing of Constitution Annotated as Senate documents

All hardbound revised editions and all cumulative pocket-part supplements shall be printed as Senate documents.

(Pub. L. 91-589, § 2, Dec. 24, 1970, 84 Stat. 1586.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 168d of this title.

§ 168b. Printing and distribution of additional copies of Constitution Annotated

There shall be printed four thousand eight hundred and seventy additional copies of the hardbound revised editions prepared pursuant to clause (1) of section 168 of this title and of all cumulative pocket-part supplements thereto, of which two thousand six hundred and thirty-four copies shall be for the use of the House of Representatives, one thousand two hundred and thirty-six copies shall be for the use of the Senate, and one thousand copies shall be for the use of the Joint Committee on Printing. All Members of the Congress, Vice Presidents of the United States, and Delegates and Resident Commissioners, newly elected subsequent to the is-

suance of the hardbound revised edition prepared pursuant to such clause and prior to the first hardbound decennial revised edition, who did not receive a copy of the edition prepared pursuant to such clause, shall, upon timely request, receive one copy of such edition and the then current cumulative pocket-part supplement and any further supplements thereto. All Members of the Congress, Vice Presidents of the United States, and Delegates and Resident Commissioners, no longer serving after the issuance of the hardbound revised edition prepared pursuant to such clause and who received such edition, may receive one copy of each cumulative pocket-part supplement thereto upon timely request.

(Pub. L. 91-589, § 3, Dec. 24, 1970, 84 Stat. 1586.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 168d of this title.

§ 168c. Printing and distribution of decennial editions and supplements to Constitution Annotated

Additional copies of each hardbound decennial revised edition and of the cumulative pocket-part supplements thereto shall be printed and distributed in accordance with the provisions of any concurrent resolution hereafter adopted with respect thereto.

(Pub. L. 91-589, § 4, Dec. 24, 1970, 84 Stat. 1587.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 168d of this title.

§ 168d. Authorization of appropriations for Constitution Annotated

There are authorized to be appropriated such sums, to remain available until expended, as may be necessary to carry out the provisions of sections 168 to 168d of this title.

(Pub. L. 91-589, § 5, Dec. 24, 1970, 84 Stat. 1587.)

§ 169. Positions in Library of Congress exempt from citizenship requirement

From and after October 1, 1983, not to exceed fifteen positions in the Library of Congress may be exempt from the provisions of appropriation Acts concerning the employment of aliens during the current fiscal year, but the Librarian shall not make any appointment to any such position until he has ascertained that he cannot secure for such appointments a person in any of the categories specified in such provisions who possesses the special qualifications for the particular position and also otherwise meets the general requirements for employment in the Library of Congress.

(Pub. L. 98-51, title II, § 202, July 14, 1983, 97 Stat. 276.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Oct. 2, 1982, Pub. L. 97-276, § 101(e) [S. 2939, title II, § 202], 96 Stat. 1189.

Oct. 1, 1981, Pub. L. 97-51, § 101(c) [H.R. 4120, title II, § 202], 95 Stat. 959.

Dec. 16, 1980, Pub. L. 96-536, § 101(c) [H.R. 7593, title II, § 202], 94 Stat. 3167.

Oct. 12, 1979, Pub. L. 96-86, §101(c) [H.R. 4390, title II, §202], 93 Stat. 657.

Sept. 30, 1978, Pub. L. 95-391, title II, §202, 92 Stat. 785.

Aug. 5, 1977, Pub. L. 95-94, title II, §202, 91 Stat. 677.

Oct. 1, 1976, Pub. L. 94-440, title VIII, §802, 90 Stat. 1457.

July 25, 1975, Pub. L. 94-59, title VII, §702, 89 Stat. 294.

Aug. 13, 1974, Pub. L. 93-371, 88 Stat. 441.

Nov. 1, 1973, Pub. L. 93-145, 87 Stat. 547.

July 10, 1972, Pub. L. 92-342, 86 Stat. 446.

July 9, 1971, Pub. L. 92-51, 85 Stat. 141.

Aug. 18, 1970, Pub. L. 91-382, 84 Stat. 823.

Dec. 12, 1969, Pub. L. 91-145, 83 Stat. 357.

July 23, 1968, Pub. L. 90-417, 82 Stat. 411.

July 28, 1967, Pub. L. 90-57, 81 Stat. 140.

Aug. 27, 1966, Pub. L. 89-545, 80 Stat. 368.

July 27, 1965, Pub. L. 89-90, 79 Stat. 280.

Aug. 20, 1964, Pub. L. 88-454, 78 Stat. 548.

Dec. 30, 1963, Pub. L. 88-248, 77 Stat. 816.

Oct. 2, 1962, Pub. L. 87-730, 76 Stat. 692.

Aug. 10, 1961, Pub. L. 87-130, 75 Stat. 333.

July 12, 1960, Pub. L. 86-628, 74 Stat. 459.

Aug. 21, 1959, Pub. L. 86-176, 73 Stat. 411.

July 31, 1958, Pub. L. 85-570, 72 Stat. 452.

July 1, 1957, Pub. L. 85-75, 71 Stat. 255.

June 27, 1956, ch. 453, 70 Stat. 368.

Aug. 5, 1955, ch. 568, 69 Stat. 518.

July 2, 1954, ch. 455, 68 Stat. 408.

Aug. 1, 1953, ch. 304, 67 Stat. 330.

July 9, 1952, ch. 598, 66 Stat. 476.

Oct. 11, 1951, ch. 485, 65 Stat. 400.

Sept. 6, 1950, ch. 896, Ch. II, 64 Stat. 606.

June 22, 1949, ch. 235, 63 Stat. 228.

June 14, 1948, ch. 467, 62 Stat. 434.

July 17, 1947, ch. 262, 61 Stat. 374.

July 1, 1946, ch. 530, 60 Stat. 405.

June 13, 1945, ch. 189, 59 Stat. 256.

June 26, 1944, ch. 277, 58 Stat. 351.

June 28, 1943, ch. 173, 57 Stat. 236.

CROSS REFERENCES

Restriction on employment of aliens generally, see section 3101 note of Title 5, Government Organization and Employees.

§ 170. American Television and Radio Archives

(a) Establishment and maintenance in Library of Congress; purpose; determination of composition, cataloging, indexing and availability by Librarian

The Librarian of Congress (hereinafter referred to as the “Librarian”) shall establish and maintain in the Library of Congress a library to be known as the American Television and Radio Archives (hereinafter referred to as the “Archives”). The purpose of the Archives shall be to preserve a permanent record of the television and radio programs which are the heritage of the people of the United States and to provide access to such programs to historians and scholars without encouraging or causing copyright infringement.

(1) The Librarian, after consultation with interested organizations and individuals, shall determine and place in the Archives such copies and phonorecords of television and radio programs transmitted to the public in the United States and in other countries which are of present or potential public or cultural interest, historical significance, cognitive value, or otherwise worthy of preservation, including copies and phonorecords of published and unpublished transmission programs—

(A) acquired in accordance with sections 407 and 408 of title 17; and

(B) transferred from the existing collections of the Library of Congress; and

(C) given to or exchanged with the Archives by other libraries, archives, organizations, and individuals; and

(D) purchased from the owner thereof.

(2) The Librarian shall maintain and publish appropriate catalogs and indexes of the collections of the Archives, and shall make such collections available for study and research under the conditions prescribed under this section.

(b) Reproduction, compilation, and distribution for research of regularly scheduled newscasts or on-the-spot coverage of news events by Librarian; promulgation of regulations

Notwithstanding the provisions of section 106 of title 17, the Librarian is authorized with respect to a transmission program which consists of a regularly scheduled newscast or on-the-spot coverage of news events and, under standards and conditions that the Librarian shall prescribe by regulation—

(1) to reproduce a fixation of such a program, in the same or another tangible form, for the purposes of preservation or security or for distribution under the conditions of clause (3) of this subsection;

(2) to compile, without abridgment or any other editing, portions of such fixations according to subject matter, and to reproduce such compilations for the purpose of clause (1) of this subsection; and

(3) to distribute a reproduction made under clause (1) or (2) of this subsection—

(A) by loan to a person engaged in research; and

(B) for deposit in a library or archives which meets the requirements of section 108(a) of title 17,

in either case for use only in research and not for further reproduction or performance.

(c) Liability for copyright infringement by Librarian or any employee of Librarian

The Librarian or any employee of the Library who is acting under the authority of this section shall not be liable in any action for copyright infringement committed by any other person unless the Librarian or such employee knowingly participated in the act of infringement committed by such person. Nothing in this section shall be construed to excuse or limit liability under title 17 for any act not authorized by that title or this section, or for any act performed by a person not authorized to act under that title or this section.

(d) Short title

This section may be cited as the “American Television and Radio Archives Act”.

(Pub. L. 94-553, title I, §113, Oct. 19, 1976, 90 Stat. 2601.)

EFFECTIVE DATE

Section effective Jan. 1, 1978, see section 102 of Pub. L. 94-553, set out as a note preceding section 101 of Title 17, Copyrights.

§ 171. Congressional declaration of findings and purpose as to Center for the Book

The Congress hereby finds and declares—

(1) that the Congress of the United States on April 24, 1800, established for itself a library of the Congress;

(2) that in 1815, the Congress purchased the personal library of the third President of the United States which contained materials on every science known to man and described such a collection as a “substratum of a great national library”;

(3) that the Congress of the United States in recognition of the importance of printing and its impact on America purchased the Gutenberg Bible in 1930 for the Nation for placement in the Library of Congress;

(4) that the Congress of the United States has through statute and appropriations made this library accessible to any member of the public;

(5) that this collection of books and other library materials has now become one of the greatest libraries in civilization;

(6) that the book and the printed word have had the most profound influence on American civilization and learning and have been the very foundation on which our democratic principles have survived through our two hundred-year history;

(7) that in the year 1977, the Congress of the United States assembled hereby declares its reaffirmation of the importance of the printed word and the book and recognizes the importance of a Center for the Book to the continued study and development of written record as central to our understanding of ourselves and our world.

It is therefore the purpose of sections 171 to 175 of this title to establish a Center for the Book in the Library of Congress to provide a program for the investigation of the transmission of human knowledge and to heighten public interest in the role of books and printing in the diffusion of this knowledge.

(Pub. L. 95-129, § 1, Oct. 13, 1977, 91 Stat. 1151.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 172 of this title.

§ 172. Definitions

As used in sections 171 to 175 of this title—

(1) the term Center means the Center for the Book;

(2) the term Librarian means the Librarian of Congress.

(Pub. L. 95-129, § 2, Oct. 13, 1977, 91 Stat. 1151.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 171 of this title.

§ 173. Establishment of Center for the Book

There is hereby established in the Library of Congress a Center for the Book.

The Center shall be under the direction of the Librarian of Congress.

(Pub. L. 95-129, § 3, Oct. 13, 1977, 91 Stat. 1151.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 171, 172 of this title.

§ 174. Function of Center for the Book

The Librarian through the Center shall stimulate public interest and research in the role of the book in the diffusion of knowledge through such activities as a visiting scholar program accompanied by lectures, exhibits, publications, and any other related activities.

(Pub. L. 95-129, § 4, Oct. 13, 1977, 91 Stat. 1152.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 171, 172 of this title.

§ 175. Administrative provisions

The Librarian of Congress, in carrying out the Center's functions, is authorized to—

(1) prescribe such regulations as he deems necessary;

(2) receive money and other property donated, bequeathed, or devised for the purposes of the Center, and to use, sell, or otherwise dispose of such property for the purposes of carrying out the Center's functions, without reference to Federal disposal statutes; and

(3) accept and utilize the services of voluntary and noncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by section 5703 of title 5.

(Pub. L. 95-129, § 5, Oct. 13, 1977, 91 Stat. 1152.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 171, 172 of this title.

§ 176. Mass Book Deacidification Facility; operation by Librarian of Congress

Notwithstanding any other provision of law, the Librarian of Congress shall equip, furnish, operate, and maintain the Library of Congress Mass Book Deacidification Facility.

(Pub. L. 98-427, § 2, Sept. 28, 1984, 98 Stat. 1656.)

AUTHORIZATION TO CONSTRUCT FACILITY

Section 1 of Pub. L. 98-427 provided: “That the Librarian of Congress is authorized and directed, subject to the supervision and construction authority of a Federal civilian or military agency, to construct the Library of Congress Mass Book Deacidification Facility in accordance with the general design developed by the Library of Congress and reviewed by the Architect of the Capitol, as set forth in the document entitled ‘Library of Congress Mass Book Deacidification Facility, Engineering, Design, and Cost Estimate and Drawings’, dated December 1983. Such facility shall be constructed on Federal property within seventy-five miles of the United States Capitol Building.”

AUTHORIZATION OF APPROPRIATION

Section 3 of Pub. L. 98-427 provided that: “There are authorized to be appropriated for fiscal years beginning after September 30, 1983, sums not to exceed \$11,500,000 to carry out the provisions of this Act [enacting this section and a provision set out as a note under this section].”

§ 177. Poet Laureate Consultant in Poetry

(a) Recognition

The Congress recognizes that the Consultant in Poetry to the Library of Congress has for

some time occupied a position of prominence in the life of the Nation, has spoken effectively for literary causes, and has occasionally performed duties and functions sometimes associated with the position of poet laureate in other nations and societies. Individuals are appointed to the position of Consultant in Poetry by the Librarian of Congress for one- or two-year terms solely on the basis of literary merit, and are compensated from endowment funds administered by the Library of Congress Trust Fund Board. The Congress further recognizes this position is equivalent to that of Poet Laureate of the United States.

(b) Position established

(1) There is established in the Library of Congress the position of Poet Laureate Consultant in Poetry. The Poet Laureate Consultant in Poetry shall be appointed by the Librarian of Congress pursuant to the same procedures of appointment as established on December 20, 1985, for the Consultant in Poetry to the Library of Congress.

(2) Each department and office of the Federal Government is encouraged to make use of the services of the Poet Laureate Consultant in Poetry for ceremonial and other occasions of celebration under such procedures as the Librarian of Congress shall approve designed to assure that participation under this paragraph does not impair the continuation of the work of the individual chosen to fill the position of Poet Laureate Consultant in Poetry.

(c) Poetry program

(1) The Chairperson of the National Endowment for the Arts, with the advice of the National Council on the Arts, shall annually sponsor a program at which the Poet Laureate Consultant in Poetry will present a major work or the work of other distinguished poets.

(2) There are authorized to be appropriated to the National Endowment for the Arts \$10,000 for the fiscal year 1987 and for each succeeding fiscal year ending prior to October 1, 1990, for the purpose of carrying out this subsection.

(Pub. L. 99-194, title VI, §601, Dec. 20, 1985, 99 Stat. 1347.)

§§ 178 to 178l. Repealed. Pub. L. 102-307, title II, § 214, June 26, 1992, 106 Stat. 272

Section 178, Pub. L. 100-446, title I, §1, Sept. 27, 1988, 102 Stat. 1782, related to Congressional findings on national film preservation.

Section 178a, Pub. L. 100-446, title I, §2, Sept. 27, 1988, 102 Stat. 1782, related to establishment of a National Film Registry.

Section 178b, Pub. L. 100-446, title I, §3, Sept. 27, 1988, 102 Stat. 1782, related to the duties of Librarian of Congress with respect to the National Film Registry.

Section 178c, Pub. L. 100-446, title I, §4, Sept. 27, 1988, 102 Stat. 1784, related to film labeling requirements.

Section 178d, Pub. L. 100-446, title I, §5, Sept. 27, 1988, 102 Stat. 1785, related to misuse of National Film Registry seal.

Section 178e, Pub. L. 100-446, title I, §6, Sept. 27, 1988, 102 Stat. 1785, related to remedies for film labeling violations or for misusing the National Film Registry seal.

Section 178f, Pub. L. 100-446, title I, §7, Sept. 27, 1988, 102 Stat. 1785, related to exclusivity of remedies provided in former section 178e of this title.

Section 178g, Pub. L. 100-446, title I, §8, Sept. 27, 1988, 102 Stat. 1785; Pub. L. 102-378, §5(c), Oct. 2, 1992, 106 Stat. 1358, related to establishment of National Film Preservation Board.

Section 178h, Pub. L. 100-446, title I, §9, Sept. 27, 1988, 102 Stat. 1787, related to staff of National Film Registry Board and authority of Board to procure services of experts and consultants.

Section 178i, Pub. L. 100-446, title I, §10, Sept. 27, 1988, 102 Stat. 1787, related to powers of National Film Registry Board.

Section 178j, Pub. L. 100-446, title I, §11, Sept. 27, 1988, 102 Stat. 1787, contained definitions.

Section 178k, Pub. L. 100-446, title I, §12, Sept. 27, 1988, 102 Stat. 1788, authorized appropriations.

Section 178l, Pub. L. 100-446, title I, §13, Sept. 27, 1988, 102 Stat. 1788, provided effective date, sunset, and savings provisions for former sections 178 to 178l of this title.

For similar provisions, see section 179l et seq. of this title.

SHORT TITLE

Pub. L. 100-446, title I, §1, Sept. 27, 1988, 102 Stat. 1782, which provided that sections 178 to 178l of this title were to be cited as the "National Film Preservation Act of 1988" was repealed by Pub. L. 102-307, title III, §214, June 26, 1992, 106 Stat. 272.

§§ 179 to 179k. Repealed. Pub. L. 104-285, title I, § 114, Oct. 11, 1996, 110 Stat. 3382

Section 179, Pub. L. 102-307, title II, §202, June 26, 1992, 106 Stat. 267, required Librarian of Congress to establish National Film Registry for purpose of maintaining and preserving culturally, historically, or aesthetically significant films.

Section 179a, Pub. L. 102-307, title II, §203, June 26, 1992, 106 Stat. 267, required Librarian of Congress to conduct study of film preservation, to establish film preservation program and guidelines and procedures for inclusion of films in National Film Registry, and to report to Congress on films selected and activities undertaken.

Section 179b, Pub. L. 102-307, title II, §204, June 26, 1992, 106 Stat. 268, related to establishment of National Film Preservation Board and provided for number and appointment of members, chairperson, term of office, quorum, basic pay, meetings, and conflict of interest.

Section 179c, Pub. L. 102-307, title II, §205, June 26, 1992, 106 Stat. 270, related to responsibilities and powers of Board, including consultation with Librarian with respect to inclusion of films in Registry, consideration of films nominated for inclusion in Registry, and general powers.

Section 179d, Pub. L. 102-307, title II, §206, June 26, 1992, 106 Stat. 270, related to National Film Registry Collection of Library of Congress, including provisions relating to acquisition of archival quality copies and additional materials, ownership of copies and additional materials by United States, and maintenance of and access to Collection.

Section 179e, Pub. L. 102-307, title II, §207, June 26, 1992, 106 Stat. 271, related to seal of National Film Registry.

Section 179f, Pub. L. 102-307, title II, §208, June 26, 1992, 106 Stat. 271, provided that district courts of United States were to have jurisdiction to prevent and restrain unlawful use of seal.

Section 179g, Pub. L. 102-307, title II, §209, June 26, 1992, 106 Stat. 271, provided that remedies provided in section 179f were to be exclusive.

Section 179h, Pub. L. 102-307, title II, §210, June 26, 1992, 106 Stat. 271, authorized Librarian to appoint and fix pay of staff and to procure services of experts and consultants.

Section 179i, Pub. L. 102-307, title II, §211, June 26, 1992, 106 Stat. 271, defined terms for purpose of sections 179 to 179k of this title.

Section 179j, Pub. L. 102-307, title II, §212, June 26, 1992, 106 Stat. 272, authorized to be appropriated to Li-

brarian necessary sums to carry out sections 179 to 179k of this title.

Section 179k, Pub. L. 102-307, title II, §213, June 26, 1992, 106 Stat. 272, provided that sections 179 to 179k of this title were effective for 4 years beginning June 26, 1992, and applicable to any copy of any film, including copies of films selected for inclusion in National Film Registry under National Film Preservation Act of 1988.

For similar provisions, see section 179l et seq. of this title.

SHORT TITLE

Pub. L. 102-307, title II, §201, June 26, 1992, 106 Stat. 267, which provided that title II of Pub. L. 102-307, which enacted sections 179 to 179k of this title and repealed sections 178 to 178l of this title and provisions set out as a note under section 178 of this title, was to be cited as the ‘National Film Preservation Act of 1992’, was repealed by Pub. L. 104-285, title I, §114, Oct. 11, 1996, 110 Stat. 3382.

§ 179l. National Film Registry of Library of Congress

The Librarian of Congress (hereafter in sections 179l to 179w of this title referred to as the ‘Librarian’) shall continue the National Film Registry established and maintained under the National Film Preservation Act of 1988 (Public Law 100-446), and the National Film Preservation Act of 1992 (Public Law 102-307) pursuant to the provisions of sections 179l to 179w of this title, for the purpose of maintaining and preserving films that are culturally, historically, or aesthetically significant.

(Pub. L. 104-285, title I, §102, Oct. 11, 1996, 110 Stat. 3377.)

TERMINATION OF SECTION

For termination of section, see section 179w of this title.

REFERENCES IN TEXT

Sections 179l to 179w of the title, referred to in text, was in the original ‘this Act’ the first place appearing and ‘this title’ the second place appearing, both of which were translated as meaning title I of Pub. L. 104-285, Oct. 11, 1996, 110 Stat. 3377, which is classified principally to sections 179l to 179w of this title. For complete classification of title I to the Code, see Short Title note below and Tables.

The National Film Preservation Act of 1988, referred to in text, is Pub. L. 100-446, title I, §§1-13, Sept. 27, 1988, 102 Stat. 1782-1788, which was classified to sections 178 to 178l of this title and was repealed by Pub. L. 102-307, title II, §214, June 26, 1992, 106 Stat. 272.

The National Film Preservation Act of 1992, referred to in text, is title II of Pub. L. 102-307, June 26, 1992, 106 Stat. 267, which was classified principally to sections 179 to 179k of this title and was repealed by Pub. L. 104-285, title I, §114, Oct. 11, 1996, 110 Stat. 3382.

PRIOR PROVISIONS

Prior provisions similar to sections 179l to 179w of this title were contained in former section 179 et seq. of this title.

SHORT TITLE

Section 101 of title I of Pub. L. 104-285 provided that: ‘This title [enacting this section and sections 179m to 179w of this title and repealing sections 179 to 179k of this title and provisions set out as a note under section 179 of this title] may be cited as the ‘National Film Preservation Act of 1996.’’

ACT REFERRED TO IN OTHER SECTIONS

The National Film Preservation Act of 1996 is referred to in title 36 section 5701.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 179s, 179t, 179u, 179v, 179w of this title.

§ 179m. Duties of Librarian of Congress

(a) Powers

(1) In general

The Librarian shall, after consultation with the Board established pursuant to section 179n of this title—

(A) continue the implementation of the comprehensive national film preservation program for motion pictures established under the National Film Preservation Act of 1992, in conjunction with other film archivists, educators and historians, copyright owners, film industry representatives, and others involved in activities related to film preservation, taking into account the objectives of the national film preservation study and the comprehensive national plan conducted under the National Film Preservation Act of 1992. This program shall—

(i) coordinate activities to assure that efforts of archivists and copyright owners, and others in the public and private sector, are effective and complementary;

(ii) generate public awareness of and support for these activities;

(iii) increase accessibility of films for educational purposes; and

(iv) undertake studies and investigations of film preservation activities as needed, including the efficacy of new technologies, and recommend solutions to improve these practices;

(B) establish criteria and procedures under which films may be included in the National Film Registry, except that no film shall be eligible for inclusion in the National Film Registry until 10 years after such film’s first publication;

(C) establish procedures under which the general public may make recommendations to the Board regarding the inclusion of films in the National Film Registry; and

(D) determine which films satisfy the criteria established under subparagraph (B) and qualify for inclusion in the National Film Registry, except that the Librarian shall not select more than 25 films each year for inclusion in the Registry.

(2) Publication of films in Registry

The Librarian shall publish in the Federal Register the name of each film that is selected for inclusion in the National Film Registry.

(3) Seal

The Librarian shall provide a seal to indicate that a film has been included in the National Film Registry and is the Registry version of that film. The Librarian shall establish guidelines for approval of the use of the seal in accordance with subsection (b) of this section.

(b) Use of seal

The seal provided under subsection (a)(3) of this section may only be used on film copies of the Registry version of a film. Such seal may be

used only after the Librarian has given approval to those persons seeking to apply the seal in accordance with the guidelines under subsection (a)(3) of this section. In the case of copyrighted works, only the copyright owner or an authorized licensee of the copyright owner may place or authorize the placement of the seal on any film copy of a Registry version of a film selected for inclusion in the National Film Registry, and the Librarian may place the seal on any film copy of the Registry version of any film that is maintained in the National Film Registry Collection in the Library of Congress. Anyone authorized to place the seal on any film copy of any Registry version of a film may accompany such seal with the following language: "This film was selected for inclusion in the National Film Registry by the National Film Preservation Board of the Library of Congress because of its cultural, historical, or aesthetic significance."

(Pub. L. 104-285, title I, §103, Oct. 11, 1996, 110 Stat. 3377.)

TERMINATION OF SECTION

For termination of section, see section 179w of this title.

REFERENCES IN TEXT

The National Film Preservation Act of 1992, referred to in subsec. (a)(1)(A), is title II of Pub. L. 102-307, June 26, 1992, 106 Stat. 267, which was classified principally to sections 179 to 179k of this title and was repealed by Pub. L. 104-285, title I, §114, Oct. 11, 1996, 110 Stat. 3382.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 179l, 179o, 179q, 179s, 179t, 179u, 179v, 179w of this title.

§ 179n. National Film Preservation Board

(a) Number and appointment

(1) Members

The Librarian shall establish in the Library of Congress a National Film Preservation Board to be comprised of 20 members, who shall be selected by the Librarian in accordance with this section. Subject to subparagraphs (C) and (N), the Librarian shall request each organization listed in subparagraphs (A) through (Q) to submit a list of three candidates qualified to serve as a member of the Board. Except for the members-at-large appointed under subparagraph¹ (2), the Librarian shall appoint one member from each such list submitted by such organizations, and shall designate from that list an alternate who may attend at Board expense those meetings to which the individual appointed to the Board cannot attend. The organizations are the following:

(A) The Academy of Motion Picture Arts and Sciences.

(B) The Directors Guild of America.

(C) The Writers Guild of America. The Writers Guild of America East and the Writers Guild of America West shall each nominate three candidates, and a representative from one organization shall be selected as

the member and a representative from the other organization as the alternate.

(D) The National Society of Film Critics.

(E) The Society for Cinema Studies.

(F) The American Film Institute.

(G) The Department of Film and Television of the School of Theater, Film and Television at the University of California, Los Angeles.

(H) The Department of Film and Television of the Tisch School of the Arts at New York University.

(I) The University Film and Video Association.

(J) The Motion Picture Association of America.

(K) The Alliance of Motion Picture and Television Producers.

(L) The Screen Actors Guild of America.

(M) The National Association of Theater Owners.

(N) The American Society of Cinematographers and the International Photographers Guild, which shall jointly submit one list of three candidates from which a member and alternate will be selected.

(O) The United States Members of the International Federation of Film Archives.

(P) The Association of Moving Image Archivists.

(Q) The Society of Composers and Lyricists.

(2) Members-at-large

In addition to the members appointed under paragraph (1), the Librarian shall appoint up to three members-at-large. The Librarian shall also select an alternate for each member² at-large, who may attend at Board expense those meetings which the member² at-large cannot attend.

(b) Chair

The Librarian shall appoint one member of the Board to serve as Chair.

(c) Term of office

(1) Terms

The term of each member of the Board shall be 4 years, except that there shall be no limit to the number of terms that any individual member may serve.

(2) Removal of member or organization

The Librarian shall have the authority to remove any member of the Board, or the organization listed in subsection (a) of this section such member represents, if the member, or organization, over any consecutive 2-year period, fails to attend at least one regularly scheduled Board meeting.

(3) Vacancies

A vacancy in the Board shall be filled in the manner in which the original appointment was made under subsection (a) of this section, except that the Librarian may fill the vacancy from a list of candidates previously submitted by the organization or organizations involved. Any member appointed to fill a vacancy before

¹ So in original. Probably should be "paragraph".

² So in original. Probably should be followed by a hyphen.

the expiration of the term for which his or her predecessor was appointed shall be appointed for the remainder of such term.

(d) Quorum

11 members of the Board shall constitute a quorum but a lesser number may hold hearings.

(e) Reimbursement of expenses

Members of the Board shall serve without pay, but may be reimbursed for the actual and necessary traveling and subsistence expenses incurred by them in the performance of the duties of the Board.

(f) Meetings

The Board shall meet at least once each fiscal year. Meetings shall be at the call of the Librarian.

(g) Conflict of interest

The Librarian shall establish rules and procedures to address any potential conflict of interest between a member of the Board and responsibilities of the Board.

(Pub. L. 104-285, title I, §104, Oct. 11, 1996, 110 Stat. 3378.)

TERMINATION OF SECTION

For termination of section, see section 179w of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 179l, 179m, 179s, 179t, 179u, 179v, 179w of this title.

§ 179o. Responsibilities and powers of Board

(a) In general

The Board shall review nominations of films submitted to it for inclusion in the National Film Registry and consult with the Librarian, as provided in section 179m of this title, with respect to the inclusion of such films in the Registry and the preservation of these and other films that are culturally, historically, or aesthetically significant.

(b) Nomination of films

The Board shall consider, for inclusion in the National Film Registry, nominations submitted by the general public as well as representatives of the film industry, such as the guilds and societies representing actors, directors, screenwriters, cinematographers, and other creative artists, producers, and film critics, archives and other film preservation organizations, and representatives of academic institutions with film study programs. The Board shall nominate not more than 25 films each year for inclusion in the Registry.

(c) Powers

(1) In general

The Board may, for the purpose of carrying out its duties, hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Librarian and the Board consider appropriate.

(2) Service on Foundation

Two sitting members of the Board shall be appointed by the Librarian, and shall serve, as

Board members of the National Film Preservation Foundation, in accordance with section 5702 of title 36.

(Pub. L. 104-285, title I, §105, Oct. 11, 1996, 110 Stat. 3380.)

TERMINATION OF SECTION

For termination of section, see section 179w of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 179l, 179s, 179t, 179u, 179v, 179w of this title.

§ 179p. National Film Registry Collection of Library of Congress

(a) Acquisition of archival quality copies

The Librarian shall endeavor to obtain, by gift from the owner, an archival quality copy of the Registry version of each film included in the National Film Registry. Whenever possible, the Librarian shall endeavor to obtain the best surviving materials, including preprint materials. Copyright owners and others possessing copies of such materials are strongly encouraged, to further the preservation purposes of this Act, to provide preprint and other archival elements to the Library of Congress.

(b) Additional materials

The Librarian shall endeavor to obtain, for educational and research purposes, additional materials related to each film included in the National Film Registry, such as background materials, production reports, shooting scripts (including continuity scripts) and other similar materials.

(c) Property of United States

All copies of films on the National Film Registry that are received as gifts or bequests by the Librarian and other materials received by the Librarian under subsection (b) of this section, shall become the property of the United States Government, subject to the provisions of title 17.

(d) National Film Registry Collection

All copies of films on the National Film Registry that are received by the Librarian under subsection (a) of this section, and other materials received by the Librarian under subsection (b) of this section, shall be maintained in the Library of Congress and be known as the “National Film Registry Collection of the Library of Congress”. The Librarian shall, by regulation, and in accordance with title 17, provide for reasonable access to the films and other materials in such collection for scholarly and research purposes.

(Pub. L. 104-285, title I, §106, Oct. 11, 1996, 110 Stat. 3380.)

REFERENCES IN TEXT

This Act, referred to in subsec. (a), is Pub. L. 104-285, Oct. 11, 1996, 110 Stat. 3377, which enacted this section and sections 179l to 179o and 179q to 179w of this title and sections 5701 to 5708 of Title 36, Patriotic Societies and Observances, repealed sections 179 to 179k of this title, enacted provisions set out as a note under section 179l of this title, and repealed provisions set out as a note under section 179 of this title. For complete classification of this Act to the Code, see Tables.

TERMINATION OF SECTION

For termination of section, see section 179w of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 179l, 179s, 179t, 179u, 179v, 179w of this title.

§ 179q. Seal of National Film Registry**(a) Use of seal****(1) Prohibition on distribution and exhibition**

No person shall knowingly distribute or exhibit to the public a version of a film or any copy of a film which bears the seal described in section 179m(a)(3) of this title if such film—

(A) is not included in the National Film Registry; or

(B) is included in the National Film Registry, but such film or film copy has not been approved for use of the seal by the Librarian pursuant to section 179m(a)(1)(D) of this title.

(2) Prohibition on promotion

No person shall knowingly use the seal described in section 179m(a)(3) of this title to promote any version of a film or film copy other than a Registry version.

(b) Effective date of seal

The use of the seal described in section 179m(a)(3) of this title shall be effective for each film after the Librarian publishes in the Federal Register, in accordance with section 179m(a)(2) of this title, the name of that film as selected for inclusion in the National Film Registry.

(Pub. L. 104–285, title I, §107, Oct. 11, 1996, 110 Stat. 3381.)

TERMINATION OF SECTION

For termination of section, see section 179w of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 179l, 179r, 179s, 179t, 179u, 179v, 179w of this title.

§ 179r. Remedies**(a) Jurisdiction**

The several district courts of the United States shall have jurisdiction, for cause shown, to prevent and restrain violations of section 179q(a) of this title.

(b) Relief**(1) Removal of seal**

Except as provided in paragraph (2), relief for violation of section 179q(a) of this title shall be limited to the removal of the seal of the National Film Registry from the film involved in the violation.

(2) Fine and injunctive relief

In the case of a pattern or practice of the willful violation of section 179q(a) of this title, the United States district courts may order a civil fine of not more than \$10,000 and appropriate injunctive relief.

(Pub. L. 104–285, title I, §108, Oct. 11, 1996, 110 Stat. 3381.)

TERMINATION OF SECTION

For termination of section, see section 179w of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 179l, 179s, 179t, 179u, 179v, 179w of this title.

§ 179s. Limitations of remedies

The remedies provided in section 179r of this title shall be the exclusive remedies under sections 179l to 179w of this title, or any other Federal or State law, regarding the use of the seal described in section 179m(a)(3) of this title.

(Pub. L. 104–285, title I, §109, Oct. 11, 1996, 110 Stat. 3381.)

TERMINATION OF SECTION

For termination of section, see section 179w of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 179l, 179t, 179u, 179v, 179w of this title.

§ 179t. Staff of Board; experts and consultants**(a) Staff**

The Librarian may appoint and fix the pay of such personnel as the Librarian considers appropriate to carry out sections 179l to 179w of this title.

(b) Experts and consultants

The Librarian may, in carrying out sections 179l to 179w of this title, procure temporary and intermittent services under section 3109(b) of title 5, but at rates for individuals not to exceed the daily equivalent of the maximum rate of basic pay payable for GS–15 of the General Schedule. In no case may a member of the Board or an alternate be paid as an expert or consultant under this section.

(Pub. L. 104–285, title I, §110, Oct. 11, 1996, 110 Stat. 3381.)

TERMINATION OF SECTION

For termination of section, see section 179w of this title.

REFERENCES IN TEXT

The General Schedule, referred to in subsec. (b), is set out under section 5332 of Title 5, Government Organization and Employees.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 179l, 179s, 179u, 179v, 179w of this title.

§ 179u. Definitions

As used in sections 179l to 179w of this title—

(1) the term “Librarian” means the Librarian of Congress;

(2) the term “Board” means the National Film Preservation Board;

(3) the term “film” means a “motion picture” as defined in section 101 of title 17, except that such term does not include any work not originally fixed on film stock, such as a work fixed on videotape or laser disk;

(4) the term “publication” means “publication” as defined in section 101 of title 17; and

(5) the term “Registry version” means, with respect to a film, the version of a film first published, or as complete a version as bona fide preservation and restoration activities by the Librarian, an archivist other than the Librarian, or the copyright owner can compile in those cases where the original material has been irretrievably lost.

(Pub. L. 104-285, title I, §111, Oct. 11, 1996, 110 Stat. 3382.)

TERMINATION OF SECTION

For termination of section, see section 179w of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 179l, 179s, 179t, 179v, 179w of this title.

§ 179v. Authorization of appropriations

There are authorized to be appropriated to the Librarian such sums as may be necessary to carry out the purposes of sections 179l to 179w of this title, but in no fiscal year shall such sum exceed \$250,000.

(Pub. L. 104-285, title I, §112, Oct. 11, 1996, 110 Stat. 3382.)

TERMINATION OF SECTION

For termination of section, see section 179w of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 179l, 179s, 179t, 179u, 179w of this title.

§ 179w. Effective date

The provisions of sections 179l to 179w of this title shall be effective for 7 years beginning on October 11, 1996. The provisions of sections 179l to 179w of this title shall apply to any copy of any film, including those copies of films selected for inclusion in the National Film Registry under the National Film Preservation Act of 1988 and the National Film Preservation Act of 1992, except that any film so selected under either Act shall be deemed to have been selected for the National Film Registry under sections 179l to 179w of this title.

(Pub. L. 104-285, title I, §113, Oct. 11, 1996, 110 Stat. 3382.)

REFERENCES IN TEXT

The National Film Preservation Act of 1988, referred to in text, is Pub. L. 100-446, title I, §§1-13, Sept. 27, 1988, 102 Stat. 1782-1788, which was classified to sections 178 to 178l of this title and was repealed by Pub. L. 102-307, title II, §214, June 26, 1992, 106 Stat. 272.

The National Film Preservation Act of 1992, referred to in text, is title II of Pub. L. 102-307, June 26, 1992, 106 Stat. 267, which was classified principally to sections 179 to 179k of this title and was repealed by Pub. L. 104-285, title I, §114, Oct. 11, 1996, 110 Stat. 3382.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 179l, 179s, 179t, 179u, 179v of this title.

§ 180. Legislative information retrieval system

(a) Purpose

The purpose of this section is to reduce the cost of information support for the Congress by

eliminating duplication among systems which provide electronic access by Congress to legislative information.

(b) “Legislative information” defined

As used in this section, the term “legislative information” means information, prepared within the legislative branch, consisting of the text of publicly available bills, amendments, committee hearings, and committee reports, the text of the Congressional Record, data relating to bill status, data relating to legislative activity, and other similar public information that is directly related to the legislative process.

(c) Development of single system to serve entire Congress

Pursuant to the plan approved under subsection (d) of this section and consistent with the provisions of any other law, the Library of Congress or the entity designated by that plan shall develop and maintain, in coordination with other appropriate entities of the legislative branch, a single legislative information retrieval system to serve the entire Congress.

(d) Development and approval of plan

The Library shall develop a plan for creation of this system, taking into consideration the findings and recommendations of the study directed by House Report No. 103-517 to identify and eliminate redundancies in congressional information systems. This plan must be approved by the Committee on Rules and Administration of the Senate, the Committee on House Oversight of the House of Representatives, and the Committees on Appropriations of the Senate and the House of Representatives. The Library shall provide these committees with regular status reports on the development of the plan.

(e) Availability of information to public

In formulating its plan, the Library shall examine issues regarding efficient ways to make this information available to the public. This analysis shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives as well as the Committee on Rules and Administration of the Senate, and the Committee on House Oversight of the House of Representatives for their consideration and possible action.

(Pub. L. 104-53, title II, §209, Nov. 19, 1995, 109 Stat. 532.)

§ 181. Program for exchange of information among legislative branch agencies

(a) On September 16, 1996, there shall be established a program for providing the widest possible exchange of information among legislative branch agencies with the long-range goal of improving information technology planning and evaluation. The Committee on House Oversight of the House of Representatives and the Committee on Rules and Administration of the Senate are requested to determine the structure and operation of this program and to provide appropriate oversight. All of the appropriate offices and agencies of the legislative branch as defined below shall participate in this program for information exchange, and shall report annually on the extent and nature of their participation in

their budget submissions to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.

(b) As used in this section—

(1) the term “offices and agencies of the legislative branch” means, the office of the Clerk of the House, the office of the Secretary of the Senate, the office of the Architect of the Capitol, the General Accounting Office, the Government Printing Office, the Library of Congress, the Congressional Research Service, the Congressional Budget Office, the Chief Administrative Officer of the House of Representatives, and the Sergeant at Arms of the Senate; and

(2) the term “technology” refers to any form of computer hardware and software; computer-based systems, services, and support for the creation, processing, exchange, and delivery of information; and telecommunications systems, and the associated hardware and software, that provide for voice, data, or image communication.

(Pub. L. 104-197, title III, §314, Sept. 16, 1996, 110 Stat. 2415.)

§ 182. Cooperative Acquisitions Program Revolving Fund

(a) Establishment

Effective October 1, 1997, there is established in the Treasury of the United States a revolving fund to be known as the Cooperative Acquisitions Program Revolving Fund (in this section referred to as the “revolving fund”). Moneys in the revolving fund shall be available to the Librarian of Congress, without fiscal year limitation, for financing the cooperative acquisitions program (in this section referred to as the “program”) under which the Librarian acquires foreign publications and research materials on behalf of participating institutions on a cost-recovery basis. Obligations under the revolving fund are limited to amounts specified in the appropriations Act for that purpose for any fiscal year.

(b) Amounts deposited

The revolving fund shall consist of—

(1) any amounts appropriated by law for the purposes of the revolving fund;

(2) any amounts held by the Librarian as of October 1, 1997 or October 7, 1997, whichever is later, that were collected as payment for the Librarian’s indirect costs of the program; and

(3) the difference between (A) the total value of the supplies, equipment, gift fund balances, and other assets of the program, and (B) the total value of the liabilities (including unfunded liabilities such as the value of accrued annual leave of employees) of the program.

(c) Credits to revolving fund

The revolving fund shall be credited with all advances and amounts received as payment for purchases under the program and services and supplies furnished to program participants, at rates estimated by the Librarian to be adequate to recover the full direct and indirect costs of the program to the Librarian over a reasonable period of time.

(d) Unobligated balances

Any unobligated and unexpended balances in the revolving fund that the Librarian determines to be in excess of amounts needed for activities financed by the revolving fund, shall be deposited in the Treasury of the United States as miscellaneous receipts. Amounts needed for activities financed by the revolving fund means the direct and indirect costs of the program, including the costs of purchasing, shipping, binding of books and other library materials; supplies, materials, equipment and services needed in support of the program; salaries and benefits; general overhead; and travel.

(e) Annual report

Not later than March 31 of each year, the Librarian of Congress shall prepare and submit to Congress an audited financial statement for the revolving fund for the preceding fiscal year. The audit shall be conducted in accordance with Government Auditing Standards for financial audits issued by the Comptroller General of the United States.

(Pub. L. 105-55, title II, §207, Oct. 7, 1997, 111 Stat. 1193.)

CHAPTER 6—CONGRESSIONAL AND COMMITTEE PROCEDURE; INVESTIGATIONS

Sec.

190 to 190c. Repealed.

190d. Legislative review by standing committees of the Senate and the House of Representatives.

(a) Scope of assistance.

(b) Reports to the Senate and the House of Representatives.

(c) Exceptions.

190e. Repealed.

190f. General appropriation bills.

(a) Repealed.

(b) Standard appropriation classification schedule.

(c) Nonconsideration if a provision reappropriates unexpended balances.

190g. Nonconsideration of certain private bills and resolutions.

190h to 190k. Repealed.

190l. Private claims pending before Congress; taking of testimony.

190m. Subpoena for taking testimony; compensation of officers and witnesses; return of depositions.

191. Oaths to witnesses.

192. Refusal of witness to testify or produce papers.

193. Privilege of witnesses.

194. Certification of failure to testify or produce; grand jury action.

194a. Request by Congressional committees to officers or employees of Federal departments, agencies, etc., concerned with foreign countries or multilateral organizations for expression of views and opinions.

194b. Omitted.

195. Fees of witnesses in District of Columbia.

195a. Restriction on payment of witness fees or travel and subsistence expenses to persons subpoenaed by Congressional committees.

195b. Fees for witnesses requested to appear before Majority Policy Committee or Minority Policy Committee.

196. Senate resolutions for investigations; limit of cost.

197. Compensation of employees.