

(Pub. L. 106–99, § 3, Nov. 12, 1999, 113 Stat. 1331.)

§ 184. Incorporation of digital collections into educational curricula

(a) Short title

This section may be cited as the “Library of Congress Digital Collections and Educational Curricula Act of 2005”.

(b) Program

The Librarian of Congress shall administer a program to teach educators and librarians how to incorporate the digital collections of the Library of Congress into educational curricula.

(c) Educational consortium

In administering the program under this section, the Librarian of Congress may—

- (1) establish an educational consortium to support the program; and
- (2) make funds appropriated for the program available to consortium members, educational institutions, and libraries.

(d) Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out this section for fiscal year 2006 and each fiscal year thereafter.

(Pub. L. 109–55, title I, § 1306, Aug. 2, 2005, 119 Stat. 583.)

Editorial Notes

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2006.

§ 185. Inspector General of the Library of Congress

(a) Short title

This section may be cited as the “Library of Congress Inspector General Act of 2005”.

(b) Office of Inspector General

There is an Office of Inspector General within the Library of Congress which is an independent objective office to—

- (1) conduct and supervise audits and investigations (excluding incidents involving violence and personal property) relating to the Library of Congress, except that nothing in this paragraph may be construed to authorize the Inspector General to audit or investigate any operations or activities of the United States Capitol Police;
- (2) provide leadership and coordination and recommend policies to promote economy, efficiency, and effectiveness; and
- (3) provide a means of keeping the Librarian of Congress and the Congress fully and currently informed about problems and deficiencies relating to the administration and operations of the Library of Congress.

(c) Appointment of Inspector General; supervision; removal; pay; limits on bonuses; counsel

(1) Appointment and supervision

(A) In general

There shall be at the head of the Office of Inspector General, an Inspector General who

shall be appointed by the Librarian of Congress without regard to political affiliation and solely on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations. The Inspector General shall report to, and be under the general supervision of, the Librarian of Congress.

(B) Audits, investigations, and reports

The Librarian of Congress shall have no authority to prevent or prohibit the Inspector General from—

- (i) initiating, carrying out, or completing any audit or investigation;
- (ii) issuing any subpoena during the course of any audit or investigation; or
- (iii) issuing any report.

(2) Removal or transfer

(A) In general

The Inspector General may be removed from office, or transferred to another position within, or another location of, the Library of Congress, by the Librarian of Congress.

(B) Notice

Not later than 30 days before the Librarian of Congress removes or transfers the Inspector General under subparagraph (A), the Librarian of Congress shall communicate in writing the reason for the removal or transfer to—

- (i) the Committee on House Administration and the Committee on Appropriations of the House of Representatives; and
- (ii) the Committee on Rules and Administration and the Committee on Appropriations of the Senate.

(C) Applicability

Nothing in this paragraph shall prohibit a personnel action (except for removal or transfer) that is otherwise authorized by law.

(3) Pay

(A) In general

The position of Inspector General shall—

- (i) be classified as a position above GS–15 in accordance with section 5108 of title 5; and
- (ii) have a rate of basic pay that is not less than the average rate of basic pay of all other employees in positions classified as above GS–15 of the Library of Congress calculated on an annual basis.

(B) Adjustments

The Librarian of Congress shall establish the amount of the annual adjustment in the rate of basic pay for the Inspector General in an amount equal to the average of the annual adjustments in the rate of basic pay provided to all other employees in positions classified as above GS–15 of the Library of Congress, in a manner consistent with section 5376 of title 5.

(4) No bonuses

The Inspector General may not receive any cash award or cash bonus, including a cash award under chapter 45 of title 5.

(5) Counsel

The Inspector General shall, in accordance with applicable laws and regulations governing selections, appointments, and employment at the Library of Congress, obtain legal advice from a counsel reporting directly to the Inspector General or another Inspector General.

(d) Duties, responsibilities, authority, and reports**(1) In general**

Sections 404, 405 (other than subsection (b)(13)), 406(a) (other than paragraphs (7) and (8) thereof),¹ and 407 of title 5 shall apply to the Inspector General of the Library of Congress and the Office of such Inspector General and such sections shall be applied to the Library of Congress and the Librarian of Congress by substituting—

(A) “Library of Congress” for “establishment”; and

(B) “Librarian of Congress” for “head of the establishment”.

(2) Employees**(A) In general**

The Inspector General, in carrying out the provisions of this section, is authorized, without the supervision or approval of any other employee, office, or other entity within the Library of Congress, to select, appoint, and employ such officers and employees (including consultants) as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General subject to the provisions of law governing selections, appointments, and employment in the Library of Congress.

(B) Security and suitability

Appointments under the authority under subparagraph (A) shall be made consistent with personnel security and suitability requirements.

(C) Consultants

Any appointment of a consultant under the authority under subparagraph (A) shall be made consistent with section 6(a)(8) of the Inspector General Act of 1978 (5 U.S.C. App.).¹

(3) Law enforcement authority**(A) In general**

Subject to subparagraph (B), any supervisory special agent under the Inspector General and any special agent supervised by such a supervisory special agent is authorized to—

- (i) make an arrest without a warrant while engaged in official duties as authorized under this section or any other statute for any offense against the United States committed in the presence of such supervisory special agent or special agent, or for any felony cognizable under the laws of the United States if such supervisory special agent or special agent has reason-

able grounds to believe that the person to be arrested has committed or is committing such felony;

- (ii) seek and execute warrants for arrest, search of a premises, or seizure of evidence issued under the authority of the United States upon probable cause to believe that a violation has been committed; and

- (iii) carry a firearm while engaged in official duties as authorized under this section or any other statute.

(B) Requirements to exercise authority**(i) Required certification****(I) In general**

In order to exercise the authority under subparagraph (A), a supervisory special agent or a special agent supervised by such a supervisory special agent shall certify that he or she—

- (aa) is a citizen of the United States;

- (bb) has successfully completed a basic law enforcement training program or military or other equivalent; and

- (cc) is not prohibited from receiving a firearm under Federal law, including under section 922(g)(9) of title 18, because of a conviction of a misdemeanor crime of domestic violence.

(II) Additional requirements

After providing notice to the appropriate committees of Congress, the Inspector General may add requirements to the certification required under subclause (I), as determined appropriate by the Inspector General.

(ii) Maintenance of requirements

The Inspector General shall maintain firearms-related requirements (including quarterly firearms qualifications) and use of force training requirements that, except to the extent the Inspector General determines necessary to effectively carry out the duties of the Office of the Inspector General, are in accordance with the Council of the Inspectors General on Integrity and Efficiency use of force policies, which incorporate Department of Justice guidelines.

(iii) Eligibility determination**(I) In general**

The Inspector General shall—

- (aa) determine whether an individual meets the requirements under this paragraph; and

- (bb) revoke any authority granted to an individual under subparagraph (A) if the individual is not in compliance with the requirements of this paragraph.

(II) Reauthorization

The Inspector General may reauthorize an individual to exercise the authority granted under subparagraph (A) if the Inspector General determines the individual has achieved compliance with the requirements under this paragraph.

¹ See References in Text note below.

(III) Limitation on appeal

A revocation of the authority granted under subparagraph (A) shall not be subject to administrative, judicial, or other review, unless the revocation results in an adverse action. Such an adverse action may, at the election of the applicable individual, be reviewed in accordance with the otherwise applicable procedures.

(C) Semiannual certification of program**(i) In general**

Before the first grant of authority under subparagraph (A), and semiannually thereafter as part of the report under section 5 of the Inspector General Act of 1978 (5 U.S.C. App.),¹ the Inspector General shall submit to the appropriate committees of Congress a written certification that adequate internal safeguards and management procedures exist that, except to the extent the Inspector General determines necessary to effectively carry out the duties of the Office of the Inspector General, are in compliance with standards established by the Council of the Inspectors General on Integrity and Efficiency, which incorporate Department of Justice guidelines, to ensure proper exercise of the powers authorized under this paragraph.

(ii) Suspension of authority

The authority granted under this paragraph (including any grant of authority to an individual under subparagraph (A), without regard to whether the individual is in compliance with subparagraph (B)) may be suspended by the Inspector General if the Office of Inspector General fails to comply with the reporting and review requirements under clause (i) of this subparagraph or subparagraph (D). Any suspension of authority under this clause shall be reported to the appropriate committees of Congress.

(D) Peer review

To ensure the proper exercise of the law enforcement powers authorized under this paragraph, the Office of Inspector General shall submit to and participate in the external review process established by the Council of the Inspectors General on Integrity and Efficiency for ensuring that adequate internal safeguards and management procedures continue to exist. Under the review process, the exercise of the law enforcement powers by the Office of Inspector General shall be reviewed periodically by another Office of Inspector General or by a committee of Inspectors General. The results of each review shall be communicated in writing to the Inspector General, the Council of the Inspectors General on Integrity and Efficiency, and the appropriate committees of Congress.

(E) Alleged misconduct

Any allegation of misconduct by an individual granted authority under subparagraph (A) may be reviewed by the Integrity

Committee of the Council of the Inspectors General on Integrity and Efficiency.

(F) Appropriate committees of Congress

In this paragraph, the term “appropriate committees of Congress” means—

- (i) the Committee on Rules and Administration and the Committee on Appropriations of the Senate; and
- (ii) the Committee on House Administration and the Committee on Appropriations of the House of Representatives.

(4) Budget independence

The Librarian of Congress shall include the annual budget request of the Inspector General in the budget of the Library of Congress without change.

(e) Transfers

All functions, personnel, and budget resources of the Office of Investigations of the Library of Congress are transferred to the Office of Inspector General.

(f) Incumbent

The individual who serves in the position of Inspector General of the Library of Congress on August 2, 2005, shall continue to serve in that position, subject to removal in accordance with this section.

(g) References

References in any other Federal law, Executive order, rule, regulation, or delegation of authority, or any document of or relating to the Inspector General of the Library of Congress shall be deemed to refer to the Inspector General of the Library of Congress as set forth under this section.

(h) Effective date

This section shall be effective on August 2, 2005.

(Pub. L. 109–55, title I, §1307, Aug. 2, 2005, 119 Stat. 583; Pub. L. 110–161, div. H, title I, §1004(d)(3), Dec. 26, 2007, 121 Stat. 2234; Pub. L. 110–178, §4(c), Jan. 7, 2008, 121 Stat. 2552; Pub. L. 111–145, §6(d)(1), Mar. 4, 2010, 124 Stat. 54; Pub. L. 116–94, div. P, title XVI, §§1602(a), 1603(a), 1604(a)(1), 1605(a), Dec. 20, 2019, 133 Stat. 3209, 3212, 3218, 3219; Pub. L. 117–286, §4(b)(1), Dec. 27, 2022, 136 Stat. 4342.)

Editorial Notes

REFERENCES IN TEXT

Section 406(a) (other than paragraphs (7) and (8) thereof) of title 5, referred to in subsec. (d)(1), probably should be a reference to section “406 (other than subsection (a)(7))” of title 5. Pub. L. 116–94, §1602(a)(2), had amended subsec. (d)(1) by substituting a reference to section “6 (other than subsection (a)(7))” of the Inspector General Act of 1978 for a reference to section “6(a) (other than paragraphs (7) and (8) thereof)” of that Act. The reference was subsequently amended by Pub. L. 117–286 to reflect the repeal of section 6 of the Act and its restatement as section 406 of title 5, but that amendment was based on the text as it existed prior to the amendment by Pub. L. 116–94. See 2019 and 2022 Amendment notes below.

Sections 5 and 6(a)(8) of the Inspector General Act of 1978, referred to in subsec. (d)(2)(C), (3)(C)(i), are sections 5 and 6(a)(8) of Pub. L. 95–452, which were set out

in the Appendix to Title 5, Government Organization and Employees, and were repealed and restated as sections 405 and 406(a)(8), respectively, of Title 5 by Pub. L. 117-286, §§3(b), 7, Dec. 27, 2022, 136 Stat. 4212, 4219, 4361.

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2006.

AMENDMENTS

2022—Subsec. (d)(1). Pub. L. 117-286, which directed the substitution of “Sections 404, 405 (other than subsection (b)(13)), 406(a) (other than paragraphs (7) and (8) thereof), and 407 of title 5” for “Sections 4, 5 (other than subsections (a)(13)), 6(a) (other than paragraphs (7) and (8) thereof), and 7 of the Inspector General Act of 1978 (5 U.S.C. App.)”, was executed by making the substitution for “Sections 4, 5 (other than subsection (a)(13)), 6 (other than subsection (a)(7)), and 7 of the Inspector General Act of 1978 (5 U.S.C. App.)” to reflect the probable intent of Congress and the prior amendment by Pub. L. 116-94, §1602(a)(2). See 2019 Amendment note below.

2019—Subsec. (c). Pub. L. 116-94, §1602(a)(1)(A), inserted “; pay; limits on bonuses; counsel” after “removal” in heading.

Subsec. (c)(2). Pub. L. 116-94, §1602(a)(1)(B), added par. (2) and struck out former par. (2). Prior to amendment, text read as follows: “The Inspector General may be removed from office by the Librarian of Congress. The Librarian of Congress shall, promptly upon such removal, communicate in writing the reasons for any such removal to each House of the Congress.”

Subsec. (c)(3) to (5). Pub. L. 116-94, §1602(a)(1)(C), added pars. (3) to (5).

Subsec. (d)(1). Pub. L. 116-94, §1602(a)(2), substituted “Sections 4, 5 (other than subsection (a)(13)), 6 (other than subsection (a)(7)), and 7” for “Sections 4, 5 (other than subsections (a)(13)), 6(a) (other than paragraphs (7) and (8) thereof), and 7”.

Subsec. (d)(2). Pub. L. 116-94, §1605(a), designated existing provisions as subpar. (A), inserted subpar. heading and “, without the supervision or approval of any other employee, office, or other entity within the Library of Congress,” after “is authorized”, and added subpars. (B) and (C).

Subsec. (d)(3). Pub. L. 116-94, §1603(a), added par. (3).

Subsec. (d)(4). Pub. L. 116-94, §1604(a)(1), added par. (4).

2010—Subsec. (b)(1). Pub. L. 111-145 repealed Pub. L. 110-161, §1004(d)(3). See 2007 Amendment note below.

2008—Subsec. (b)(1). Pub. L. 110-178 inserted “, except that nothing in this paragraph may be construed to authorize the Inspector General to audit or investigate any operations or activities of the United States Capitol Police” before semicolon at end.

2007—Subsec. (b)(1). Pub. L. 110-161, §1004(d)(3), which made amendment identical to that made by Pub. L. 110-178, was repealed by Pub. L. 111-145. See Effective Date of 2010 Amendment note below.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2010 AMENDMENT

Repeal of section 1004 of Pub. L. 110-161 by Pub. L. 111-145 effective as if included in the enactment of Pub. L. 110-161 and provisions amended by section 1004 of Pub. L. 110-161 to be restored as if such section had not been enacted, and repeal to have no effect on the enactment or implementation of any provision of Pub. L. 110-178, see section 6(d) of Pub. L. 111-145, set out as a note under section 1901 of this title.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-178 effective Oct. 1, 2009, see section 4(d) of Pub. L. 110-178, set out as an Effective Date of Repeal note under former section 167 of this title.

§ 186. Library of Congress orders under task and delivery order contracts

(a) Contract modifications

An order issued under a task order contract or a delivery order contract (as such terms are defined in section 4101 of title 41) entered into by the Librarian of Congress may not increase the scope, period, or maximum value of the contract under which the order is issued. The scope, period, or maximum value of the contract may be increased only by modification of the contract.

(b) Omitted

(c) Protests

(1) Protest not authorized

A protest to an order described in subsection (a) filed pursuant to the procedures in subchapter V of chapter 35 of title 31 is not authorized unless such protest—

(A) is an objection on the basis that the order is in violation of subsection (a); or

(B) concerns an order valued in excess of \$10,000,000.

(2) Jurisdiction over protests

Notwithstanding section 3556 of title 31, the Comptroller General shall have exclusive jurisdiction of a protest authorized under paragraph (1)(B).

(d) Effective date

This section and the amendment made by this section shall apply with respect to fiscal year 2022 and each succeeding fiscal year.

(Pub. L. 117-103, div. I, title I, §142, Mar. 15, 2022, 136 Stat. 519.)

Editorial Notes

CODIFICATION

Section is comprised of section 142 of div. I of Pub. L. 117-103. Subsec. (b) of section 142 of div. I of Pub. L. 117-103 amended section 6102 of Title 41, Public Contracts.

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.

190e. Repealed.

190f. General appropriation bills.

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.