

TITLE 2 - THE CONGRESS

CHAPTER 5 - LIBRARY OF CONGRESS

§ 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 III of the Executive Schedule under section 5314 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 Members 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 effect 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, 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; Pub. L. 106–57, title II, § 209(b), Sept. 29, 1999, 113 Stat. 424.)

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

1999—Subsec. (c)(1). Pub. L. 106–57 substituted second sentence for former second sentence which read as follows: “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.”

NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2010 (see <http://www.law.cornell.edu/uscode/uscodeprint.html>).

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 1999 Amendment

Amendment by Pub. L. 106–57 applicable with respect to the first pay period which begins on or after Sept. 29, 1999 and each subsequent pay period, see section 209(c) of Pub. L. 106–57, set out as a note under section 136a–2 of this title.

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. 105-275, title I, Oct. 21, 1998, 112 Stat. 2444, which provided that the compensation of the Director of the Congressional Research Service, Library of Congress, was to be at an annual rate equal to the annual rate of basic pay for positions at level IV of the Executive Schedule under section 5315 of title 5, was from the Legislative Branch Appropriations Act, 1999, and was not repeated in subsequent appropriations acts. Similar provisions were contained in the following prior appropriation acts:

Pub. L. 105-55, title I, Oct. 7, 1997, 111 Stat. 1190.

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.