

Washington Brief
by Mary Alice Baish

Legislative Progress Report

As the 110th Congress comes to a close, it's the perfect time to reflect on the legislative progress we've made in the last two years. Under new leadership in the House and Senate, we saw the introduction of many bills that support access to information and open government, and we witnessed an increase in oversight hearings on issues such as secret law and the Environmental Protection Agency (EPA) library closures. Outlined in the table below, you'll find a number of bills we've tracked during the course of this Congress.

In the first section, you'll notice three key victories: the enactment of the *OPEN Government Act of 2007* to improve the *Freedom of Information Act (FOIA)*; the \$1 million order to EPA to reopen the closed EPA libraries; and a new policy directing the National Institutes of Health (NIH) to provide the public with free online access to findings from its funded research.

Below the enacted bills you'll find a list of other bills that AALL supports. Included in this list is a bill of great importance to us, H.R. 6589, the *Charles H.W. Meehan Law Library Improvement and Modernization Act*. This bill, introduced on July 23 by Rep. Zoe Lofgren (D-Calif.), would provide additional funding for the Law Library of Congress, authorize a separate line item for the law library, and establish the Charles H.W. Meehan Law Library Support Program, which will allow outside funding to be raised and provided to the law library for new enhanced services. Rep. Lofgren plans to reintroduce this bill next session, and we will continue to work with her staff and the American Bar Association to increase support for this significant legislation.

Unfortunately, as has been the case during the last several years, Congress has passed a continuing resolution (H.R. 2638) to fund the federal government in fiscal year 2009, rather than pass individual appropriations bills. Funding for agencies such as the Government Printing Office, the Law Library of Congress, and the National Archives and Records Administration remain at 2008 levels through March 6, 2009, necessitating cuts in many important programs.

Enacted Bills

Name	Bill Number	Purpose	Original Sponsors	Status
<i>OPEN Government Act of 2007</i>	S. 2488	To amend <i>FOIA</i> to revise requirements for federal agency disclosures of information; establish the Office of Government Information Services.	Sen. Patrick Leahy (D-Vt.)	Became Public Law No.: 110-175
Omnibus Appropriations Bill	H.R. 2764	Two key provisions added to the bill: <ul style="list-style-type: none">• \$1 million order to EPA to reopen closed libraries.• New policy directing the NIH to provide the public with free online access to findings from its funded research.	Rep. Nita M. Lowey (D-N.Y.)	Became Public Law No.: 110-161

Pending Bills

Name	Bill Number	Purpose	Original Sponsor	Status
<i>Charles H.W. Meehan Law Library Improvement and Modernization Act</i>	H.R. 6589	To authorize \$3.5 million for the Law Library of Congress; create separate line item for the law library in the federal budget beginning in fiscal year 2010; establish the Charles H.W. Meehan Law Library Support Program.	Rep. Zoe Lofgren (D-Calif.)	Reported favorably by the Committee on House Administration (July 30, 2008)
<i>Presidential Records Act Amendments of 2007</i>	S.886 H.R. 1255	To reverse the Executive Order 13233 and establish procedures to ensure the timely release of presidential records.	Sen. Jeff Bingaman (D-N.M.) Rep. Henry Waxman (D-Calif.)	Reported favorably by the Committee on Homeland Security and Governmental Affairs (June 6, 2007) Passed House (March 14, 2007) Reported favorably by the Senate Committee on Homeland Security and Governmental Affairs (June 20, 2007)
<i>E-Government Reauthorization Act of 2007</i>	S. 2321	To amend the <i>E-Government Act of 2002</i> to reauthorize appropriations; includes a provision to improve the searchability of government Web sites.	Sen. Joseph Lieberman (I-Conn.)	Reported favorably by the Committee on Homeland Security and Governmental Affairs (Sept. 16, 2008)

<p><i>Shawn Bentley Orphan Works Act of 2008</i></p> <p>and</p> <p><i>Orphan Works Act of 2008</i></p>	<p>S. 2913</p> <p>H.R. 5889</p>	<p>To enable the use of copyrighted works without permission when their copyright owners cannot be identified.</p>	<p>Sen. Patrick Leahy (D-Vt.)</p> <p>Rep. Howard L. Berman (D-Calif.)</p>	<p>Passed Senate (Sept. 26, 2008)</p> <p>Referred to the House Committee on the Judiciary (Sept. 27, 2008)</p> <p>Approved by the House Judiciary Subcommittee on Courts, the Internet, and Intellectual Property (May 7, 2008)</p>
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