

CHARLES H.W. MEEHAN LAW LIBRARY IMPROVEMENT
AND MODERNIZATION ACT

SEPTEMBER 27, 2008.—Ordered to be printed

Mr. BRADY of Pennsylvania, from the Committee on House
Administration, submitted the following

R E P O R T

[To accompany H.R. 6589]

[Including cost estimate of the Congressional Budget Office]

The Committee on House Administration, to whom was referred the bill (H.R. 6589) to provide financial support for the operation of the law library of the Library of Congress, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment (stated in terms of the page and line numbers of the introduced bill) is as follows:

Page 2, line 6, strike “building, maintaining, and administering” and insert “maintaining and administering”.

PURPOSE OF THE LEGISLATION

The Charles H.W. Meehan Law Library Improvement and Modernization Act (H.R. 6589) aims to modernize and maintain the operations and functions of the Law Library of the Library of Congress.

BILL SUMMARY

The Committee strongly urges the House to pass this bill, which will provide resources to improve the Law Library (“Law Library”) of the Library of Congress.

H.R. 6589 authorizes \$3,500,000.00 to the Librarian of Congress to build, maintain and administer the operations of the Law Library. Any amounts appropriated pursuant to the bill’s authorization will be available without fiscal year limitation until spent. Further, section 2 of the bill provides for the cataloging and

archiving of nonproprietary material in the collection of the Law Library.

The bill also provides the Law Library with a line item appropriation ensuring that all amounts appropriated are attributed solely to the Law Library. The line item would begin in 2010 and continue for each succeeding fiscal year.

Section 4 establishes the Charles H.W. Meehan Program. The program calls for the implementation of enhanced or special services and programs for the Law Library and otherwise supports the mission of the Law Library through a public private partnership.

COMMITTEE CONSIDERATION

On July 30th, 2008, the Committee considered H.R. 6589 and, by voice vote, ordered the bill reported favorably with an amendment. No recorded votes were taken during consideration of the bill.

BACKGROUND AND NEED FOR H.R. 6589

The Law Library of the Library of Congress was established in 1832 to address Congress's need for readily accessible legal information. Today, the Law Library of the Library of Congress is the largest legal library in the world, with a collection of over 3 million volumes that cover almost every jurisdiction worldwide. While the strides the Law Library has made in its almost 200 years of existence are remarkable, there is still much work to be done.

The Law Library is currently in the process of organizing all materials using the uniform K classification system as most law libraries use today. At present, with current staffing levels and appropriated funds, the K Classification will be complete in approximately 25 years. Passing H.R. 6589 would complete this essential process sooner.

The Law Library occupies a unique position, not just with respect to library science or the legal profession, but within the nation as a whole. H.R. 6589 will provide the Law Library the resources necessary not just to maintain this distinctive position but also to offer new and innovative services for years to come.

The line item appropriation will ensure that all funds for the Law Library will be received by the Law Library and the Charles H.W. Meehan Program will ensure the continued availability of and access to this amazing collection of legal materials for future generations.

ANALYSIS OF THE BILL (AS REPORTED)

Section 1. Short title ("The Charles H.W. Meehan Law Library Improvement and Modernization Act"), named in honor of the first Law Librarian of Congress.

Section 2. Section 2 of the bill provides new financial support mechanisms for the Law Library. In addition to other funds available for financial support of the Law Library, the bill authorizes a onetime appropriation of \$ 3,500,000.00 to be used for maintaining and administering Law Library services. Upon introduction, the language read "for building, maintaining and administering the operation of the Law Library", which triggered an additional referral to the Committee on Transportation and Infrastructure. An amendment adopted by voice vote during the Committee on House Ad-

ministration mark-up on July 30th, 2008 struck the word “building” in order to eliminate any confusion.

Further, section 2 of the bill provides for the cataloging and archiving of nonproprietary material to the extent practicable in the collection of the Law Library.

Section 3. Section 3 of H.R. 6589 provides for a line item appropriation for the Law Library. Currently, funding for the Law Library is drawn from the Library of Congress’s general budget. Section 3 gives the Law Library a separate appropriated amount.

Section 4. Section 4 establishes the Charles H.W. Meehan Program (“Program”). The Program calls for the implementation of enhanced or special services and programs for the Law Library and otherwise supports the mission of the Law Library.

Funding for the Program will come in the form of appropriations as well as private donations of funds or in-kind contributions. These contributions will be accepted by the Library of Congress Trust Fund Board and by the Librarian of Congress. Any amount accepted in support of the Program by either the Trust Fund Board or the Librarian of Congress will be subject to disbursement upon the recommendation of the Law Librarian. The Librarian of Congress can also accept voluntary services in support of the Program.

The bill also provides for a separate account in the Treasury for the Program, which will consist of amounts accepted by the Trust Fund Board, amounts accepted by the Librarian of Congress, amounts appropriated and interest on the balance of the account. Any funds in the account shall be used solely in support of the Law Library.

No later than April 30th of each year, beginning in 2009, the Librarian of Congress shall submit a report on the Program funding and activities to the Committee on House Administration, the Committee on Rules and Administration in the Senate, the American Bar Association and the American Association of Law Libraries. The report shall include:

- A listing of all donations received during the previous year;
- Total obligations during the previous year;
- The amount appropriated pursuant to the authorization under subsection (f) for the fiscal year beginning on the previous October 1;
- A list of Program activities, along with budget information for each such activity, planned for the calendar year; and
- Any finding in the most recently completed audit with respect to the Law Library or Programs funds or investments.

Finally, the bill authorizes to be appropriated for the Program an amount equal to 40% of the amount of the donations accepted by the Library of Congress Trust Fund Board in support of the Program

MATTERS REQUIRED UNDER THE RULES OF THE HOUSE
CONSTITUTIONAL AUTHORITY

Clause 3(d)(1) of House Rule XIII requires each committee report on a public bill or joint resolution to include a statement citing the specific constitutional power(s) granted to the Congress on which the Committee relies for enactment of the measure under consider-

ation. This bill relies upon the legislative authority granted to the Congress in Article I, Section 8, Clause 18 of the Constitution.

COMMITTEE VOTES

Clause 3(b) of House Rule XIII requires the results of each recorded vote on an amendment or motion to report, together with the names of those voting for and against, to be printed in the committee report. No recorded votes were taken during the Committee's consideration of H.R. 6589.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

Clause 3(c)(3) of House Rules XIII requires the report of a committee on a measure which has been approved by the committee to include a cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act ("CBA"), if timely submitted. The Director submitted the following estimate:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 12, 2008.

Hon. ROBERT A. BRADY,
*Chairman, Committee on House Administration,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 6589, the Charles H.W. Meehan Law Library Improvement and Modernization Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Christina Hawley Anthony.

Sincerely,

ROBERT A. SUNSHINE
(For Peter R. Orszag, Director).

Enclosure.

H.R. 6589—Charles H.W. Meehan Law Library Improvement and Modernization Act

H.R. 6589 would authorize the appropriation of \$3.5 million for the law library of the Library of Congress, and would establish a Charles H.W. Meehan program to support the mission of the law library. The library could receive donations of funds and in-kind support, and could spend those funds (and the interest earned on them) without future appropriation. In addition, the bill would authorize appropriations equal to 40 percent of the donations received for support of the law library.

Based on the nature of previous donations in support of the law library and historical spending patterns, and assuming appropriation of the authorized amounts, CBO estimates that implementing H.R. 6589 would cost \$3.5 million over the 2009–2013 period.

Because H.R. 6589 would allow the Librarian to accept and spend donations for projects, enacting H.R. 6589 could affect direct spending and receipts, but the spending and the receipts would offset each other. In addition, the bill would allow the Librarian to spend any interest earned on the donations. CBO expects that such

spending would be negligible. Thus, CBO estimates that changes in direct spending and receipts from enacting the bill would not have a significant net effect on the federal budget.

H.R. 6589 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Christina Hawley Anthony. This estimate was approved by Keith Fontenot, Deputy Assistant Director for Health and Human Resources, Budget Analysis Division.

FEDERAL MANDATES

Section 423 of the CBA requires a committee report on any public bill or joint resolution that includes a federal mandate to include specific information about such mandates. The Committee states that H.R. 6589 includes no federal mandates.

PREEMPTION CLARIFICATION

Section 423 of the CBA requires a committee report on any public bill or joint resolution to include a committee statement on the extent to which the measure is intended to preempt state or local law. The Committee states that H.R. 6589 is not intended to preempt any state or local law.

OVERSIGHT FINDINGS

Clause 3(c)(1) of rule XIII requires each committee report to contain oversight findings and recommendations required pursuant to clause 2(b)(1) of House Rule X. The Committee has general oversight responsibility for the Library of Congress. The Committee conducted a hearing on October 24th 2007 and reviewed the status of the Law Library of the Library of Congress and its need for additional resources. Therefore, the Committee finds that a line item would best enhance the Law Library's ability to meet its financial obligations.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Clause 3(c)(4) of House Rule XIII requires committee reports to include a statement of general performance goals and objectives. The performance goals and objectives for this bill are described in the Bill Summary above.

CONGRESSIONAL "EARMARKS"

Clause 9 of House Rule XXI requires committee reports on public bills and resolutions to contain an identification of congressional "earmarks," limited tax benefits, limited tariff benefits, and the names of requesting Members. The bill contains no such items either as introduced or as reported to the House.

CONGRESSIONAL ACCOUNTABILITY ACT APPLICABILITY

Section 102(b)(3) of the Congressional Accountability Act of 1995 (Pub. L. 104-1) (CAA) requires each report on a public bill or joint resolution relating to terms and conditions of employment or access to public services or accommodations to describe the manner in which the legislation applies to the Legislative Branch. The bill

contains no such items either as introduced or as reported to the House.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

As required by clause 3(e) of House Rule XIII, H.R. 6589 makes no changes to existing law.

