

111TH CONGRESS  
1ST SESSION

# H. R. 2728

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IN THE SENATE OF THE UNITED STATES

AUGUST 3, 2009

Received; read twice and referred to the Committee on Rules and  
Administration

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## AN ACT

To provide financial support for the operation of the law  
library of the Library of Congress, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “William Orton Law  
3 Library Improvement and Modernization Act”.

4 **SEC. 2. FINANCIAL SUPPORT FOR LAW LIBRARY OF LI-**  
5 **BRARY OF CONGRESS.**

6       (a) **FINANCIAL SUPPORT.**—In addition to any other  
7 amounts made available for the salaries and expenses of  
8 the Library of Congress, there are authorized to be appro-  
9 priated to the Librarian of Congress \$3,500,000 for main-  
10 taining and administering the operations of the law library  
11 of the Library of Congress, including the cataloguing of  
12 the collections of the law library. Any amounts appro-  
13 priated pursuant to the authority of this subsection shall  
14 remain available without fiscal year limitation until ex-  
15 pended.

16       (b) **ELECTRONIC CATALOGING OF NONPROPRIETARY**  
17 **MATERIAL.**—To the extent practicable, in using any funds  
18 appropriated pursuant to the authority of subsection (a)  
19 to catalog and archive nonproprietary material in the col-  
20 lections of the Law Library after the date of the enact-  
21 ment of this Act, the Law Librarian of Congress shall  
22 catalog and archive the material electronically in a non-  
23 proprietary and nondiscriminatory format. Nothing in the  
24 previous sentence may be construed to affect any cata-  
25 logging and archiving activities carried out with funds

1 which are not appropriated pursuant to the authority of  
2 subsection (a).

3 **SEC. 3. SEPARATION OF LAW LIBRARY SALARIES AND EX-**  
4 **PENSES IN PREPARATION OF ANNUAL LI-**  
5 **BRARY OF CONGRESS BUDGET.**

6 (a) SEPARATE BUDGET TREATMENT OF LAW LI-  
7 BRARY.—In preparing the annual budget for the Library  
8 of Congress which will be submitted by the President  
9 under chapter 11 of title 31, United States Code, and in  
10 preparing the annual budget and related materials for the  
11 Library of Congress for the use of the Committees on Ap-  
12 propriations of the Senate and House of Representatives,  
13 the Librarian of Congress shall ensure that all amounts  
14 attributable to salaries and expenses of the law library of  
15 the Library of Congress are set forth separately as a sepa-  
16 rate line item from other salaries and expenses of the Li-  
17 brary of Congress.

18 (b) EFFECTIVE DATE.—This section shall apply with  
19 respect to fiscal year 2011 and each succeeding fiscal year.

20 **SEC. 4. WILLIAM ORTON PROGRAM TO SUPPORT THE MIS-**  
21 **SION OF THE LAW LIBRARY OF THE LIBRARY**  
22 **OF CONGRESS.**

23 (a) ESTABLISHMENT.—

24 (1) IN GENERAL.—The Librarian of Congress,  
25 acting through the Law Librarian of Congress, shall

1 establish and operate a program to be known as the  
2 “William Orton Law Library Support Program”  
3 (hereafter in this section referred to as the “Pro-  
4 gram”), which will—

5 (A) provide enhanced or special services  
6 and programs for the Law Library; and

7 (B) otherwise support the mission of the  
8 Law Library.

9 (2) RELATION TO OTHER PROGRAMS.—The Li-  
10 brarian shall operate the Program in a manner  
11 which ensures that the resources of the Program are  
12 not commingled with the resources used to carry out  
13 the program operated under section 2.

14 (b) ROLE OF OTHER ENTITIES.—The Librarian may  
15 carry out the Program through agreements and partner-  
16 ships entered into with other government and private enti-  
17 ties, including the American Association of Law Libraries  
18 and the American Bar Association.

19 (c) PRIVATE SUPPORT.—

20 (1) ACCEPTANCE OF DONATIONS.—Donations  
21 of funds and in-kind contributions in support of the  
22 Program may be accepted—

23 (A) by the Library of Congress Trust  
24 Fund Board, as provided under the Act entitled  
25 “An Act to create a Library of Congress Trust

1 Fund Board, and for other purposes”, approved  
2 March 3, 1925 (2 U.S.C. 154 et seq.); and

3 (B) by the Librarian of Congress, as pro-  
4 vided under section 4 of such Act (2 U.S.C.  
5 160).

6 (2) USE OF AMOUNTS.—Notwithstanding the  
7 second paragraph of section 2 of the Act entitled  
8 “An Act to create a Library of Congress Trust Fund  
9 Board, and for other purposes”, approved March 3,  
10 1925 (2 U.S.C. 157), or the third sentence of sec-  
11 tion 4 of such Act (2 U.S.C. 160), any amounts ac-  
12 cepted by the Library of Congress Trust Fund  
13 Board or the Librarian of Congress in support of  
14 the Program shall be subject to disbursement by the  
15 Librarian only upon the recommendation of the Law  
16 Librarian (except to the extent otherwise provided  
17 under any terms and conditions on the use of the  
18 amounts which are imposed by the person making  
19 the donation).

20 (3) ACCEPTANCE OF OTHER VOLUNTARY SERV-  
21 ICES.—Notwithstanding section 1342 of title 31,  
22 United States Code, the Librarian of Congress may  
23 accept voluntary and uncompensated services in sup-  
24 port of the Program.

25 (d) ESTABLISHMENT OF SEPARATE ACCOUNT.—

1           (1) IN GENERAL.—There is established in the  
2       Treasury (among the accounts of the Library of  
3       Congress) a separate account for the Program,  
4       which shall consist of—

5           (A) amounts accepted by the Library of  
6       Congress Trust Fund Board in support of the  
7       Program as described in subsection (c)(1)(A),  
8       together with any income earned on such  
9       amounts;

10          (B) amounts accepted by the Librarian of  
11       Congress in support of the Program as de-  
12       scribed in subsection (c)(1)(B), together with  
13       any income earned on such amounts;

14          (C) amounts appropriated pursuant to the  
15       authorization under subsection (f); and

16          (D) interest on the balance of the account.

17       (2) USE OF AMOUNTS.—The funds contained in  
18       the account established under this subsection shall  
19       be used solely by the Law Librarian of Congress to  
20       carry out the Program.

21       (e) ANNUAL REPORT.—Not later than April 30 of  
22       each year (beginning with 2010), the Librarian of Con-  
23       gress shall submit a report on Program funding and ac-  
24       tivities to the Committee on House Administration of the  
25       House of Representatives, the Committee on Rules and

1 Administration of the Senate, the American Bar Associa-  
2 tion, and the American Association of Law Libraries. The  
3 report shall include—

4 (1) a listing of all donations received in support  
5 of the Program during the previous year;

6 (2) the total obligations during the previous  
7 year for each Program activity;

8 (3) the amount appropriated pursuant to the  
9 authorization under subsection (f) for the fiscal year  
10 beginning on the previous October 1;

11 (4) a list of Program activities, with budget in-  
12 formation for each such activity, planned for the cal-  
13 endar year in which the report is submitted; and

14 (5) any findings in the most recently completed  
15 audit conducted with respect to the Law Library or  
16 Program funds or investments.

17 (f) AUTHORIZATION OF APPROPRIATIONS.—In addi-  
18 tion to any other amounts authorized to be appropriated  
19 to the Librarian of Congress for the Law Library of Con-  
20 gress for a fiscal year, there are authorized to be appro-  
21 priated for deposit into the account established under sub-  
22 section (d) an amount equal to 40 percent of the amount  
23 of the donations accepted by the Library of Congress  
24 Trust Fund Board in support of the Program under sub-  
25 section (c)(1) during the previous fiscal year.

1 **SEC. 5. DESIGNATION OF LAW LIBRARY OF LIBRARY OF**  
2 **CONGRESS AS NATIONAL LAW LIBRARY.**

3 The law library of the Library of Congress shall be  
4 known and designated as the “National Law Library”,  
5 and any reference to the law library of the Library of Con-  
6 gress in any law, rule, regulation, or document shall be  
7 deemed to be a reference to the National Law Library.

Passed the House of Representatives July 30, 2009.

Attest: LORRAINE C. MILLER,  
*Clerk.*