



American Bar Association Governmental Affairs Office

“What’s New in Washington” Entries from the 111th Congress

December 2010

ABA Urges Support for DC Access to Justice Program

On December 8, 2010, the ABA sent a letter to the Senate and the House of Representatives urging all to vote in favor of the Development, Relief, and Education for Alien Minors Act (DREAM Act)

[Read the House letter](#)

[Read the Senate letter](#)

ABA Urges Support for DC Access to Justice Program

On December 3, 2010, ABA President Stephen N. Zack sent a letter to the City Council of the District of Columbia urging their support of the District's Access to Justice program.

[Read the letter](#)

November 2010

ABA Praises Expanded Attorney Exemption in Final FTC Mortgage Assistance Relief Services Rule

On November 22, 2010, ABA President Stephen N. Zack issued a statement praising the FTC's recent decision to broaden the attorney exemption in its final Mortgage Assistance Relief Services (MARS) rule.

[Read the ABA statement](#)

[Read the FTC summary of its final MARS rule](#)

ABA Supports U.S. Ratification of Convention on Elimination of Discrimination Against Women (CEDAW)

On November 18 2010, ABA President Stephen N. Zack expressed the Association's strong support for U.S. ratification of CEDAW in a statement submitted to the Human Rights and the Law Subcommittee of the Senate Judiciary Committee.

[Read the letter](#)

ABA Applauds Congressman Blumenauer on His Efforts Advocating for Meaningful Access to Patient-Centered Advance Care Planning for all Medicare Beneficiaries

On November 19, the ABA sent a letter to Congressman Blumenauer applauding his efforts advocating for meaningful access to patient-centered advance care planning for all Medicare beneficiaries.

[Read the letter](#)

ABA Urges the Senate to Permit Floor Consideration of the Paycheck Fairness Act and to Vote for Passage

On November 15 2010, ABA President Stephen N. Zack sent a letter to Senate urging them to permit floor consideration of the Paycheck Fairness Act and to vote for final passage so that it can be enacted into law this year. The legislation would amend the Equal Pay Act of 1964 to assure that men and women receive equal pay for equal work.

[Read the letter](#)

ABA Supports Renewing Child Welfare Waiver Demonstration Authority

On November 15, 2010, ABA Urged Support for the renewal of the Secretary of Health and Human Services authority in state child welfare programs.

[Read the letter](#)

ABA Urges Appropriate Access for U.S. Lawyers and Law Firms in India

On November 3, 2010, ABA President Steve Zack sent a letter urging President Obama, during his forthcoming trip to India, to raise the issue of U.S. lawyers and law firms' ability to provide legal services in India.

[Read the letter](#)

ABA comments to the Financial Stability Oversight Council

On November 8, 2010 the ABA submitted comments to the Financial Stability Oversight Council on the Implementation of the Prohibitions on Proprietary Trading and Certain Relationships with Hedge Funds and Private Equity Fund.

[Read the letter](#)

October 2010

ABA Letter to the Alabama State Bar on the Proposed Alabama Taxpayers' Bill of Rights

On October 28, 2010 the ABA submitted a letter to the Alabama State Bar regarding the proposed Alabama Taxpayers' Bill of Rights.

[Read the letter](#)

ABA Comments on regulations to be issued under the Adoption and Foster Care Analysis and Reporting System (AFCARS)

On October 21, 2010, the ABA submitted comments and recommendations to the Department of Health and Human Services on regulations to be issued under the Adoption and Foster Care Analysis and Reporting System.

[Read the letter](#)

American Bar Association Urges Support for the adoption of the National Prison Rape Elimination Commission, proposed standard RE-2

On October 19, 2010, the ABA sent a letter to Robert Hinchman, Senior Counsel of the Department of Justice's Office of Legal Policy to express the Association's support for the adoption of the National Prison Rape Elimination Commission proposed standard RE-2, "Exhaustion of Administrative Remedies".

[Read the letter](#)

September 2010

American Bar Association Urges Support for S.2982, the International Violence Against Women Act

On September 29, 2010, the ABA sent a letter to members of the Senate Foreign Relations Committee to express the Association's support for S. 2982, the International Violence Against Women Act, and to urge Senators to vote in favor of the legislation during the committee markup.

[Read the letter](#)

ABA Supports H.R. 2314, the Native Hawaiian Government Reorganization Act of 2010

On September 28, 2010, the ABA sent a letter to the Senate supporting H.R. 2314, the Native Hawaiian Government Reorganization Act of 2010. The legislation supports the right of Native Hawaiians to seek federal recognition of a native governing entity within the United States similar to that which American Indians and Alaska Natives possess under the U.S. Constitution.

[Read the letter](#)

ABA Supports the Foster Children Self-Support Act

On September 23, 2010, the ABA sent a letter to Rep. Pete Stark applauding the introduction of the Foster Children Self-Support Act, legislation to strengthen the safeguards and protections for benefits for foster children.

[Read the letter](#)

ABA Supports the Foster Youth Financial Security Act

On September 23, 2010, the ABA sent a letter to Rep. James Langevin commending the introduction of the Foster Youth Financial Security Act, legislation to strengthen credit protection and to take other steps to assist youth in foster care in making the transition to independent living.

[Read the letter](#)

ABA Urges Support for H.R. 5143, the National Criminal Justice Commission Act of 2010

On September 23, 2010, the ABA sent a letter to the Senate urging support for H.R. 5143, the National Criminal Justice Commission Act of 2010. The legislation establishes an independent Commission charged with the responsibility of initiating a comprehensive examination of America's criminal justice system and making recommendations for responsible and effective reforms.

[Read the letter](#)

ABA Expresses Concerns Regarding Proposed Changes to the Executive Office of Immigration Review's Automated Case Information System

On September 10, 2010, the ABA sent a letter to Thomas G. Snow, Acting Director of the Department of Justice's Executive Office of Immigration Review, to express the Association's concerns about proposed new requirements for accessing EOIR's automated case information system and the potential adverse impact on access to counsel.

[Read the letter](#)

ABA Comments on FASB Proposed Accounting Standards

On September 20, 2010, ABA President Stephen N. Zack sent comments to Financial Accounting Standards Board on the Proposed Accounting Standards Update Titled "Disclosure of Certain Loss Contingencies."

[Read the comments](#)

August 2010

ABA Responds to the Request of Kenneth Feinberg for preliminary reactions to his Draft Gulf Coast Claims Facility Protocol for Emergency Advance Payments ("EAP Protocol")

On August 13, 2010, the ABA sent a letter to Kenneth Feinberg to respond to his request for some preliminary reactions to his Draft Gulf Coast Claims Facility Protocol for Emergency Advance Payments ("EAP Protocol") including suggested redlined edits to the draft Protocol and conceptual comments and other more substantive suggestions.

[Read the letter, suggested edits, and comments](#)

ABA Urges the President and Senate to Promptly Fill Federal Judicial Vacancies

On August 6, 2010, the ABA President Carolyn Lamm was sent a letter to the Senate urging them to take all necessary steps to fill existing vacancies promptly and to restore bipartisan accord to the nomination and confirmation process so that the federal courts will not be deprived of the judges they need to do their important work.

[Read the letter](#)

ABA Urges the President and Senate to Promptly Fill Federal Judicial Vacancies

On August 5, 2010, ABA President Carolyn Lamm was sent a letter to President Obama and Senate Leaders urging them to take all necessary steps to fill existing vacancies promptly and to restore bipartisan accord to the nomination and confirmation process so that the federal courts will not be deprived of the judges they need to do their important work.

[Read the letter](#)

ABA Submits Comments to the Coordinating Council on Juvenile Justice and Delinquency Prevention

On August 5, 2010, the ABA submitted comments to the Coordinating Council on Juvenile Justice and Delinquency Prevention identifying several key areas that the Council must address relating to four identified priority issues.

[Read the comments](#)

ABA Evaluates LSC Board Nominees

On August 2, 2010, the ABA submitted to the Senate Committee on Health, Education, Labor, and Pensions its evaluation of Legal Services Corporation Board nominees Harry Korrell and Father Pius Pietrzyk.

[Read the evaluation](#)

July 2010

ABA Urges Support for S. 182, the Paycheck Fairness Act

On July 26, 2010, ABA President Carolyn Lamm sent letters to Senate Leadership and to the full Senate urging support for the passage of S. 182, the Paycheck Fairness Act.

[Read the Senate Leadership letter](#)

[Read the Senate letter](#)

ABA Urges Support for H.R. 5143, the National Criminal Justice Commission Act of 2010

On July 26, the ABA sent a letter to the full House of Representatives urging support for H.R. 5143, the National Criminal Justice Commission Act of 2010, scheduled for consideration this week under suspension of the rules.

[Read the Letter](#)

ABA Supports S. 1789, the Fair Sentencing Act

On July 21, the American Bar Association sent a letter to the full U.S. House of Representatives urging support for S. 1789, the Fair Sentencing Act of 2010. The ABA believes that enactment of S.1789 will be an important step forward in assuring that federal sentencing policies operate fairly and in the interest of equal justice under law.

[Read the Letter](#)

ABA Urges Senate Appropriations CJS Subcommittee to Increase LSC funding and Remove Class Action Restriction

On July 20, ABA President Carolyn Lamm sent a letter to members of the Senate Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies urging them to support the \$440 million appropriation request for LSC submitted by the

majority of the Senate. The ABA also urged the Subcommittee to lift the restriction on class actions, which the House CJS subcommittee has already done.

[Read the Letter](#)

ABA Thanks Cong. Mollohan and Wolf for House CJS Appropriations Subcommittee action re LSC

On July 20, ABA President Carolyn Lamm sent a letter to Chairman Mollohan and Ranking Member Wolf, with a copy to members of the House Subcommittee on Commerce, Justice, Science and Related Agencies, thanking them for providing \$440 million for the Legal Services Corporation in the Subcommittee mark for the FY 2011, and for lifting the restriction on filing class actions.

[Read the Letter](#)

ABA Supports the Senate Amendments to H.R. 725, the Indian Arts and Crafts Amendments Act

On July 20, 2010 the American Bar Association sent a letter to the full House of Representatives urging support for the Senate amendments to H.R. 725, the Indian Arts and Crafts Amendments Act. The Senate amendments to H.R. 725 incorporate S. 797, the bipartisan Tribal Law and Order Act of 2009.

[Read the Letter](#)

ABA Responds to the Request of Kenneth Feinberg for preliminary reactions to his Gulf Coast Claims Facility Draft Protocol

On July 16, 2010, the ABA sent a letter, suggested redlined edits to the draft Protocol, and conceptual comments and other more substantive suggestions to Kenneth Feinberg in response to his request for preliminary reactions to his Gulf Coast Claims Facility Draft Protocol.

[Read the letter with edits and comments](#)

ABA Expresses Concern Regarding Certain Language in H.R. 1020, the "Arbitration Fairness Act" and Suggests Technical Amendments

On July 13, 2010, the ABA sent a letter to all members of the House Judiciary Committee expressing the ABA's concerns with certain language in H.R. 1020, the "Arbitration Fairness Act," that could interfere with international commercial arbitration and suggesting certain technical amendments to the bill.

[Read the Letter](#)

June 2010

ABA Supports the Goals of H.R. 1237, the Fairness in Nursing Home Arbitration Act

On June 22, the ABA sent a letter to members of the House Committee on the Judiciary stating its support for the goals of H.R. 1237, the Fairness in Nursing Home Arbitration Act, while advising members to take a different approach rather than amending Chapter 1 of the Federal Arbitration Act (FAA) to accomplish the goals

[Read the Letter](#)

ABA Comments on Proposed HEARTH Act Regulations

On June 21, 2010, ABA sent comments to the U.S. Department of Housing and Urban Development (HUD) on its proposed rule to explain how HUD plans to implement the newly amended definition of homelessness contained in the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009.

[Read the letter](#)

ABA Recommends Improvements to the Immigration Court System

On June 17, Karen Grisez, Chair of the ABA Commission on Immigration, testified before the House Judiciary Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law on efforts to improve the immigration courts and challenges faced by the courts as a result of increasing immigration enforcement.

[Read the Testimony](#)

ABA Expresses Support for S. 3219 and H.R. 5043

On June 16, 2010, the ABA sent letters to Senator Durbin and Representative Cohen expressing support for the dischargeability of private student loans which should be granted for those who have made good faith efforts to repay their educational debts yet have had to declare bankruptcy as a last resort because of the current economic downturn and low-hiring job market.

[Read the Letter](#)

ABA Urges Leadership to Push Conferees towards Lawyer Exemption in H.R. 4173

On June 15, 2010, the ABA sent letters to the House and Senate Leadership requesting their support for an appropriate exclusion for lawyers (engaged in the practice of law) within H.R. 4173.

[Read the Letters](#)

Exemption for Lawyers in the Consumer Financial Protection Act, H.R. 4173

On June 11, 2010, the ABA sent a letter to the House and Senate Conferees for H.R. 4173, urging them to include an appropriate exclusion for lawyers engaged in the practice of law, similar to what is in the House-passed version of the bill.

[Read the Letter](#)

FY 2011 Funding for the Social Security Administration

On June 9, 2010, the ABA sent a letter to members of the House and Senate Subcommittee on Labor, Health and Human Services, Education, and Related Agencies urging both Subcommittees to provide no less than the President's Budget Request of \$12.528 billion for the Social Security Administration for FY 2011.

[Read the Senate Letter](#)

[Read the House Letter](#)

May 2010

IRS Announcements Could Impact Attorney Client Privilege

On Friday, May 28, the ABA sent a letter to the IRS expressing concern that the proposals contained in IRS Announcement 2010-9 will undermine the protections afforded by the attorney-client privilege and attorney work product doctrine.

[Read the letter](#)

ABA Opposes IG Investigation of Lawyers in NDAA

On May 27, 2010, ABA President Carolyn B. Lamm sent a letter to the House Leadership and to the members of the House of Representatives opposing Section 1037 of H.R. 5136, the National Defense Authorization Act for Fiscal Year 2011.

[Read the House Leadership letter](#)

[Read the House letter](#)

James E. Felman Testifies on behalf of the American Bar Association

On May 27, 2010, James E. Felman testified on behalf of the American Bar Association before the United States Sentencing Commission for the hearing on Mandatory Minimums

[Read the Testimony](#)

ABA Opposes IG Investigation of Lawyers in NDAA

On May 26, 2010, ABA President Carolyn B. Lamm sent a letter to the Senate Armed Services Committee opposing inclusion of any provision in the National Defense Authorization Act for Fiscal Year 2011 that would direct the Inspector General to investigate lawyers representing Guantanamo detainees.

[Read the letter](#)

ABA Urges Senate Support for a Robust FY 2011 International Affairs Budget

On May 24, 2010, the ABA sent a letter to the full Senate urging Senators to sign the Kerry-Lugar-Durbin-Bond-Feinstein letter to the Senate Appropriations Committee supporting a robust FY 2011 International Affairs Budget.

[Read the Letter](#)

ABA Supports House Hearing on the Administrative Conference of the United States

On May 20, 2010, the ABA sent a letter to members of the House Subcommittee on Commercial and Administrative Law expressing the ABA's support for the Committee's hearing on the Administrative Conference of the United States (ACUS)

[Read the letter](#)

ABA Supports Refugee Protection Act of 2010

On May 19, 2010 ABA President Carolyn B. Lamm submitted a statement in support of the Refugee Protection Act of 2010 for a hearing held by the Senate Judiciary Committee.

[Read the Statement](#)

ABA Urges Support for H.R. 5143, the National Criminal Justice Commission Act of 2010

On May 18, 2010, the ABA sent a letter to the full House of Representatives urging support for H.R. 5143, the National Criminal Justice Commission Act of 2010.

[Read the letter](#)

ABA Submits Comments to the DOJ regarding a Review of the Prison Rape Elimination Act

On May 10, 2010, the ABA sent a letter to the Office of Legal Policy at the U.S. Department of Justice offering comments for the DOJ's consideration as it undertakes the Department of Justice's standards review pursuant to the Prison Rape Elimination Act.

[Read the letter and comments](#)

ABA Commends The Honorable Robert C. Scott

On May 04, 2010, the ABA sent a letter to Representative Robert Scott commending him for his strong leadership in introducing the Fairness & Accuracy in Employment Background Checks Act of 2010

[Read the letter](#)

April 2010

ABA Urges Support for Funding for FY 2011 for the Second Chance Act

On April 29, 2010, the ABA sent a letter to the House and Senate Subcommittees on Commerce, Justice, Science and Related Agencies urging support for funding for FY 2011 for the Second Chance Act

[Read the Senate letter](#)

[Read the House letter](#)

ABA Supports an Increased Investment to Combat Youth Homelessness

On April 27, 2010, the ABA sent a letter to the House and Senate Committee on Appropriations expressing strong support for an increased federal investment in critical services to homeless children, youth, and families through the U.S. Department of Education's Education and U.S. Department of Health and Human Services.

[Read the Senate letter](#)

[Read the House letter](#)

ABA Comments on Consumer Protection Act

On April 26, 2010, the ABA sent comments to the Senate Committee on Banking, Housing and Urban Affairs regarding certain provisions of Title X of S. 3217, the Restoring American Financial Stability Act of 2010.

[Read the letter](#)

ABA Supports Repeal of "Don't Ask, Don't Tell"

On April 26, 2010, ABA President Carolyn Lamm sent letters to the House and Senate Armed Services Committees, House and Senate Leadership and the Department of Defense calling for repeal of the statute commonly referred to as "Don't Ask, Don't Tell."

[Read the House letter](#)

[Read the Senate letter](#)

[Read the DOD letter](#)

March 2010

ABA Requests Funding for International Rule of Law Programs

On March 26, 2010, ABA President Carolyn Lamm sent a statement to the House Committee on Appropriations, Subcommittee on State, Foreign Operations, and Related Agencies requesting continued FY2011 funding for International Rule of Law Programs for their work in addressing the most pressing problems facing the world today, including poverty, conflict, endemic corruption, and disregard for human rights.

[Read the letter](#)

ABA Comments on the Lawyer Regulation Provisions in Revised Consumer Financial Protection Act

On March 23, 2010, ABA sent comments to the Senate Banking, Housing and Urban Affairs Committee regarding the newly revised "Consumer Financial Protection Act" (CFPA or the Act), contained in Title X of the "Restoring American Financial Stability Act of 2010."

[Read the letter](#)

James E. Felman Testifies on behalf of the American Bar Association

On March 17, 2010, James E. Felman testified on behalf of the American Bar Association before the U.S. Sentencing Commission for the Hearing on Proposed Amendments to the Federal Sentencing Guidelines Regarding Alternatives to Incarceration

[Read the testimony](#)

ABA Supports S. 182, the Paycheck Fairness Act

On March 10, 2010, ABA sent a letter to the Senate Health, Education, Labor and Pensions Committee supporting the Paycheck Fairness Act, passed by the House last year as H.R. 12 and pending in the Senate as S. 182.

[Read the letter](#)

ABA Expresses Strong Support for S. 1789, the Fair Sentencing Act of 2009

On March 9, 2010, the American Bar Association sent a letter to the U.S. Senate Committee on the Judiciary expressing strong support for S. 1789, the Fair Sentencing Act of 2009.

[Read the letter](#)

ABA Issues a Statement Regarding the Detainees Accused of the 9/11 Attacks

On March 8, 2010, ABA President Carolyn B. Lamm issued a statement supporting Article III courts as the preferred forum for trying Guantanamo detainees accused of the 9/11 attacks on the United States.

[Read the statement](#)

ABA Issues a Statement Regarding Justice Department Lawyers' Representation of Detainees

On March 5, 2010, ABA President Carolyn B. Lamm issued a statement criticized efforts to impugn the reputation of Justice Department lawyers for prior pro bono representation of detainees.

[Read the statement](#)

February 2010

ABA Expresses Strong Support for the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2009 (S. 678)

On February 19, 2010, ABA President Carolyn Lamm sent a letter to the full U.S. Senate expressing the ABA's strong support for the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2009 (S. 678), and urging Senators to cosponsor the legislation.

[Read the letter](#)

January 2010

ABA Urges Restoration of “Categorical Approach” to Determine Immigration Consequences of Criminal Convictions

On January 22, 2010, ABA President Carolyn Lamm sent a letter to Attorney General Eric Holder urging him to withdraw former Attorney General Mukasey’s opinion in *Matter of Silva-Trevino*, 24 I. & N. Dec. 687 (AG 2008), and to restore the traditional categorical approach used to determine the immigration consequences of past criminal convictions.

[Read the letter](#)

ABA Washington Letter Annual Legislative Chart Now Online

The January 2010 edition of the ABA Washington Letter is the annual "Major Legislation of Interest to Lawyers," a chart highlighting action on ABA legislative policy issues during the First Session of the 111th Congress. The 29-page chart contains more than 110 issues, details the status of legislation and the ABA policy positions, designates the association's legislative priorities, and notes whether the association submitted policy statements in the form of policy letters or testimony.

[View the Annual Legislative Chart](#)

Invitation to ABA Legislative and Governmental Advocacy Update, Midyear Meeting

The ABA Legislative and Governmental Advocacy Update will be held this year in Orlando, FL and the Midyear Meeting February 4-6.

[Read the Invitation](#)

ABA Comments on the OJJDP Proposed Plan for Fiscal Year 2010

On January 15, 2010, the American Bar Association sent a letter with its comments on the Office of Juvenile Justice and Delinquency Prevention (OJJDP) Proposed Plan for Fiscal Year 2010.

[Read the letter](#)

ABA Supports H.R. 569, Equal Justice for Our Military Act of 2009

On January 12, 2010, the ABA sent a letter to Representative John Conyers, Jr., Chair of the House Judiciary Committee reaffirming support for enactment of H.R. 569, legislation that will remove procedural barriers that unfairly limit the ability of court-

martialled military service members who face grave sentences to petition the U.S. Supreme Court for discretionary review through writ of certiorari.

[Read the letter](#)

ABA Expresses its Strong Support for Several Important Provisions Found in H.R. 3962 and H.R. 3590.

On January 11, 2010 the American Bar Association sent a letter to certain members of the House of Representatives and the Senate expressing its strong support for several important provisions found in H.R. 3962 and H.R. 3590.

[Read the house letter](#)

[Read the senate letter](#)

Chart Displays Issues of Interest to the ABA in Health Care Reform Legislation

There are several provisions in the House and Senate passed versions of health care reform legislation that are of interest to the ABA. The chart below shows the ABA position on these issues as well as the status of each provision in the health care reform legislation.

[Read the chart](#)

December 2009

ABA Urges the Senate to Pass a Health Reform Bill with the Elder Justice Act and Elder Abuse Victims Act Fully Incorporated

On December 18, the ABA sent a letter to members of the U.S. Senate commending Senator Kohl for introducing S.AMDT.3069, adding the provisions of the "Elder Abuse Victims Act of 2009" to H.R.3590, while urging the Senate to adopt the amendment and pass a health reform bill with it included.

[Read the letter](#)

ABA Expresses Strong Support for S. 678 and Urges the Senate Committee on the Judiciary to Approve It

On December 14, the ABA sent a letter to the Senate Committee on the Judiciary, expressing its strong support for S. 678, Juvenile Justice and Delinquency Prevention Reauthorization Act of 2009, and urging the Committee to act promptly to approve it.

[Read the letter](#)

ABA Urges Specific Actions be Undertaken with Regard to 2010 Pay Adjustments for Administrative Law Judges

On December 11, 2009, the ABA sent a letter to the Director of the U.S. Office of Personnel Management urging specific actions be undertaken with regard to 2010 pay adjustments for administrative law judges.

[Read the letter](#)

ABA Testifies on Impact of Federal Habeas Corpus Limitations on Death Penalty Appeals

On December 8, 2009, Stephen F. Hanlon testified on behalf of the ABA before the House Judiciary Subcommittee on the Constitution, Civil Rights, and Civil Liberties on the impact of federal habeas corpus limitations on death penalty appeals.

[Read the testimony](#)

ABA Supports H.R. 569, Equal Justice for Our Military Act of 2009

On December 8, 2009, the ABA sent a letter to Representative John Conyers, Jr., Chair of the House Judiciary Committee reaffirming support for enactment of H.R. 569, legislation that will remove procedural barriers that unfairly limit the ability of court-martialed military service members who face grave sentences to petition the U.S. Supreme Court for discretionary review through writ of certiorari.

[Read the letter](#)

ABA Offers Principles Regarding H.R. 3962 and H.R. 3590

On December 3, 2009, the ABA sent a letter to the House Judiciary Committee, and House and Senate Leadership offering principles regarding the formation of Interstate Health Insurance Compacts relating to H.R. 3962 and H.R. 3590.

[Read the letter](#)

ABA Urges Support of H.R. 1064 Youth PROMISE Act

On December 2, 2009, the ABA sent a letter to the House Judiciary Committee, urging Committee members to approve the much needed legislation, H.R.1064 Youth PROMISE Act.

[Read the letter](#)

ABA Expresses Strong Support for the End Racial Profiling Act of 2009

On December 1, 2009, the ABA sent a letter to Congressman John Conyers, expressing its strong support for the End Racial Profiling Act (ERPA) of 2009.

[Read the letter](#)

November 2009

ABA Supports Prosecution in Federal Court for the Five Guantanamo Detainees

On November 25, 2009, the ABA sent a letter to Attorney General Eric Holder, expressing support for the recent decision of the Department of Justice to pursue prosecution in federal court of the five Guantanamo detainees accused of conspiring to commit the 9/11 terrorist attacks.

[Read the letter](#)

ABA Supports Prosecution in Federal Court for the Five Guantanamo Detainees

On November 25, 2009, the ABA sent a letter to Attorney General Eric Holder, expressing support for the recent decision of the Department of Justice to pursue prosecution in federal court of the five Guantanamo detainees accused of conspiring to commit the 9/11 terrorist attacks.

[Read the letter](#)

ABA Expresses Concerns About Excessive Lawyer Regulation in H.R. 3126

On November 19, 2009, the ABA sent a letter to the House Financial Services Committee expressing concerns regarding provisions H.R. 3126 that would grant the Consumer Financial Protection Agency excessive new powers to regulate lawyers engaged in the practice of law.

[Read the letter](#)

ABA Supports the Federal Shield Law Substitute

On November 19, 2009, ABA sent a letter to the Senate Judiciary expressing support for the Specter-Schumer substitute to S. 448, the Free Flow of Information Act of 2009, scheduled for consideration by the Senate Judiciary Committee this week.

[Read the letter](#)

ABA Supports End-of-Life Care Measures

On November 18, 2009, ABA and other Organizations sent a letter urging the Senate to include an end-of-life care measure in their health reform package, similar to the House measure found in H.R. 3962, the Affordable Health Care for America Act.

[Read the letter](#)

ABA Supports H.R. 3827, the "Every Child Deserves a Family Act"

On November 10, 2009, the ABA sent a letter to Rep. Pete Stark (D-CA) supporting H.R. 3827, which opposes using categorical exclusions in child placement decisions based on immaterial classifications when the placement is in the best interests of the child.

[Read the letter](#)

ABA Supports H.R. 3596, to Partially Repeal the McCarran-Ferguson Exemption

On November 6, 2009, the ABA sent a letter to the House Judiciary Committee urging support for the Health Insurance Industry Antitrust Enforcement Act of 2009, H. 3596, to partially repeal the McCarran-Ferguson exemption from the federal antitrust laws currently enjoyed by the insurance industry.

[Read the House letter](#)

[Read the Senate letter](#)

ABA Supports S. 1821, the Elder Abuse Victims Act

On November 6, the ABA sent a letter to the Senate Special Committee on Aging expressing support for S. 1821, the Elder Abuse Victims Act to create an infrastructure and provide resources needed to develop and implement a nationally coordinated strategy in collaboration with the states to make elder justice a reality.

[Read the letter](#)

ABA Testimony of Kevin Shepherd on S. 569

On November 5, Kevin Shepherd testified before the Senate Committee on Homeland Security and Governmental Affairs concerning S. 569, "Incorporation Transparency and Law Enforcement Assistance Act".

[Read the letter](#)

ABA Supports the Employment Non Discrimination Act of 2009

On November 4, 2009, the ABA sent a letter to the Senate Health, Education, Labor and Pension Committee urging support for the Employment Non Discrimination Act of 2009, S. 1584, to protect lesbian, gay, bisexual and transgender employees from workplace discrimination.

[Read the letter](#)

ABA Letter to the Congressional Budget Office on Tort Reform

On November 3, 2009, the ABA sent a letter to the Congressional Budget Office expressing concerns about their report on tort reform. The ABA has adopted numerous policies directed toward improving the medical liability system and believes that the CBO letter selectively relied on some studies addressing only one side of the tort reform argument.

[Read the letter](#)

October 2009

ABA Testimony of H. Thomas Wells, Jr. Concerning LSC

On October 27, H. Thomas Wells, Jr. testified before the Subcommittee on Commercial and Administrative Law, Committee on Judiciary, on behalf of the ABA concerning the Legal Services Corporation.

[Read the letter](#)

ABA Letter Opposing Graham Amendment in H.R. 2847

On October 22, ABA wrote a letter to the Senate opposing the Graham Amendment (Amdt. No. 2669) in the Fiscal Year 2010 Commerce-Justice-Science appropriations bill (H.R. 2847), that would prohibit the use of appropriated funds to prosecute Guantanamo detainees in Article III courts.

[Read the letter](#)

ABA Testimony of Ilene Knable Gotts

On October 20, Ilene Knable Gotts testified before the Senate Committee on the Judiciary, on behalf of the ABA concerning S. 1681, "The Health Insurance Industry Antitrust Enforcement Act of 2009".

[Read the letter](#)

ABA Recommendations for August 2009 LSC Board of Directors Nominations

On October 8, the American Bar Association wrote to the Senate HELP committee with their evaluations of the qualifications of five individuals nominated by the White House in August 2009 to serve on the Legal Services Corporation Board of Directors.

[Read the letter](#)

ABA Testimony of Ilene Knable Gotts

On October 8, Ilene Knable Gotts testified before the Subcommittee on Courts and Competition Policy, Committee on the Judiciary, on behalf of the ABA concerning H.R. 3596, "The Health Insurance Industry Antitrust Enforcement Act of 2009".

[Read the letter](#)

ABA Supports Initiatives to Combat Gender-Based Violence

On October 5, 2009, the ABA sent a letter to the Senate Foreign Relations Committee commending the Committee for addressing the critical issue of violence against women and girls around the world and to urge the Senate to pass legislation such as the International Violence Against Women Act as soon as possible.

[Read the letter](#)

ABA Supports S. 417 and H.R. 984, State Secrets Legislation

On October 5, 2009, the ABA sent a letter to the Senate and House Judiciary Committee reaffirming its support for S. 417 and H.R. 984, state secrets legislation pending before your committees, and to urge the Committees to renew your efforts to secure enactment of a comprehensive bill this Congress.

[Read the letter](#)

ABA Supports the Employment Non Discrimination Act of 2009

On October 5, 2009, the ABA sent a letter to the House Education and Labor Committee urging support for the Employment Non Discrimination Act of 2009, H.R. 3017, to protect lesbian, gay, bisexual and transgender employees from workplace discrimination.

[Read the letter](#)

ABA Urges Removal of Mandatory Minimum Provision

On October 1, 2009, the ABA sent a letter to the House Armed Services Committee urging removal of the mandatory minimum sentencing provision contained in the Matthew Shepard Hate Crimes Prevention Act.

[Read the letter](#)

September 2009

ABA Support for S. 1653, the Federal Judgeship Act of 2009

On September 30, 2009, the ABA submitted a written statement to the Senate Judiciary Subcommittee on Administrative Oversight and the Courts for the hearing on "Responding to the Growing Need for Federal Judgeships: The Federal Judgeship Act of 2009" expressing its support for S. 1653, the Federal Judgeship Act of 2009.

[Read the letter](#)

ABA Offers its Views on Finance Committee Health Reform Proposal

On September 22, 2009, the ABA sent a letter to the Senate Finance Committee sharing its views on amendments that may be offered relating to preemption of portions of the states' medical liability laws.

[Read the letter](#)

ABA Praises the DOJ's New "State Secrets" Policy

On September 23, 2009, ABA President Carolyn Lamm released a statement praising the Department of Justice's new policy guidelines for asserting the "state secrets" privilege as an important step to prevent overreaching by the government but said that legislation is still needed to assure rigorous judicial review.

[Read the statement](#)

[Read related May 6 letter](#)

ABA Offers its Views on Finance Committee Health Reform Proposal

On September 22, 2009, the ABA sent a letter to the Senate Finance Committee sharing its views on amendments that may be offered relating to preemption of portions of the states' medical liability laws.

[Read the letter](#)

ABA Supports H.R. 1466, the Major Drug Trafficking Prosecution Act of 2009

On September 17, 2009, the ABA sent a letter to Representative Maxine Waters, in support of H.R. 1466, the Major Drug Trafficking Prosecution Act of 2009, to refocus federal prosecutorial resources to major and serious drug traffickers, provide more discretion to sentencing judges, and eliminate mandatory minimum sentences for drug offenses.

[Read the letter](#)

ABA Letter on Financial Markets Regulatory Reform

On September 16, the ABA sent a letter to the House Financial Services Committee, the Senate Banking and Housing Committee, Secretary of Treasury Timothy Geithner and Assistant to the President for Economic Policy and Director of National Economic Council, Lawrence Summers, with the ABA Principles that were recently developed by the ABA Task Force on Financial Markets Regulatory Reform.

[Read the letter](#)

ABA Supports S. 448, the Free Flow of Information Act of 2009

On September 16, 2009, the ABA sent a letter to the Senate Judiciary supporting S. 448, the Free Flow of Information Act of 2009, legislation that would codify a qualified federal shield law for those who regularly investigate events and gather material with the intent of disseminating news and information to the public.

[Read the letter](#)

ABA Comments on Rule of Law Merits of FTAs

On September 15, 2009, the ABA submitted comments to the United States Trade Representative, Ambassador Ron Kirk, in response to a notice requesting input on several pending free trade agreements. The ABA comments were focused on the contributions the pending FTAs make in advancing the rule of law.

[Read the comments](#)

ABA Urges Senate Finance Committee to Include Parity Provisions in Health Care Reform Legislation

On September 14, 2009, the ABA sent a letter to the Senate Finance Committee urging the Committee to include in its proposed health care reform legislation the provisions with respect to parity of mental health and substance abuse disorder benefits that are contained in P.L. 110-343, the "Paul Wellstone and Pete Domenici Mental Health and Addiction Equity Act of 2008."

[Read the Letter](#)

August 2009

ABA Supports the Removal of the HIV Immigration Ban

On August 17, 2009, the ABA sent a letter to the Division of Global Migration and Quarantine, Centers for Disease Control and Prevention, U.S. Department of Health and Human Services in support of the proposed revision of 42 CFR Part 34 to remove "Human Immunodeficiency Virus (HIV) infection" from the definition of "communicable disease of public health significance," and to remove references to "HIV" from the scope of examinations in the relevant regulations to allow for aliens infected with HIV into be admitted to the United States.

[Read the Letter](#)

ABA Supports the Continuation of the Specialized Children's Docket

On August 21, 2009, the ABA sent a letter to Judge O'Leary of the Executive Office of Immigration Review in support of the continuation of the specialized children's docket in Harlingen, TX Immigration Court which employs child-sensitive techniques and procedures.

[Read the Letter](#)

July 2009

ABA Opposes Medical Malpractice and Other Amendments in H.R. 3200

On July 29, 2009, the ABA sent a letter to the House Committee on Energy and Commerce opposing amendments in H.R. 3200, America's Affordable Health Choices Act of 2009, to pre-empt a portion of the state's medical liability laws and to create "health courts" in which medical liability cases would be removed on a mandatory basis from the state court system.

[Read the Letter](#)

ABA Urges for Favorable Reporting of H.R. 1478, the Carmelo Rodriguez Military Medical Accountability Act of 2009

On July 28, 2009, the ABA sent a letter to the House Committee on the Judiciary urging for favorable reporting for H.R. 1478, legislation that would amend the Federal Tort

Claims Act to allow claims for damages to be brought against the United States Government for personal injury or death of a member of the Armed Forces arising out of a negligent or wrongful act or omission in the performance of medical, dental or related health care functions.

[Read the Letter](#)

ABA Urges for Approval of H.R. 3327, the Ramos-Compean Justice Act of 2009

On July 28, 2009, the ABA sent a letter to the House Committee on the Judiciary urging for approval at the Committee markup on July 29, 2009 of H.R. 3327, legislation that would allow federal judges to impose sentences below mandatory minimum terms set by statute when justice requires.

[Read the Letter](#)

ABA Urges Support for H.R. 3245, the Fairness in Cocaine Sentencing Act of 2009

On July 28, 2009, the ABA sent a letter to the House Committee on the Judiciary urging support for H.R. 3245, legislation to eliminate the current disparity in federal sentences for crack versus powder cocaine offenses which was approved by the Subcommittee on Crime, Terrorism and Homeland Security by voice vote without amendment on July 22, 2009.

[Read the Letter](#)

ABA Supports the Use of Electronic Signatures for Disclosure of Medical Records when Appropriate

On July 21, 2009, the ABA sent a letter to Commissioner Astrue of the Social Security Administration supporting the use of electronic signatures for disclosure of medical information by the government when appropriate security techniques, practices, and procedures have been adopted for the signatures, provided the government addresses in detail the manner in which the privacy and security of personal health information is to be protected.

[Read the Letter](#)

ABA Testimony for the hearing "Over Criminalization of Conduct and Over-Federalization of Criminal Law"

On July 22, 2009, Stephen Saltzburg testified on behalf of the ABA to the House Subcommittee on Crime, Terrorism, and Homeland Security, Committee on the Judiciary, for their hearing entitled, "Over Criminalization of Conduct and Over-Federalization of Criminal Law."

[Read the Letter](#)

ABA Supports H.R. 2850, the Administrative Law Judges Retirement Act of 2009

On July 17, 2009, the ABA sent a letter to Chairman Lynch in support H.R. 2850 which would provide for enhanced retirement benefits for Administrative Law Judges.

[Read the Letter](#)

ABA Urges Revisions to MCA in DoD Authorization

On July 20, 2009, the ABA sent a letter to the Senate urging revisions to the military commission provisions in S. 1390, the National Defense Authorization Act for Fiscal Year 2010 (NDAA). Despite some improvements, the proposed revisions embodied within the NDAA fail to address a number of significant concerns, including those related to the use of coerced evidence, the admission of hearsay evidence, and the resource constraints under which defense counsel must operate.

[Read the Letter](#)

ABA Supports H.R. 3245, the Fairness in Cocaine Sentencing Act of 2009

On July 20, 2009, the ABA sent a letter to Representative Scott commending him for his leadership in introducing H.R. 3245 which would eliminate the current disparity in federal sentences for crack versus powder cocaine offenses.

[Read the Letter](#)

ABA Urges the Senate to Vote Against the Sessions Amendment No. 1615

On July 20, 2009, the ABA sent letters to the entire Senate urging them to vote against the Sessions Amendment during consideration of S. 1390, which would create a death penalty offense for what are now non-capital hate crimes.

[Read the Letter](#)

ABA Supports Provisions in S. 797, Tribal Law and Order Act of 2009

On July 17 2009, the ABA sent a letter to Chairman Dorgan and Ranking Member Barraso of the Senate Committee on Indian Affairs in support of the multiple provisions of S. 797, Tribal Law and Order Act of 2009.

[Read the Letter](#)

ABA Urges for Removal of Federal Funding Ban for Syringe Exchange Programs

On July 16 2009, the ABA sent a letter to the House Appropriations Committee urging the Committee to retain, without amendment, the recommendation of the Subcommittee on Labor, Health and Human Services to remove the federal funding ban for needle exchange programs.

[Read the Letter](#)

ABA Urges for Funding of the Child Abuse Prevention and Treatment Act

On July 15 2009, the ABA sent letters to the House Appropriations Committee and the Senate Subcommittee on Labor, Health and Human Services, and Education, Committee on Appropriations urging for support for funding for programs under the Child Abuse Prevention and Treatment Act (CAPTA) at the authorized levels of \$84 million in FY 2010 for CAPTA basic state grants and \$80 million for CAPTA Title II community-based prevention grants. Moreover, it urged for funding for the CAPTA discretionary research and demonstration grants at the level of \$37 million.

[Read the House Letter](#)

[Read the Senate Letter](#)

ABA Supports Components of H.R. 2911, the Advance Planning and Compassionate Care Act of 2009

On July 6, 2009, the ABA sent a letter to Representative Blumenauer supporting sections of H.R. 2911, legislation which includes several ABA-supported components aimed at providing steps toward ensuring that every adult's health care wishes are known and respected by his or her physician and by other health care providers, both within one's home state and across state lines.

[Read the Letter](#)

ABA Opposes the Enactment of S. 569

On July 2, 2009, the ABA sent a letter to Chairman Lieberman of the Senate Committee on Homeland Security and Governmental Affairs opposing the enactment of S. 569, the Incorporation Transparency and Law Enforcement Assistance Act.”

[Read the Letter](#)

ABA Urges Full Funding for GLIN

On July 1, 2009, the ABA sent a letter to the Prospective Conferees for the FY 2010 Legislative Branch Appropriations supporting full funding in the amount of \$2.7 million for the Global Legal Information Network (GLIN).

[Read the Letter](#)

ABA Urges Support for H.R. 2728

On July 1, 2009, the ABA sent a letter to the House of Representatives urging support of H.R. 2728, the William Orton Law Library Improvement and Modernization Act (Orton Act).

[Read the Letter](#)

June 2009

ABA Supports H.R. 1466, the Major Drug Trafficking Prosecution Act of 2009

On September 17, 2009, the ABA sent a letter to Representative Maxine Waters, in support of H.R. 1466, the Major Drug Trafficking Prosecution Act of 2009, to refocus federal prosecutorial resources to major and serious drug traffickers, provide more discretion to sentencing judges, and eliminate mandatory minimum sentences for drug offenses.

[Read the letter](#)

ABA Expresses Concern on Expanding Trade Officials Post-Employment Proscriptions

On June 30, 2009, the ABA sent a letter to members of the House of Representatives expressing concerns regarding a letter to the Governmental Accountability Office requesting a report on former government officials who advise foreign interests.

[Read the Letter](#)

ABA Supports H.R. 1898, the Life Sustaining Treatment Preferences Act of 2009

On June 29, 2009, the ABA sent a letter to Representative Blumenauer commending him for his leadership in introducing H.R. 1898, which recognizes that quality care for patients with advanced, chronic progressive conditions requires the kind of systemic process represented by “Physicians Orders for Life-Sustaining Treatment” or “POLST.”

[Read the Letter](#)

ABA Supports Components of S. 1150, the Advance Planning and Compassionate Care Act of 2009

On June 29, the ABA sent a letter to Senator Rockefeller commending him for his leadership in introducing S. 1150, which includes several ABA-supported components aimed at providing steps toward ensuring that every adult's health care wishes are known and respected by his or her physician and by other health care providers, both within one's home state and across state lines.

[Read the Letter](#)

James A. Wilson Responds to Senator Kohl's Additional Questions

On June 17, 2009, James A. Wilson, an ABA witness for the hearing "The Discount Pricing Consumer Protection Act: Do We Need to Restore the Ban on Vertical Price Fixing?" of the Senate Judiciary Committee, Subcommittee on Antitrust, Competition Policy and Consumer Rights, sent responses to additional questions which arose from the hearing to Senator Kohl.

[Read the Letter](#)

ABA Finds David Kappos Qualified as Director of the PTO

On June 25, 2009, the ABA sent a letter to the Senate Judiciary Committee stating that David Kappos has the qualifications necessary for the Under Secretary of Commerce for Intellectual Property and Director of the U.S. Patent and Trademark Office.

[Read the Letter](#)

ABA Requests Hearings on Proposals to Revise the Military Commissions Act of 2006

On June 23, 2009, the ABA sent letters to the House and Senate Armed Services and Judiciary Committees requesting hearings on any proposals to revise the Military Commissions Act of 2006 or to authorize new detention authority for current and future detainees before markup. Copies of the ABA's February 2002 and February 2009 policies were attached for review.

[Read the House letter](#)

[Read the Senate letter](#)

[Read the attachments](#)

ABA Urges the Senate CJS to Match House's Funding for the Legal Services Corporation

On June 23, 2009, ABA President Wells sent a letter to the Senate Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies requesting the

Senate to match the House-approved funding level of \$440 million for the Legal Services Corporation's FY 2010 funding and to lift the three restrictions as requested by President Obama.

[Read the Letter](#)

ABA Urges Full Funding for ACUS in FY2010

On June 24, 2009, the ABA sent a letter to the Senate and House Appropriations Committee's urging them to fully fund ACUS for FY2010, as it has a stellar track record of initiating government improvements and saving both the government and private sectors large sums of money.

[Read the Letter](#)

ABA Comments on the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equality Act of 2009

On June 22, 2009, the ABA Standing Committee on Substance Abuse sent to Representative Kennedy comments submitted to the Department of Labor in response to the Request for Information regarding the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2009.

[Read the Comments](#)

ABA Supports the Democracy Restoration Act of 2009

On June 16, 2009, the ABA sent letters to Representative Conyers and Senator Feingold applauding them for their leadership in introducing the Democracy Restoration Act, legislation that would restore voting rights in federal elections to people who are out of prison and living in the community.

[Read the House Letter](#)

[Read the Senate Letter](#)

ABA Supports the Equal Justices for our Military Act of 2009

On June 11, 2009, ABA President H. Thomas Wells, Jr. submitted a written statement to the House Judiciary Subcommittee on Subcommittee on Courts and Competition Policy for the record of the hearing on H.R. 569, the Equal Justice for our Military Act of 2009, legislation that will allow military members who have been court-martialed and face dismissal, dishonorable discharge or imprisonment to petition the U.S. Supreme Court for review of their conviction.

[Read the statement](#)

ABA Supports Full Funding of the Social Security Administration

On June 11, 2009, the ABA sent letters to the House and Senate Committee on Appropriations, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies urging the Subcommittees to provide no less than the President's Budget Request of \$11.603 billion for the Social Security Administration in the Fiscal Year 2010 Appropriations legislation to permit the agency to continue in its efforts to address the crippling backlog of Social Security disability claims.

[Read the House Letter](#)

[Read the Senate Letter](#)

On July 10, 2009 the House Labor-HHS Appropriations Subcommittee marked up their FY 2010 spending measure which included \$11.4 billion for the Social Security Administration, to "...help the agency process a rising number of retirement and disability claims, make progress in reducing the backlog of disability hearings, and improve services to the public."

ABA Supports the Recidivism Reduction Act

On June 11, 2009, the ABA sent a letter to Representatives Carson, Kennedy, and Stark in support of the Recidivism Reduction Act, legislation that will provide vital help to offenders attempting to successfully reenter society and avoid further contact with the criminal justice system.

[Read the Letter](#)

ABA Supports H.R. 1873, the Juvenile Justice Improvement Act

On June 10, 2009, the ABA sent a letter to Representative Murphy in support of his legislation, H.R. 1873, which would modify the Juvenile Justice and Delinquency Prevention Act by ending the practice of locking up status offenders, keeping pre-trial youth out of adult jails and in more humane juvenile justice facilities, continuing to allow states to keep youth convicted of adult crimes in juvenile facilities without facing a federal penalty, and improving conditions of confinement for youth in juvenile detention and corrections facilities.

[Read the Letter](#)

ABA Supports Laurie Mikva's Nomination to LSC Board of Directors

On June 8, 2009 ABA President Wells sent a letter to the Chair and Ranking member of the Senate Committee on Health, Education, Labor and Pensions supporting the nomination of Laurie Mikva as a member of the LSC Board of Directors.

[Read the Letter](#)

ABA Opposes H.R. 1508, the Sunshine in Litigation Act of 2009

On June 4, the ABA sent a letter to the House Committee on the Judiciary, Subcommittee on Commercial and Administrative Law opposing H.R. 1508, the Sunshine in Litigation Act which would circumvent the Rules Enabling Act, the procedure established by Congress for revising rules in the federal courts, and would impose additional, unnecessary requirements on, and restrict the discretion of, federal courts in ways that will only increase the burdens of litigation in both time and expense.

[Read the Letter](#)

ABA Requests Funding for the Legal Services Corporation

On June 3, 2009 the ABA sent a letter to the House Appropriations Subcommittee on Commerce Justice, Science, and Related Agencies requesting an increase in the Legal Services Corporation's FY 2010 funding to at least \$435 million to help meet the urgent and expanding need for civil legal services. In addition, the ABA urges the Subcommittee to modify restrictions that have impeded LSC in fulfilling its mission of providing basic legal services to qualified persons.

[Read the Letter](#)

On Thursday, June 4, the Subcommittee provided a \$50 million increase for Legal Services Corporation, \$5 million more than the amount requested by the President who had requested \$435 million. In addition, the subcommittee lifted the restriction on attorneys' fees but kept in place the remaining restrictions. The full Committee is expected to mark up the bill Tuesday, June 9.

ABA Testimony in support of the Uniting American Families Act

On June 3, 2009, Christopher Nugent, Co-Chair of the Rights of Immigrants Committee of the ABA Section of Individual Rights and Responsibilities, testified before the Senate Committee on the Judiciary at its hearing, "The Uniting American Families Act: Addressing Inequality in Federal Immigration Law," advocating for the Uniting American Families Act.

[Read the Testimony](#)

May 2009

ABA Comments on Mental Health Parity and Addiction Equity Act of 2008

On May 28, 2009, the ABA submitted comments to the Department of Labor in response to the Request for Information regarding the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008.

[Read the Comments](#)

ABA Testimony in Support of the Elimination of the Cocaine Sentencing Disparity

On May 21, 2009, the ABA submitted testimony to the House Subcommittee on Crime, Terrorism and Homeland Security, Committee on the Judiciary in support of eliminating the cocaine sentencing disparity for their hearing, "Unfairness in Federal Cocaine Sentencing: Is It Time to Crack 100:1 Disparity?"

[Read the Testimony](#)

ABA Testimony of James A. Wilson concerning the Consumer Protection Act

On May 19, 2009, the ABA sent the testimony of James A. Wilson to the Senate Subcommittee on Antitrust, Competition Policy and Consumer Rights regarding the hearing: "The Discount Pricing Consumer Protection Act: Do We Need to Restore the Ban on Vertical Price Fixing?".

[Read the Letter](#)

ABA Supports HB 889 on Determination of Capacity in Guardianship Proceedings

On May 8, 2009, the ABA sent a letter to Representative Elliott Naishtat of the Texas House of Representatives in support of the goals of HB 889, legislation outlining elements to be considered by a clinician in assessing adult capacity in a guardianship proceeding.

[Read the Letter](#)

ABA Supports S. 417, the State Secrets Protection Act

On May 6, 2009 the ABA sent a letter Senator Patrick Leahy reiterating its strong support for S. 417, the State Secrets Protection Act.

[Read the letter](#)

ABA Supports funding requests of the Library and the Law Library of Congress

On May 5, 2009 ABA's GAO Director Thomas Susman testified to the House Committee on Appropriations Subcommittee on the Legislative Branch in support of the funding requests of the Library and the Law Library of Congress.

[Read the Letter](#)

ABA Comments on Subcommittee Hearing Regarding the Leegin Decision

On May 5, 2009, the ABA sent a letter to the Subcommittee on Courts and Competition Policy, House Judiciary Committee supporting the United States Supreme Court's decision in *Leegin Creative Leather Products v. PSKS, Inc.*, 127 S. Ct. 2705 (2007), and opposing federal legislation which would effectively undermine the decision.

[Read the Letter](#)

ABA Supports S. 678, the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2009

On May 4, 2009, the ABA sent a letter to the Senate Judiciary Committee in support of S. 678, legislation that will reauthorize critical components of the Juvenile Justice Delinquency and Prevention Act (JJDP), which has been protecting youth across the nation for over 30 years.

[Read the Letter](#)

ABA Urges Support for the Youth Prison Reduction through Opportunities, Mentoring, Intervention, Support, and Education (Youth PROMISE) Act

On May 4, 2009, the ABA sent letters to the entire House and Senate in support of the Youth PROMISE Act, bipartisan legislation that will effectively address youth violence and help thousands of youth to stay away from gangs and the criminal justice system and to become productive members of our communities.

[Read the House Letter](#)

[Read the Senate Letter](#)

April 2009

ABA Urges the Federal Trade Commission to Postpone Implementation of the Final Rule

On April 24th, the ABA sent a letter to the Federal Trade Commission requesting the postponement for a period of months the implementation and enforcement of the Final Rule relating to Identity Theft Red Flags and Address Discrepancies Under the Fair and Accurate Credit Transactions Act of 2003 because the conclusion that the rule must be applied to lawyers providing legal services cannot be justified by either the law or the facts.

[Read the Letter](#)

ABA Supports the Elimination of the Cocaine Sentencing Disparity

On April 27th, 2009, the ABA sent letters to the entire House and the entire Senate in support of legislation that would eliminate the cocaine sentencing disparity and would reprioritize federal law enforcement to target higher level drug operators instead of users and low-level offenders.

On April 29th, 2009, Thomas Susman, Director of the Governmental Affairs Office, submitted testimony to the Senate Subcommittee on Crime and Drugs, Committee on the Judiciary for its hearing, "Federal Cocaine Sentencing Laws: Reforming the 100:1 Crack Powder Disparity," in support of eliminating the cocaine sentencing disparity.

[Read the Testimony](#)

[Read the House Letter](#)

[Read the Senate Letter](#)

ABA Opposes the Sunshine in Litigation Act of 2009

On April 13, 2009, the ABA sent a letter to the Senate and House Judiciary Committees opposing the Sunshine in Litigation Act because it would circumvent the Rules Enabling Act, the procedure established by Congress for revising rules in the federal courts and would impose additional, unnecessary requirements on, and restrict the discretion of, federal courts in ways that will only increase the burdens of litigation in both time and expense.

[Read the Senate Letter](#)

[Read the House Letter](#)

Professor Saltzburg, ABA Witness to the H.R. 1478 Hearing, Appends his Testimony

On April 6, 2009, Professor Saltzburg sent a letter to the House Subcommittee on Commercial and Administrative Law, Committee on the Judiciary, clarifying that the Federal Tort Claims Act specifically excludes punitive damages and appended the letter to his witness testimony for the Hearing on H.R. 1478, the "Carmelo Rodriguez Military Medical Accountability Act of 2009."

[Read the Letter](#)

ABA Comments on the Role of the Department of Justice in the Review of State Certification Petitions

On April 6, 2009, the ABA filed comments to the Department of Justice on the proposed regulations relating to certification of states pursuant to Chapter 154 of Title 28, U.S.C., urging the DOJ to implement substantive standards for state certification of capital defense systems.

[Read the Comments](#)

March 2009

ABA Supports the Kerry-Lugar Amendment to Restore International Affairs Funding

On March 31, 2009, the ABA sent a letter to the entire Senate in support of the Kerry-Lugar amendment to restore \$4 billion in funding for the FY10 International Affairs budget which finances activities that strengthen our national security, enhance our economic prosperity, and support our humanitarian and democratic values.

[Read the Letter](#)

ABA Supports the Coburn Amendment for S. 515, the Patent Reform Act of 2009

On March 27, 2009, the ABA sent a letter to the Committee on the Judiciary in support of the Coburn Amendment for S. 515, which would ensure that all fee revenue of the U.S. Patent and Trademark Office be made available to the Office for its use in providing services for which the fees were paid.

[Read the Letter](#)

ABA Supports Addressing the Persistent Indigent Defense Crisis

On March 26, 2009, Dennis Archer, the former president of the ABA, testified before the House Subcommittee on Crime, Terrorism and Homeland Security, Committee on the Judiciary in support of fulfilling the constitutional guarantee of effective assistance of counsel by having the federal government provide substantial financial support for the provision of indigent defense services in state criminal and juvenile delinquency proceedings.

[Read the Testimony](#)

ABA Supports H.R. 1478, the Carmelo Rodriguez Military Medical Accountability Act of 2009

On March 24, 2009, Stephen Saltzburg of the ABA Board of Governors testified before the House Subcommittee on Commercial and Administrative Law, Committee on the

Judiciary in support of H.R. 1478, which would amend the Federal Tort Claims Act to allow claims for damages to be brought against the United States for personal injury or death of a member of the Armed Forces arising out of a negligent act in the performance of health care functions.

[Read the Testimony](#)

ABA Supports Observing the International Rule of Law and Respecting Human Rights

On March 20, 2009, the ABA sent a letter to President Obama praising the United States' participation as an observer at the United Nations Human Rights Council and the administration's support of the International Criminal Court while still encouraging further action in the protection of human rights.

[Read the Letter](#)

ABA Requests Funding for International Rule of Law Programs

On March 18, 2009, ABA President Wells sent a statement to the House Committee on Appropriations, Subcommittee on State, Foreign Operations, and Related Agencies requesting continued FY2010 funding for International Rule of Law Programs for their work in addressing the most pressing problems facing the world today, including poverty, conflict, endemic corruption, and disregard for human rights.

[Read the Letter](#)

ABA Supports H.R. 265, the Drug Sentencing Reform and Kingpin Trafficking Act of 2009

On March 16, 2009, the ABA sent a letter to Representative Jackson Lee in support of H.R. 265, the Drug Sentencing Reform and Kingpin Trafficking Act of 2009, which would eliminate the current disparity in federal sentences for crack versus powder cocaine offenses.

[Read the Letter](#)

ABA Supports FY 2010 funding for the Legal Services Corporation

On March 6, 2009, ABA President Wells sent a letter to the Office of Management and Budget commending the President for allocating \$435 million for the Legal Services Corporation (LSC) in the Administration's soon-to-be released detailed FY 2010 budget request to Congress. The ABA urges the Obama Administration to make several additional requests to Congress in the detailed FY 2010 budget that will, without cost to the government, significantly increase the amount of money available to provide legal aid to the poor.

[Read the Letter](#)

ABA Calls for Full Authorization of Funding for the Second Chance Act

On March 3, 2009, the ABA sent a letter to the House Committee on Appropriations, Subcommittee on Commerce, Justice, Science, and Related Agencies and the Senate Committee on Appropriations, Subcommittee on Commerce, Justice, Science, and Related Agencies in support of the full authorization of funding for the Second Chance Act, which would expand and launch innovative prisoner reentry programs.

[Read the House Letter](#)

[Read the Senate Letter](#)

February 2009

ABA Supports the Justice Integrity Act

On February 25, 2009, the ABA sent a letter to Senator Cardin and Representative Cohen in support of the Justice Integrity Act, which would examine the presence, cause, and extent of racial and ethnic disparities that exist in the criminal justice system and would facilitate the development of proposals aimed at eliminating racial and ethnic bias.

[Read the Senate Letter](#)

[Read the House Letter](#)

ABA Supports Reauthorization of Tribal Justice Programs

On February 23, 2009, the ABA sent a letter to the Senate Committee on Indian Affairs and the House Committee on Natural Resources in support of long-term funding for tribal justice systems through reauthorization of the Indian Tribal Justice Technical and Legal Assistance Act of 2000 and the Indian Tribal Justice Act.

[Read the Senate Letter](#)

[Read the House Letter](#)

ABA Supports Nursing Home Arbitration Legislation

On February 23, 2009, the ABA sent a letter to the Senate Special Committee on Aging and the House Committee on the Judiciary in support of Nursing Home Arbitration legislation which addresses the unfair disadvantage most residents and families face during the time of admission to a nursing home but does not amend Chapter 1 of the Federal Arbitration Act.

[Read the Senate Letter](#)

[Read the House Letter](#)

ABA Supports S. 160, the District of Columbia House Voting Rights Act of 2009

On February 23, 2009, the ABA sent a letter to every member of the Senate, urging support for S. 160 which would establish the District of Columbia as a Congressional district for purposes of representation in the House of Representatives.

[Read the Letter](#)

ABA Supports H.R. 911, the Stop Child Abuse in Residential Programs for Teens Act of 2009

On February 23, 2009, the ABA sent a letter to every member of the House of Representatives, urging support for H.R. 911 which would prevent abuse and neglect of children and young people in residential treatment programs in the United States.

[Read the Letter](#)

ABA Urges Fix in Stimulus Legislation Allowing Compliance with ABA Model Procurement Code

On February 12, 2009, the ABA sent a letter to the Conferees of H.R. 1, the "American Recovery and Reinvestment Act of 2009" urging a correction in the legislation to allow for state and local governments to comply with the ABA Model Procurement Code to satisfy competition contracting requirements.

[Read the Letter](#)

ABA Supports S. 160, the District of Columbia House Voting Rights Act of 2009

On February 10, 2009, the ABA sent a letter to the Senate Committee on Homeland Security and Governmental Affairs in support of S. 160 which would provide congressional voting representation to the residents of the District of Columbia by adding one voting seat in the House for the District of Columbia and an additional House seat for the state of Utah.

[Read the Letter](#)

ABA Requests Joint Hearings on DHS Waiving of Laws Protecting Indian Rights

On February 5, 2009, the ABA sent a letter to the House Committee on Homeland Security and Governmental Affairs and House Committee on Nature Resources requesting a joint hearing based on concerns over the adverse impact on the rights of Native Americans resulting from the enactment of legislation to expedite the construction of barriers to secure the border between the United States and Mexico.

[Read the Letter](#)

ABA Requests Joint Hearings on DHS Waiving of Laws Protecting Indian Rights

On February 4, 2009, the ABA sent a letter to the Senate Committee on Homeland Security and Governmental Affairs and Senate Committee on Indian Affairs requesting a joint hearing based on concerns over the adverse impact on the rights of Native Americans resulting from the enactment of legislation to expedite the construction of barriers to secure the border between the United States and Mexico.

[Read the letter](#)

ABA Supports SB 122 on Guardianship Jurisdiction and SB 193 on Guardianship Monitoring

On February 10, 2009, the ABA sent a letter to the Maryland Senate Judicial Proceedings Committee in support of SB 122 and SB 193 which clarify guardianship jurisdiction and strengthen court oversight of adult guardians.

[Read the Letter](#)

ABA Supports the Stop Child Abuse in Residential Programs for Teens Act

On February 9, 2009, the ABA sent a letter to the House Committee on Education and Labor in support of the Stop Child Abuse in Residential Programs for Teens Act aimed at preventing abuse of children in residential treatment programs.

[Read the Letter](#)

ABA Urges Support for H.R. 448, the Elder Abuse Victims Act of 2009

On February 9, 2009, the ABA sent a letter to the House of Representatives urging support for H.R. 448, the Elder Abuse Victims Act of 2009, which addresses the growing national problem of elder abuse, neglect, and exploitation.

[Read the Letter](#)

ABA Supports Casey/Specter Amendment to Provide Legal Assistance to Victims of Foreclosure

On February 5, 2009, the ABA sent a letter to the Senate urging cosponsorship and support of S Amdt. # 378 to H.R. 1, the bipartisan Casey/Specter Amendment. The amendment would provide \$30 million to HUD to distribute through competitive grants to state and local legal organizations to help victims of foreclosure.

[Read the Letter](#)

January 2009

ABA Supports H.R. 157, the District of Columbia House Voting Rights Act of 2009

On January 26, 2009, the ABA sent a letter to the House Subcommittee on the Constitution, Civil Rights and Civil Liberties supporting H.R. 157, the District of Columbia House Voting Rights Act of 2009 to provide congressional voting representation to the residents of the District of Columbia.

[Read the letter](#)

ABA Offers Health Care Access Policies and Member Expertise to House and Senate Committees

On January 22, 2009, the ABA sent a letter to the Senate and House sharing ABA policies on health care access and offering the expertise of ABA members in the development of health care access proposals.

[Read the Senate letter](#)

[Read the House letter](#)

ABA Supports S.181, the Lilly Ledbetter Fair Pay Act of 2009

On January 22, 2009, the ABA sent a letter to the Senate supporting S. 181, the Lilly Ledbetter Fair Pay Act of 2009, bipartisan legislation to restore the opportunity for individuals subjected to unlawful pay discrimination to effectively assert their rights under the federal anti-discrimination laws.

[Read the letter](#)

On January 27, 2009, the Senate passed the Lilly Ledbetter Fair Pay Act, and it was signed into law as P.L. 111-002 by President Obama on January 29, 2009.

ABA Supports Comprehensive Resolution of Issues Related to Prisoner Telephone Services

On January 15, 2009, the ABA sent a letter to the Federal Communications Commission in support of a comprehensive resolution of issues related to prisoner telephone services.

[Read the letter](#)

ABA Supports Children's Health Insurance Program Reauthorization Act of 2009 (SCHIP)

On January 14, 2009, the ABA sent a letter to Senator Baucus and Senator Grassley, the Chair and Ranking Minority Member of the Senate Committee on Finance, supporting the Children's Health Insurance Program Reauthorization Act of 2009 and amending the legislation to significantly improve access to health care services for legal immigrant children.

On February 4, 2009 the House passed, and the President signed into law, the Children's Health Insurance Program Reauthorization Act of 2009, which includes an ABA-supported provision to remove a five-year waiting period for legal immigrant children to participate in the program.

[Read the letter](#)

ABA Sends Letter to Transition Team on Health Care Access

On January 13, 2009 the ABA sent a letter to the Obama-Biden Transition Team sharing ABA policies on health care access and offering the expertise of ABA members in the development of health care access proposals.

[Read the letter](#)

[ABA policy on Health Care Access](#)

ABA Supports H.R. 11, the Lilly Ledbetter Fair Pay Act of 2009

On January 8, 2009, the ABA sent a letter to the House of Representatives supporting H.R. 11, the Lilly Ledbetter Fair Pay Act of 2009, bipartisan legislation to restore the opportunity for individuals subjected to unlawful pay discrimination to effectively assert their rights under the federal anti-discrimination laws.

[Read the letter](#)

ABA Washington Letter Annual Legislative Chart Now Online

The January 2009 edition of the ABA Washington Letter is the annual "Major Legislation of Interest to Lawyers," a chart highlighting action during the 110th Congress on ABA legislative policy issues. The 37-page chart contains more than 125 issues, details the status of legislation and the ABA policy positions, designates the association's legislative priorities, and notes whether the association submitted policy statements in the form of policy letters or testimony.

[View the Annual Legislative Chart](#)

ABA Offers Policy Recommendations for the New Administration and the New Congress

The Governmental Affairs Office of the ABA has prepared five separate policy papers summarizing some of the Association's most significant recommendations for the new Administration and the new Congress.

[Read the policy papers](#)