

ACCESS TO CONGRESSIONALLY MANDATED REPORTS ACT OF 2017

Legislation to create a central library of all non-confidential reports submitted to Congress

Sponsored by Senators Portman and Klobuchar

The Problem

Congress receives thousands of reports from agencies annually but does not compile them in a central location. While there has never been a complete accounting of the total number of reports, the Clerk of the House maintains what is believed to be a near comprehensive list that runs over 320 pages.

Congress should leverage the time and resources that agencies put into compiling the reports to maximize their utility. At present, congressional staff often are unaware of, cannot find, or do not have easy access to the information they need. In addition, when there is a staff transition, historical reports often are lost.

Congress should keep track of the agency reports it requires, determine whether the report has been submitted, and make them generally available.

A publicly accessible library of reports will improve the ability of staff to use the information contained within to make sound policy. In addition, it will help encourage agency compliance with reporting requirements. Finally, it will support timely access to the reports by civil society, students, and academics, with the additional salutary benefit of decreasing the burden on agencies to process FOIA requests

The Solution

The Access to Congressionally Mandated Reports Act (“ACMRA”) establishes a publicly accessible website managed by the Government Publishing Office (GPO) that serves as a library of all non-confidential agency reports mandated by Congress. When an agency submits a report to Congress, it also would submit the report to GPO, after first going through a FOIA-like process to remove confidential information. The website would allow staffers or members of the public to search the reports by title, submission date, topic, or keyword.

Classified reports that are not available pursuant to FOIA would not be made available on the website. Agencies also would be able to redact information from a report if it falls under the FOIA exemptions, which include information that (1) protects national security, (2) is related solely to the internal personnel rules and practices of an agency, (3) is prohibited for disclosure by law, (4) is a confidential or privileged trade secret or commercial or financial information, (5) is a privileged communication between two agencies, (6) would invade another person’s privacy, (7) that is compiled for certain law enforcement purposes, (8) concerns the supervision of financial institution, and (9) contains geological information on wells.

Cost

The Government Publishing Office said it can implement ACMRA with existing funds. Government-wide costs are expected to be below the threshold that CBO reports.

Supporting Organizations

ACMRA has bipartisan support, including: American Association of Law Libraries, American Association of University Professors (AAUP), American Booksellers Foundation for Free Expression, Center for Responsive Politics, Citizens for Responsibility and Ethics in Washington (CREW), Data Transparency Coalition, Demand Progress, eCitizens.org, GovAlert.me, Government Accountability Project (GAP), Government Printing Office, iSolon.org, Judicial Watch, National Coalition for History, National Security Counselors, OpenTheGovernment.org, Project on Government Oversight, R Street Institute, Society of Professional Journalists, Sunlight Foundation, and Taxpayers for Common Sense.