

Access to Congressionally Mandated Reports Act of 2017 (ACMRA)

Section-by-Section Summary

Sec. 1: Short Title

Denotes the bill as the Access to Congressionally Mandated Reports Act.

Sec. 2: Definitions

A “congressionally mandated report” is “a report to be submitted to either House of Congress or any committee of Congress, or subcommittee thereof, by a statute, resolution, or conference report that accompanies legislation enacted into law.” Excluded from this definition are reports from private organizations that have been acknowledged by Congress as national or patriotic (e.g., the Boy Scouts).

Sec. 3: Establishment of Website for Congressional Mandated Reports

This section tasks the Government Publishing Office (“GPO”) with maintaining a free, public website for users to access the reports. The reports must be downloadable individually and in bulk, and be capable of retrieval by a key terms (such as submitting agency, date, and the law requiring the report). To the extent possible, the reports should be in an open format. In addition, the website will list of all congressionally mandated reports and, for each report, whether and when it was submitted by the agency.

Sec. 4: Federal Agency Responsibilities

The head of each federal agency must submit to GPO a copy of the report that the agency also is required to submit to Congress or a committee thereof, subject to limitations described in section 5. OMB is to issue guidance to implement this law.

The Library of Congress, in conjunction with the Clerk of the House, will annually compile a list of all congressionally mandated reports. House rules already require the Clerk to maintain an annual list of reports to Congress; this will allow the Library of Congress to build on that work.

Sec. 5: Removing and Altering Reports

A report can be changed or removed from the website if the head of the submitting federal agency consults with the congressional committee to which the report is submitted and, consequently, Congress enacts a joint resolution authorizing the change to, or removal of, the report.

It is important to note that reports will already have gone through review prior to publication, as described in section 6.

Sec. 6: Relationship to the Freedom of Information Act

Nothing in the Act shall be construed to require the disclosure of information or records that are exempt from public disclosure under the Freedom of Information Act. If a report contains specific information that cannot be publicly disclosed under FOIA, the federal agency shall redact that information before the submission of the report to GPO. The bill gives agencies latitude to redact reports and withhold information if they foresee that public disclosure would harm an interest protected by FOIA or is

prohibited by law. The interests protected by FOIA 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, or (9) contains geological information on wells.

Sec. 7: Implementation

Requires that the bill be implemented not later than one year after enactment.