

October 22, 2015

The Honorable Roy Blunt  
Chairman  
Committee on Rules and Administration  
United States Senate

The Honorable Charles Schumer  
Ranking Member  
Committee on Rules and Administration  
United States Senate

The Honorable Shelley Moore Capito  
Chairman, Legislative Branch Subcommittee  
Appropriations Committee  
United States Senate

The Honorable Brian Schatz  
Ranking Member, Legislative Branch Subcommittee  
Appropriations Committee  
United States Senate

The Honorable Candice Miller  
Chairman  
Committee on House Administration  
United States House of Representatives

The Honorable Bob Brady  
Ranking Member  
Committee on House Administration  
United States House of Representatives

The Honorable Tom Graves  
Chairman, Legislative Branch Subcommittee  
Appropriations Committee  
United States House of Representatives

The Honorable Debbie Wasserman Schultz  
Ranking Member, Legislative Branch Subcommittee  
Appropriations Committee  
United States House of Representatives

The Honorable Gregg Harper  
Vice Chairman  
Joint Committee on the Library  
United States House of Representatives

Dear Chairman Blunt, Chairman Capito, Chairman Miller, Chairman Graves, Ranking Member Schumer, Ranking Member Schatz, Ranking Member Brady, Ranking Member Wasserman Schultz, and Vice Chairman Harper:

We are former employees of the Congressional Research Service (CRS), with more than a collective five hundred years with the agency. We write in strong support of timely, comprehensive free public access to CRS reports. In doing so, we distinguish between CRS reports, which are non-confidential, and other CRS products, such as memoranda, which are confidential.

CRS plays a vital role in our legislative process by informing lawmakers and staff about important policy issues. To that end, nothing should impair CRS's ability to provide confidential support to members of Congress, such as through briefings and confidential memoranda. Nor should Congress take any steps to weaken the Constitutionally-protected status of CRS's work product. In contrast, CRS reports are widely available on Capitol Hill to staff and lobbyists alike, are released with no expectation of confidentiality, and could be of immense value to the general public.

Longstanding congressional policy allows Members and committees to distribute CRS products to the public, which they do in a variety of ways. In addition, CRS provides reports upon request to the judicial branch, to journalists, and to the executive branch, which often publishes them on agency websites. Insiders with relationships to congressional staff can easily obtain the reports, and well-resourced groups pay for access from third-party subscription services. Members of the public, however, can freely access only a subset of CRS reports, usually via third parties.

It is difficult for the public to know the scope of CRS products they could obtain from Congress. A Google search returned over 27,000 products including 4,260 hosted on .gov domains, but there is no way to know if those documents are up to date, whether the search is comprehensive, or when the documents might disappear from view.

We believe Congress should provide a central online source for timely public access to CRS reports. That would place all members of the public on an equal footing to one another with respect to access. It would resolve concerns around public and congressional use of the most up-to-date version. Additionally, it would ensure the public can verify it is using an authentic version. And it would diminish requests to analysts to provide a copy of the most recent report. Other legislative support agencies, i.e., the Congressional Budget Office and the Government Accountability Office, publish non-confidential reports on their websites as a matter of course. Doing so does not appear to harm their ability to perform their mission for Congress.

We thank you for the opportunity to share our thoughts on implementing full public access to non-confidential CRS reports. If you wish to discuss this further, please contact Daniel Schuman, Demand Progress policy director, at [daniel@demandprogress.org](mailto:daniel@demandprogress.org), or Kevin Kosar, R Street Institute senior fellow and governance director, at [kkosar@rstreet.org](mailto:kkosar@rstreet.org). Thank you for your consideration of this matter.

With best regards,

Henry Cohen  
George Costello  
Heather Durkin  
Gregg Esenwein  
Louis Fisher  
Peggy Garvin  
Bernie Gelb  
Jeffrey C. Griffith  
Pamela Hairston  
Glennon J. Harrison  
Kevin Holland

Thomas Hungerford  
W. Jackson  
Kevin Kosar  
Jon Medalia  
Elizabeth Palmer  
Harold Relyea  
Morton Rosenberg  
Daniel Schuman  
Christine Scott  
Sherry Shapiro  
Nye Stevens

cc: Joint Committee on the Library  
House Legislative Branch Appropriations Subcommittee  
Senate Legislative Branch Appropriations Subcommittee  
Committee on House Administration  
Senate Committee on Rules and Administration