

February 4, 2020

The Honorable Zoe Lofgren
Chair
Committee on House Administration
1401 Longworth House Office Building
Washington, D.C. 20515

The Honorable Rodney Davis
Ranking Member
Committee on House Administration
1740 Longworth House Office Building
Washington, D.C. 20515

Dear Chairperson Lofgren and Ranking Member Davis:

Thank you for your ongoing leadership in working to strengthen Congressional transparency, oversight, and accountability. We know that the last year has been extraordinarily busy and productive — from establishing rules for intern pay to revising the Franking rules to providing oversight of CRS, the USCP, and other agencies — and we want to acknowledge your hard work.

We write to urge the Committee on House Administration to address issues of congressional and public access to Congressional Research Service reports. As you know, Congress directed the Library of Congress to publish current and recently-archived CRS reports online,¹ but there are problems arising from the Library of Congress's implementation of this law. In addition, many historical CRS reports that are useful to Congress and the public are not made generally available to Congress unless specifically requested and are not available from either the Library's internal website or from its public-facing website.

Implementation of Public Access to CRS Reports

We raised concerns regarding the Library of Congress's implementation plan² for its public-facing website in a June 2018 letter³, and those concerns have unfortunately been born out by the Library's implementation of <https://crsreports.congress.gov/>.

- While the internal-facing version of CRS's website publishes the reports in both HTML and PDF format, the public-facing version only publishes the reports as PDFs, which significantly undermines their utility and the ability of search engines to find the reports. It also may undermine the ability of persons with visual disabilities to use the reports.

¹ Consolidated Appropriations Act, 2018 (P.L. 115-141). <https://www.congress.gov/bill/115th-congress/house-bill/1625/text>

² <https://s3.amazonaws.com/demandprogress/documents/2018-05-22-Library-Implementation-Plan-for-CRS-Reports.pdf>

³ https://s3.amazonaws.com/demandprogress/documents/2018-06-08-Civil-Society-Memo_on_CRS_Reports-Website-Implementation.pdf

- The public-facing CRS reports website does not prominently feature a link to the landing page for each report series, but rather prominently links to the most recent PDF version. As that version often is superseded, the consequence is that the citations to a CRS report may not link to the most updated version.
- There is no obvious way to generate a list of all the reports contained on the website. The link for “bulk download reports” only allows a user to download a list of 5,000 reports at a time, which is fewer than the total number of reports available on the website.

Historical CRS Reports

While the legislation makes provision for the Library of Congress to publish historical reports on its website — i.e., reports that were not on CRS’s internal website on the day the online publication law came into effect — the Library has made clear it does not plan to do so. The Congressional Research Services maintains a digital archive of historical (archived) CRS reports, along with relevant metadata, in its CRSX archive. These historical non-confidential reports from CRS address vital historical matters that are relevant today, including topics such as assassinations, enforcement of subpoenas, and war powers. And yet those reports are not available on CRS’s internal or public-facing website.

We respectfully request that the Library be directed to report on the feasibility and cost of publishing some or all of the reports in its CRSX archive on the public-facing website. The website can already handle publication of archived reports — more than 3,000 of its current reports are designated “archived” — and we know that the reports are of public interest. As records in the CRSX archives already are in digital form, this may ease their online publication.

On this point, by way of example, the Demand Progress Education Fund and R Street Institute jointly built EveryCRSReport.com, a free website that provides over 15,000 CRS reports to the public,⁴ twice as many as available on the Library of Congress’s official site. EveryCRSReport.com has over 135,000 unique visitors every month.⁵ In addition to our website and other civil society efforts like that run by the Federation of American Scientists, there are pay services like Westlaw and Lexis that offer reports that are not available on the Library’s website. These non-confidential historical CRS reports continue to be useful for legislators and the general public and should be widely available.

As you know, the Committee on House Administration has the authority to direct the Library of Congress to publish CRS reports online. We hope that you will encourage the Library to improve

⁴ EveryCRSReport.com, available at <https://www.everycrsreport.com/>

⁵ We note that EveryCRSReport.com, which is open source, cost approximately \$15,000 to develop. The Library of Congress was appropriated \$1.5 million to build its website.

how it is currently publishing CRS reports and to expand the scope of the reports it publishes online.

We would welcome the opportunity to discuss this further. Please contact Daniel Schuman, policy director at Demand Progress, at Daniel@demandprogress.org or Kevin Kosar, vice president for research partnerships at the R Street Institute, at kkosar@rstreet.org.

Sincerely,

Americans for Prosperity
Campaign for Liberty
Cause of Action Institute
Center for Responsive Politics
Citizens for Responsibility and Ethics in Washington (CREW)
Demand Progress
Fastcase Inc.
Fix the Court
Free Government Information
Government Accountability Project
Government Information Watch
GovTrack.us
Issue One
Lincoln Network
Lorelei Kelly of the Beeck Center for Social Impact and
Innovation at Georgetown University
National Security Archive
Open the Government
Project On Government Oversight
Quorum
R Street Institute
Reporters Committee for Freedom of the Press
Senior Executives Association
Taxpayers for Common Sense
Union of Concerned Scientists

cc: Members, House Committee on Administration
Legislative Branch Subcommittee on the House Committee on Appropriations