

106TH CONGRESS
1ST SESSION

S. 393

To provide Internet access to Congressional documents, including certain Congressional Research Service publications, Senate lobbying and gift report filings, and Senate and Joint Committee documents.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 9, 1999

Mr. MCCAIN (for himself, Mr. LEAHY, Mr. LOTT, Mr. ABRAHAM, Mr. ROBB, and Mr. ENZI) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To provide Internet access to Congressional documents, including certain Congressional Research Service publications, Senate lobbying and gift report filings, and Senate and Joint Committee documents.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Congressional Open-
5 ness Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—The Congress finds that—

1 (1) it is often burdensome, difficult, and time-
2 consuming for citizens to obtain timely access to
3 public records of the United States Congress;

4 (2) congressional documents that are placed in
5 the Congressional Record are made available to the
6 public electronically by the Superintendent of Docu-
7 ments under the direction of the Public Printer;

8 (3) other congressional documents are also
9 made available electronically on websites maintained
10 by Members of Congress and committees of the Sen-
11 ate and the House of Representatives;

12 (4) a wide range of public records of the Con-
13 gress remain inaccessible to the public;

14 (5) the public should have easy and timely ac-
15 cess, including electronic access, to public records of
16 the Congress;

17 (6) the Congress should use new technologies to
18 enhance public access to public records of the Con-
19 gress; and

20 (7) an informed electorate is the most precious
21 asset of any democracy.

22 (b) PURPOSE.—The purposes of this Act are—

23 (1) to foster democracy by ensuring public ac-
24 cess to public records of the Congress;

1 (2) to improve public access to public records of
2 the Congress; and

3 (3) to enhance the electronic public access, in-
4 cluding access via the Internet, to public records of
5 the Congress.

6 **SEC. 3. AVAILABILITY OF CERTAIN CRS INFORMATION.**

7 (a) AVAILABILITY OF INFORMATION.—

8 (1) IN GENERAL.—The Director of the Con-
9 gressional Research Service shall make available
10 through a centralized electronic database, for pur-
11 poses of access and retrieval by the public under sec-
12 tion 5 of this Act, all information described in para-
13 graph (2) that is available through the Congres-
14 sional Research Service website.

15 (2) INFORMATION TO BE MADE AVAILABLE.—
16 The information to be made available under para-
17 graph (1) is:

18 (A) Congressional Research Service Issue
19 Briefs.

20 (B) Congressional Research Service Re-
21 ports that are available to Members of Congress
22 through the Congressional Research Service
23 website.

1 (C) Congressional Research Service Au-
2 thorization of Appropriations Products and Ap-
3 propriations Products.

4 (b) LIMITATIONS.—

5 (1) CONFIDENTIAL INFORMATION.—Subsection
6 (a) does not apply to—

7 (A) any information that is confidential, as
8 determined by—

9 (i) the Director; or

10 (ii) the head of a Federal department
11 or agency that provided the information to
12 the Congressional Research Service; or

13 (B) any documents that are the product of
14 an individual, office, or Committee research re-
15 quest (other than a document described in sec-
16 tion 3(a)(2)).

17 (2) REDACTION AND REVISION.—In carrying
18 out this section, the Director of the Congressional
19 Research Service may—

20 (A) remove from the information required
21 to be made available under subsection (a) the
22 name and phone number of, and any other in-
23 formation regarding, an employee of the Con-
24 gressional Research Service;

1 (B) remove from the information required
2 to be made available under subsection (a) any
3 material for which the Director determines that
4 making it available under subsection (a) may
5 infringe the copyright of a work protected
6 under title 17, United States Code; and

7 (C) make any changes in the information
8 required to be made available under subsection
9 (a) that the Director determines necessary to
10 ensure that the information is accurate and
11 current.

12 (c) TIME.—The Director of the Congressional Re-
13 search Service shall make available all information re-
14 quired under this section no earlier than 30 days and no
15 later than 40 days after the date on which the information
16 is first made available to Members of Congress through
17 the Congressional Research Service web site.

18 (d) MANNER.—The Director of the Congressional Re-
19 search Service shall make information required to be made
20 available under this section in a manner that—

21 (1) is practical and reasonable; and

22 (2) does not permit the submission of comments
23 from the public.

1 **SEC. 4. PUBLIC RECORDS OF THE CONGRESS.**

2 (a) SENATE.—The Secretary of the Senate, through
3 the Office of Public Records and in accordance with such
4 standards as the Secretary may prescribe, shall make
5 available on the Internet for purposes of access and re-
6 trieval by the public:

7 (1) LOBBYIST DISCLOSURE REPORTS.—Lobby-
8 ist disclosure reports required by the Lobbying Dis-
9 closure Act of 1995 (2 U.S.C. 1601 et seq.) within
10 90 days (Saturdays, Sundays, and holidays ex-
11 cepted) after they are received.

12 (2) GIFT RULE DISCLOSURE REPORTS.—Senate
13 gift rule disclosure reports required under paragraph
14 2 and paragraph 4(b) of rule XXXV of the Standing
15 Rules of the Senate within 5 days (Saturdays, Sun-
16 days, and holidays excepted) after they are received.

17 (b) DIRECTORY.—The Superintendent of Documents,
18 under the direction of the Public Printer in the Govern-
19 ment Printing Office, shall include information about the
20 documents made available on the Internet under this sec-
21 tion in the electronic directory of Federal electronic infor-
22 mation required by section 4101(a)(1) of title 44, United
23 States Code.

1 **SEC. 5. METHOD OF ACCESS.**

2 (a) **IN GENERAL.**—The information required to be
3 made available to the public on the Internet under this
4 Act shall be made available as follows:

5 (1) **CRS INFORMATION.**—Public access to infor-
6 mation made available under section 3 shall be pro-
7 vided through the websites maintained by members
8 and committees of the Senate. The Director of the
9 Congressional Research Service shall work with the
10 Sergeant-at-Arms of the Senate to carry out this
11 paragraph.

12 (2) **PUBLIC RECORDS.**—Public access to infor-
13 mation made available under section 4 by the Sec-
14 retary of the Senate’s Office of Public Records shall
15 be provided through the United States Senate
16 website.

17 (b) **EDITORIAL RESPONSIBILITY FOR CRS REPORTS**
18 **ONLINE.**—The Director of the Congressional Research
19 Service is responsible for maintaining and updating the
20 information made available on the Internet under section
21 3, and shall have sole discretion to edit that information
22 under this Act.

23 (c) **FURTHER APPROVAL NOT REQUIRED.**—Notwith-
24 standing any other provision of law to the contrary, the
25 Director of the Congressional Research Service shall make
26 the information required to be made available under sec-

1 tion 3 of this Act without the prior approval of the Senate
2 Committee on Rules and Administration, the Committee
3 on House Oversight of the House of Representatives, or
4 the Joint Committee on Printing.

5 **SEC. 6. CONGRESSIONAL COMMITTEE MATERIALS.**

6 It is the sense of the Senate that each standing and
7 special committee of the Senate and each Joint Committee
8 of the Congress, in accordance with such rules as the com-
9 mittee may adopt, should provide access via the Internet
10 to publicly-available committee information, documents,
11 and proceedings, including bills, reports, and transcripts
12 of committee meetings that are open to the public.

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