

Suspend the Rules and Pass the Bill H.R. 4631 With Amendments

(The amendments strike all after the enacting clause and insert a new text and a new title)

115TH CONGRESS
1ST SESSION

H. R. 4631

To require the Director of the Government Publishing Office to establish and maintain a website accessible to the public that allows the public to obtain electronic copies of all congressionally mandated reports in one place, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 12, 2017

Mr. QUIGLEY (for himself, Mr. RODNEY DAVIS of Illinois, Mr. LOUDERMILK, Mr. BRAT, Mr. COOPER, and Mr. SOTO) introduced the following bill; which was referred to the Committee on the Committee on Oversight and Government Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require the Director of the Government Publishing Office to establish and maintain a website accessible to the public that allows the public to obtain electronic copies of all congressionally mandated reports in one place, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Access to Congression-
3 ally Mandated Reports Act”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) CONGRESSIONALLY MANDATED REPORT.—

7 The term “congressionally mandated report”—

8 (A) means a report that is required to be
9 submitted to either House of Congress or any
10 committee of Congress, or subcommittee there-
11 of, by a statute, resolution, or conference report
12 that accompanies legislation enacted into law;
13 and

14 (B) does not include a report required
15 under part B of subtitle II of title 36, United
16 States Code.

17 (2) DIRECTOR.—The term “Director” means
18 the Director of the Government Publishing Office.

19 (3) FEDERAL AGENCY.—The term “Federal
20 agency” has the meaning given that term under sec-
21 tion 102 of title 40, United States Code, but does
22 not include the Government Accountability Office.

23 (4) OPEN FORMAT.—The term “open format”
24 means a file format for storing digital data based on
25 an underlying open standard that—

1 (A) is not encumbered by any restrictions
2 that would impede reuse; and

3 (B) is based on an underlying open data
4 standard that is maintained by a standards or-
5 ganization.

6 (5) REPORTS ONLINE PORTAL.—The term “re-
7 ports online portal” means the online portal estab-
8 lished under section (3)(a).

9 **SEC. 3. ESTABLISHMENT OF ONLINE PORTAL FOR CON-**
10 **GRESSIONALLY MANDATED REPORTS.**

11 (a) REQUIREMENT TO ESTABLISH ONLINE POR-
12 TAL.—

13 (1) IN GENERAL.—Not later than 1 year after
14 the date of enactment of this Act, the Director shall
15 establish and maintain an online portal accessible by
16 the public that allows the public to obtain electronic
17 copies of all congressionally mandated reports in one
18 place. The Director may publish other reports on the
19 online portal.

20 (2) EXISTING FUNCTIONALITY.—To the extent
21 possible, the Director shall meet the requirements
22 under paragraph (1) by using existing online portals
23 and functionality under the authority of the Direc-
24 tor.

1 (3) CONSULTATION.—In carrying out this Act,
2 the Director shall consult with the Clerk of the
3 House of Representatives, the Secretary of the Sen-
4 ate, and the Librarian of Congress regarding the re-
5 quirements for and maintenance of congressionally
6 mandated reports on the reports online portal.

7 (b) CONTENT AND FUNCTION.—The Director shall
8 ensure that the reports online portal includes the fol-
9 lowing:

10 (1) Subject to subsection (c), with respect to
11 each congressionally mandated report, each of the
12 following:

13 (A) A citation to the statute, conference
14 report, or resolution requiring the report.

15 (B) An electronic copy of the report, in-
16 cluding any transmittal letter associated with
17 the report, in an open format that is platform
18 independent and that is available to the public
19 without restrictions, including restrictions that
20 would impede the re-use of the information in
21 the report.

22 (C) The ability to retrieve a report, to the
23 extent practicable, through searches based on
24 each, and any combination, of the following:

25 (i) The title of the report.

1 (ii) The reporting Federal agency.

2 (iii) The date of publication.

3 (iv) Each congressional committee re-
4 ceiving the report, if applicable.

5 (v) The statute, resolution, or con-
6 ference report requiring the report.

7 (vi) Subject tags.

8 (vii) A unique alphanumeric identifier
9 for the report that is consistent across re-
10 port editions.

11 (viii) The serial number, Super-
12 intendent of Documents number, or other
13 identification number for the report, if ap-
14 plicable.

15 (ix) Key words.

16 (x) Full text search.

17 (xi) Any other relevant information
18 specified by the Director.

19 (D) The date on which the report was re-
20 quired to be submitted, and on which the report
21 was submitted, to the reports online portal.

22 (E) Access to the report not later than 30
23 calendar days after its submission to Congress.

24 (F) To the extent practicable, a permanent
25 means of accessing the report electronically.

1 (2) A means for bulk download of all congress-
2 sionally mandated reports.

3 (3) A means for downloading individual reports
4 as the result of a search.

5 (4) An electronic means for the head of each
6 Federal agency to submit to the reports online portal
7 each congressionally mandated report of the
8 agency, as required by section 4.

9 (5) In tabular form, a list of all congressionally
10 mandated reports that can be searched, sorted, and
11 downloaded by—

12 (A) reports submitted within the required
13 time;

14 (B) reports submitted after the date on
15 which such reports were required to be sub-
16 mitted; and

17 (C) reports not submitted.

18 (c) NONCOMPLIANCE BY FEDERAL AGENCIES.—

19 (1) REPORTS NOT SUBMITTED.—If a Federal
20 agency does not submit a congressionally mandated
21 report to the Director, the Director shall to the ex-
22 tent practicable—

23 (A) include on the reports online portal—

1 (i) the information required under
2 clauses (i), (ii), (iv), and (v) of subsection
3 (b)(1)(C); and

4 (ii) the date on which the report was
5 required to be submitted; and

6 (B) include the congressionally mandated
7 report on the list described in subsection
8 (b)(5)(C).

9 (2) **REPORTS NOT IN OPEN FORMAT.**—If a Fed-
10 eral agency submits a congressionally mandated re-
11 port that is not in an open format, the Director shall
12 include the congressionally mandated report in an-
13 other format on the reports online portal.

14 (d) **FREE ACCESS.**—The Director may not charge a
15 fee, require registration, or impose any other limitation
16 in exchange for access to the reports online portal.

17 (e) **UPGRADE CAPABILITY.**—The reports online por-
18 tal shall be enhanced and updated as necessary to carry
19 out the purposes of this Act.

20 **SEC. 4. FEDERAL AGENCY RESPONSIBILITIES.**

21 (a) **SUBMISSION OF ELECTRONIC COPIES OF RE-**
22 **PORTS.**—Concurrently with the submission to Congress of
23 each congressionally mandated report, the head of the
24 Federal agency submitting the congressionally mandated
25 report shall submit to the Director the information re-

1 quired under subparagraphs (A) through (D) of section
2 3(b)(1) with respect to the congressionally mandated re-
3 port. Nothing in this Act shall relieve a Federal agency
4 of any other requirement to publish the congressionally
5 mandated report on the online portal of the Federal agen-
6 cy or otherwise submit the congressionally mandated re-
7 port to Congress or specific committees of Congress, or
8 subcommittees thereof.

9 (b) GUIDANCE.—Not later than 240 days after the
10 date of enactment of this Act, the Director of the Office
11 of Management and Budget, in consultation with the Di-
12 rector, shall issue guidance to agencies on the implementa-
13 tion of this Act.

14 (c) STRUCTURE OF SUBMITTED REPORT DATA.—
15 The head of each Federal agency shall ensure that each
16 congressionally mandated report submitted to the Director
17 complies with the open format criteria established by the
18 Director in the guidance issued under subsection (b).

19 (d) POINT OF CONTACT.—The head of each Federal
20 agency shall designate a point of contact for congression-
21 ally mandated report.

22 (e) LIST OF REPORTS.—As soon as practicable each
23 calendar year (but not later than April 1), and on a rolling
24 basis during the year if feasible, the Librarian of Congress
25 shall submit to the Director a list of congressionally man-

1 dated reports from the previous calendar year, in consulta-
2 tion with the Clerk of the House of Representatives, which
3 shall—

4 (1) be provided in an open format;

5 (2) include the information required under
6 clauses (i), (ii), (iv), (v) of section 3(b)(1)(C) for
7 each report;

8 (3) include the frequency of the report;

9 (4) include a unique alphanumeric identifier for
10 the report that is consistent across report editions;

11 (5) include the date on which each report is re-
12 quired to be submitted; and

13 (6) be updated and provided to the Director, as
14 necessary.

15 **SEC. 5. REMOVING AND ALTERING REPORTS.**

16 A report submitted to be published to the reports on-
17 line portal may only be changed or removed, with the ex-
18 ception of technical changes, by the head of the Federal
19 agency concerned if—

20 (1) the head of the Federal agency consults
21 with each congressional committee to which the re-
22 port is submitted; and

23 (2) Congress enacts a joint resolution author-
24 izing the changing or removal of the report.

1 **SEC. 6. RELATIONSHIP TO THE FREEDOM OF INFORMA-**
2 **TION ACT.**

3 (a) **IN GENERAL.**—Nothing in this Act shall be con-
4 strued to—

5 (1) require the disclosure of information or
6 records that are exempt from public disclosure under
7 section 552 of title 5, United States Code; or

8 (2) to impose any affirmative duty on the Di-
9 rector to review congressionally mandated reports
10 submitted for publication to the reports online portal
11 for the purpose of identifying and redacting such in-
12 formation or records.

13 (b) **REDACTION OF INFORMATION.**—The head of a
14 Federal agency may redact information required to be dis-
15 closed under this Act if the information would be properly
16 withheld from disclosure under section 552 of title 5,
17 United States Code, and shall—

18 (1) redact information required to be disclosed
19 under this Act if disclosure of such information is
20 prohibited by law;

21 (2) redact information being withheld under
22 this subsection prior to submitting the information
23 to the Director;

24 (3) redact only such information properly with-
25 held under this subsection from the submission of

1 information or from any congressionally mandated
2 report submitted under this Act;

3 (4) identify where any such redaction is made
4 in the submission or report; and

5 (5) identify the exemption under which each
6 such redaction is made.

7 **SEC. 7. IMPLEMENTATION.**

8 Except as provided in section 4(b), this Act shall be
9 implemented not later than 1 year after the date of enact-
10 ment of this Act and shall apply with respect to congres-
11 sionally mandated reports submitted to Congress on or
12 after the date that is 1 year after such date of enactment.

13 **SEC. 8. NO ADDITIONAL FUNDS AUTHORIZED.**

14 No additional funds are authorized to carry out the
15 requirements of this Act. Such requirements shall be car-
16 ried out using amounts otherwise authorized.

Amend the title so as to read: “A bill to require the Director of the Government Publishing Office to establish and maintain an online portal accessible to the public that allows the public to obtain electronic copies of all congressionally mandated reports in one place, and for other purposes.”.