

**Suspend the Rules and Pass the Bill H.R. 736, With an Amendment**

**(The amendment strikes all after the enacting clause and inserts a new text)**

116<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 736

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.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 23, 2019

Mr. QUIGLEY (for himself, Ms. FOXX of North Carolina, Mr. MOULTON, Ms. STEFANIK, Mr. COOPER, Ms. NORTON, Mr. KHANNA, Mr. SARBANES, Ms. ROYBAL-ALLARD, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. SUOZZI, Mr. GRIJALVA, Mr. WALKER, Mr. RODNEY DAVIS of Illinois, and Mr. LOUDERMILK) introduced the following bill; which was referred to the Committee on Oversight and 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

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## 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.

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 “Access to Congression-

5 ally Mandated Reports Act”.

6 **SEC. 2. DEFINITIONS.**

7       In this Act:

8           (1) CONGRESSIONALLY MANDATED REPORT.—

9       The term “congressionally mandated report”—

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

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

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

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

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

4           (A) is not encumbered by any restrictions  
5 that would impede reuse; and

6           (B) is based on an underlying open data  
7 standard that is maintained by a standards or-  
8 ganization.

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

12 **SEC. 3. ESTABLISHMENT OF ONLINE PORTAL FOR CON-**  
13 **GRESSIONALLY MANDATED REPORTS.**

14           (a) REQUIREMENT TO ESTABLISH ONLINE POR-  
15 TAL.—

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

23           (2) EXISTING FUNCTIONALITY.—To the extent  
24 possible, the Director shall meet the requirements  
25 under paragraph (1) by using existing online portals

1 and functionality under the authority of the Direc-  
2 tor.

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

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

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

15 (A) A citation to the statute, conference  
16 report, or resolution requiring the report.

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

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

4 (i) The title of the report.

5 (ii) The reporting Federal agency.

6 (iii) The date of publication.

7 (iv) Each congressional committee re-  
8 ceiving the report, if applicable.

9 (v) The statute, resolution, or con-  
10 ference report requiring the report.

11 (vi) Subject tags.

12 (vii) A unique alphanumeric identifier  
13 for the report that is consistent across re-  
14 port editions.

15 (viii) The serial number, Super-  
16 intendent of Documents number, or other  
17 identification number for the report, if ap-  
18 plicable.

19 (ix) Key words.

20 (x) Full text search.

21 (xi) Any other relevant information  
22 specified by the Director.

23 (D) The date on which the report was re-  
24 quired to be submitted, and on which the report  
25 was submitted, to the reports online portal.

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

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

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

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

9 (4) An electronic means for the head of each  
10 Federal agency to submit to the reports online por-  
11 tal each congressionally mandated report of the  
12 agency, as required by section 4.

13 (5) In tabular form, a list of all congressionally  
14 mandated reports that can be searched, sorted, and  
15 downloaded by—

16 (A) reports submitted within the required  
17 time;

18 (B) reports submitted after the date on  
19 which such reports were required to be sub-  
20 mitted; and

21 (C) reports not submitted.

22 (c) NONCOMPLIANCE BY FEDERAL AGENCIES.—

23 (1) REPORTS NOT SUBMITTED.—If a Federal  
24 agency does not submit a congressionally mandated

1 report to the Director, the Director shall to the ex-  
2 tent practicable—

3 (A) include on the reports online portal—

4 (i) the information required under  
5 clauses (i), (ii), (iv), and (v) of subsection  
6 (b)(1)(C); and

7 (ii) the date on which the report was  
8 required to be submitted; and

9 (B) include the congressionally mandated  
10 report on the list described in subsection  
11 (b)(5)(C).

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

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

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

23 **SEC. 4. FEDERAL AGENCY RESPONSIBILITIES.**

24 (a) SUBMISSION OF ELECTRONIC COPIES OF RE-  
25 PORTS.—Concurrently with the submission to Congress of

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

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

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

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



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

2 A report submitted to be published to the reports on-  
3 line portal may only be changed or removed, with the ex-  
4 ception of technical changes, by the head of the Federal  
5 agency concerned if—

6 (1) the head of the Federal agency consults  
7 with each congressional committee to which the re-  
8 port is submitted; and

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

11 **SEC. 6. RELATIONSHIP TO THE FREEDOM OF INFORMA-**  
12 **TION ACT.**

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

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

18 (2) to impose any affirmative duty on the Di-  
19 rector to review congressionally mandated reports  
20 submitted for publication to the reports online portal  
21 for the purpose of identifying and redacting such in-  
22 formation or records.

23 (b) **REDACTION OF INFORMATION.**—The head of a  
24 Federal agency may redact information required to be dis-  
25 closed under this Act if the information would be properly

1 withheld from disclosure under section 552 of title 5,  
2 United States Code, and shall—

3 (1) redact information required to be disclosed  
4 under this Act if disclosure of such information is  
5 prohibited by law;

6 (2) redact information being withheld under  
7 this subsection prior to submitting the information  
8 to the Director;

9 (3) redact only such information properly with-  
10 held under this subsection from the submission of  
11 information or from any congressionally mandated  
12 report submitted under this Act;

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

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

17 **SEC. 7. IMPLEMENTATION.**

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

23 **SEC. 8. DETERMINATION OF BUDGETARY EFFECTS.**

24 The budgetary effects of this Act, for the purpose of  
25 complying with the Statutory Pay-As-You-Go Act of 2010,

1 shall be determined by reference to the latest statement  
2 titled “Budgetary Effects of PAYGO Legislation” for this  
3 Act, submitted for printing in the Congressional Record  
4 by the Chairman of the House Budget Committee, pro-  
5 vided that such statement has been submitted prior to the  
6 vote on passage.