

Suspend the Rules and Pass the Bill, H.R. 2485, With an Amendment

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

117TH CONGRESS
1ST SESSION

H. R. 2485

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.

IN THE HOUSE OF REPRESENTATIVES

APRIL 13, 2021

Mr. QUIGLEY (for himself, Mr. COMER, Mrs. AXNE, Mr. FITZPATRICK, Mr. COOPER, Mr. WALBERG, Ms. NORTON, Mr. TAYLOR, Mr. FOSTER, Mr. HICE of Georgia, Mr. KHANNA, Mrs. BICE of Oklahoma, Mr. DANNY K. DAVIS of Illinois, Miss GONZÁLEZ-COLÓN, Mr. SARBANES, Mr. RODNEY DAVIS of Illinois, Mr. COHEN, and Mrs. MILLER-MEEKS) introduced the following bill; which was referred to the Committee on Oversight and Reform, and in addition to the Committees on House Administration, and the Budget, 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 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 (A) IN GENERAL.—The term “congression-

10 ally mandated report” means a report of a Fed-

11 eral agency that is required by statute to be

12 submitted to either House of Congress or any

13 committee of Congress or subcommittee thereof.

14 (B) EXCLUSIONS.—

15 (i) PATRIOTIC AND NATIONAL ORGA-

16 NIZATIONS.—The term “congressionally

17 mandated report” does not include a re-

18 port required under part B of subtitle II of

19 title 36, United States Code.

20 (ii) INSPECTORS GENERAL.—The

21 term “congressionally mandated report”

22 does not include a report by an office of an

23 inspector general.

24 (2) DIRECTOR.—The term “Director” means

25 the Director of the Government Publishing Office.

1 (3) FEDERAL AGENCY.—The term “Federal
2 agency” has the meaning given the term “federal
3 agency” under section 102 of title 40, United States
4 Code, but does not include the Government Account-
5 ability Office or an element of the intelligence com-
6 munity.

7 (4) INTELLIGENCE COMMUNITY.—The term
8 “intelligence community” has the meaning given
9 that term in section 3 of the National Security Act
10 of 1947 (50 U.S.C. 3003).

11 (5) OPEN FORMAT.—The term “open format”
12 means a file format for storing digital data based on
13 an underlying open standard that—

14 (A) is not encumbered by any restrictions
15 that would impede reuse; and

16 (B) is based on an underlying open data
17 standard that is maintained by a standards or-
18 ganization.

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

22 **SEC. 3. ESTABLISHMENT OF ONLINE PORTAL FOR CON-**
23 **GRESSIONALLY MANDATED REPORTS.**

24 (a) REQUIREMENT TO ESTABLISH ONLINE POR-
25 TAL.—

1 (1) IN GENERAL.—Not later than 1 year after
2 the date of enactment of this Act, the Director shall
3 establish and maintain an online portal accessible by
4 the public that allows the public to obtain electronic
5 copies of congressionally mandated reports in one
6 place.

7 (2) EXISTING FUNCTIONALITY.—To the extent
8 possible, the Director shall meet the requirements
9 under paragraph (1) by using existing online portals
10 and functionality under the authority of the Direc-
11 tor.

12 (3) CONSULTATION.—In carrying out this Act,
13 the Director shall consult with the Clerk of the
14 House of Representatives, the Secretary of the Sen-
15 ate, and the Librarian of Congress regarding the re-
16 quirements for and maintenance of congressionally
17 mandated reports on the reports online portal.

18 (b) CONTENT AND FUNCTION.—The Director shall
19 ensure that the reports online portal includes the fol-
20 lowing:

21 (1) Subject to subsection (c), with respect to
22 each congressionally mandated report, each of the
23 following:

24 (A) A citation to the statute requiring the
25 report.

1 (B) An electronic copy of the report, in-
2 cluding any transmittal letter associated with
3 the report, in an open format that is platform
4 independent and that is available to the public
5 without restrictions, including restrictions that
6 would impede the re-use of the information in
7 the report.

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

11 (i) The title of the report.

12 (ii) The reporting Federal agency.

13 (iii) The date of publication.

14 (iv) Each congressional committee or
15 subcommittee receiving the report, if appli-
16 cable.

17 (v) The statute requiring the report.

18 (vi) Subject tags.

19 (vii) A unique alphanumeric identifier
20 for the report that is consistent across re-
21 port editions.

22 (viii) The serial number, Super-
23 intendent of Documents number, or other
24 identification number for the report, if ap-
25 plicable.

1 (ix) Key words.

2 (x) Full text search.

3 (xi) Any other relevant information
4 specified by the Director.

5 (D) The date on which the report was re-
6 quired to be submitted, and on which the report
7 was submitted, to the reports online portal.

8 (E) To the extent practicable, a permanent
9 means of accessing the report electronically.

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

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

14 (4) An electronic means for the head of each
15 Federal agency to submit to the reports online por-
16 tal each congressionally mandated report of the
17 agency, as required by section 4.

18 (5) In tabular form, a list of all congressionally
19 mandated reports that can be searched, sorted, and
20 downloaded by—

21 (A) reports submitted within the required
22 time;

23 (B) reports submitted after the date on
24 which such reports were required to be sub-
25 mitted; and

1 (C) to the extent practicable, reports not
2 submitted.

3 (c) NONCOMPLIANCE BY FEDERAL AGENCIES.—

4 (1) REPORTS NOT SUBMITTED.—If a Federal
5 agency does not submit a congressionally mandated
6 report to the Director, the Director shall to the ex-
7 tent practicable—

8 (A) include on the reports online portal—

9 (i) the information required under
10 clauses (i), (ii), (iv), and (v) of subsection
11 (b)(1)(C); and

12 (ii) the date on which the report was
13 required to be submitted; and

14 (B) include the congressionally mandated
15 report on the list described in subsection
16 (b)(5)(C).

17 (2) REPORTS NOT IN OPEN FORMAT.—If a Fed-
18 eral agency submits a congressionally mandated re-
19 port that is not in an open format, the Director shall
20 include the congressionally mandated report in an-
21 other format on the reports online portal.

22 (d) DEADLINE.—The Director shall ensure that in-
23 formation required to be published on the online portal
24 under this Act with respect to a congressionally mandated

1 report or information required under subsection (c) of this
2 section is published—

3 (1) not later than 30 days after the information
4 is received from the Federal agency involved; or

5 (2) in the case of information required under
6 subsection (c), not later than 30 days after the
7 deadline under this Act for the Federal agency in-
8 volved to submit information with respect to the con-
9 gressionally mandated report involved.

10 (e) EXCEPTION FOR CERTAIN REPORTS.—

11 (1) EXCEPTION DESCRIBED.—A congressionally
12 mandated report which is required by statute to be
13 submitted to a committee of Congress or a sub-
14 committee thereof, including any transmittal letter
15 associated with the report, shall not be submitted to
16 or published on the reports online portal if the chair
17 of a committee or subcommittee to which the report
18 is submitted notifies the Director in writing that the
19 report is to be withheld from submission and publi-
20 cation under this Act.

21 (2) NOTICE ON PORTAL.—If a report is with-
22 held from submission to or publication on the re-
23 ports online portal under paragraph (1), the Direc-
24 tor shall post on the portal—

1 (A) a statement that the report is withheld
2 at the request of a committee or subcommittee
3 involved; and

4 (B) the written notification provided by the
5 chair of the committee or subcommittee speci-
6 fied in paragraph (1).

7 (f) **FREE ACCESS.**—The Director may not charge a
8 fee, require registration, or impose any other limitation
9 in exchange for access to the reports online portal.

10 (g) **UPGRADE CAPABILITY.**—The reports online por-
11 tal shall be enhanced and updated as necessary to carry
12 out the purposes of this Act.

13 **SEC. 4. FEDERAL AGENCY RESPONSIBILITIES.**

14 (a) **SUBMISSION OF ELECTRONIC COPIES OF RE-**
15 **PORTS.**—Not earlier than 30 days or later than 45 days
16 after the date on which a congressionally mandated report
17 is submitted to either House of Congress or to any com-
18 mittee of Congress or subcommittee thereof, the head of
19 the Federal agency submitting the congressionally man-
20 dated report shall submit to the Director the information
21 required under subparagraphs (A) through (D) of section
22 3(b)(1) with respect to the congressionally mandated re-
23 port. Notwithstanding section 6, nothing in this Act shall
24 relieve a Federal agency of any other requirement to pub-
25 lish the congressionally mandated report on the online por-

1 tal of the Federal agency or otherwise submit the congress-
2 sionally mandated report to Congress or specific commit-
3 tees of Congress, or subcommittees thereof.

4 (b) GUIDANCE.—Not later than 180 days after the
5 date of enactment of this Act, the Director of the Office
6 of Management and Budget, in consultation with the Di-
7 rector, shall issue guidance to agencies on the implementa-
8 tion of this Act.

9 (c) STRUCTURE OF SUBMITTED REPORT DATA.—
10 The head of each Federal agency shall ensure that each
11 congressionally mandated report submitted to the Director
12 complies with the open format criteria established by the
13 Director in the guidance issued under subsection (b).

14 (d) POINT OF CONTACT.—The head of each Federal
15 agency shall designate a point of contact for congression-
16 ally mandated reports.

17 (e) REQUIREMENT FOR SUBMISSION.—The Director
18 shall not publish any report through the online portal that
19 is received from anyone other than the head of the applica-
20 ble Federal agency, or an officer or employee of the Fed-
21 eral agency specifically designated by the head of the Fed-
22 eral agency.

23 **SEC. 5. CHANGING OR REMOVING REPORTS.**

24 (a) LIMITATION ON AUTHORITY TO CHANGE OR RE-
25 MOVE REPORTS.—Except as provided in subsection (b),

1 the head of the Federal agency concerned may change or
2 remove a congressionally mandated report submitted to be
3 published on the reports online portal only if—

4 (1) the head of the Federal agency consults
5 with each committee of Congress or subcommittee
6 thereof to which the report is required to be sub-
7 mitted (or, in the case of a report which is not re-
8 quired to be submitted to a particular committee of
9 Congress or subcommittee thereof, to each com-
10 mittee with jurisdiction over the agency, as deter-
11 mined by the head of the agency in consultation with
12 the Speaker of the House of Representatives and the
13 President pro tempore of the Senate) prior to chang-
14 ing or removing the report; and

15 (2) a joint resolution is enacted to authorize the
16 change in or removal of the report.

17 (b) EXCEPTIONS.—Notwithstanding subsection (a),
18 the head of the Federal agency concerned—

19 (1) may make technical changes to a report
20 submitted to or published on the online portal;

21 (2) may remove a report from the online portal
22 if the report was submitted to or published on the
23 online portal in error; and

1 (3) may withhold information, records, or re-
2 ports from publication on the online portal in ac-
3 cordance with section 6.

4 **SEC. 6. WITHHOLDING OF INFORMATION.**

5 (a) IN GENERAL.—Nothing in this Act shall be con-
6 strued to—

7 (1) require the disclosure of information,
8 records, or reports that are exempt from public dis-
9 closure under section 552 of title 5, United States
10 Code, or that may be withheld under section 552a
11 of title 5, United States Code; or

12 (2) impose any affirmative duty on the Director
13 to review congressionally mandated reports sub-
14 mitted for publication to the reports online portal
15 for the purpose of identifying and redacting such in-
16 formation or records.

17 (b) WITHHOLDING OF INFORMATION.—

18 (1) IN GENERAL.—Consistent with subsection
19 (a)(1), the head of a Federal agency may withhold
20 from the Director, and from publication on the on-
21 line portal, any information, records, or reports that
22 are exempt from public disclosure under section 552
23 of title 5, United States Code, or that may be with-
24 held under section 552a of title 5, United States
25 Code.

1 (2) NATIONAL SECURITY.—Nothing in this Act
2 shall be construed to require the publication, on the
3 online portal or otherwise, of any report containing
4 information that is classified, or the public release of
5 which could have a harmful effect on national secu-
6 rity.

7 **SEC. 7. IMPLEMENTATION.**

8 (a) REPORTS SUBMITTED TO CONGRESS.—

9 (1) IN GENERAL.—This Act shall apply with re-
10 spect to any congressionally mandated report
11 which—

12 (A) is required by statute to be submitted
13 to the House of Representatives, or the Speaker
14 thereof, or Senate, or the President or Presi-
15 dent Pro Tempore thereof, at any time before,
16 on, or after the date of the enactment of this
17 Act; or

18 (B) is included by the Clerk of the House
19 of Representatives or the Secretary of the Sen-
20 ate (as the case may be) on the list of reports
21 received by the House of Representatives or
22 Senate (as the case may be) at any time before
23 the date of the enactment of this Act.

24 (2) TRANSITION RULE FOR PREVIOUSLY SUB-
25 MITTED REPORTS.—To the extent practicable, the

1 Director shall ensure that any congressionally man-
2 dated report described in paragraph (1) which was
3 required to be submitted to Congress by a statute
4 enacted before the date of the enactment of this Act
5 is published on the online portal under this Act not
6 later than 1 year after the date of the enactment of
7 this Act.

8 (b) REPORTS SUBMITTED TO COMMITTEES.—In the
9 case of congressionally mandated reports which are re-
10 quired by statute to be submitted to a committee of Con-
11 gress or a subcommittee thereof, this Act shall apply with
12 respect to—

13 (1) any such report which is first required to be
14 submitted by a statute which is enacted on or after
15 the date of the enactment of this Act; and

16 (2) to the maximum extent practical, any con-
17 gressionally mandated report which was required to
18 be submitted by a statute enacted before the date of
19 enactment of this Act unless—

20 (A) the chair of the committee, or sub-
21 committee thereof, to which the report was re-
22 quired to be submitted notifies the Director in
23 writing that the report is to be withheld from
24 publication; and

1 (B) the Director publishes the notification
2 on the online portal.

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

4 The budgetary effects of this Act, for the purpose of
5 complying with the Statutory Pay-As-You-Go Act of 2010,
6 shall be determined by reference to the latest statement
7 titled “Budgetary Effects of PAYGO Legislation” for this
8 Act, submitted for printing in the Congressional Record
9 by the Chairman of the House Budget Committee, pro-
10 vided that such statement has been submitted prior to the
11 vote on passage.

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