

**Written testimony of Kevin R. Kosar
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Before the U.S. House of Representatives,
Committee on Appropriations,
Legislative Branch Appropriations Subcommittee
March 4, 2020**

Thank you, Chairman Ryan, Ranking Member Beutler and members of the Legislative Branch Appropriations Subcommittee for holding this open hearing. This is the fourth consecutive year the subcommittee has held a public hearing, which is a wonderful and remarkable achievement. All of us who have participated previously and are submitting testimony today are very grateful.

I am a vice president at the R Street Institute, and I previously spent 11 rewarding years as an analyst and acting research manager at the Congressional Research Service (CRS).

After serving at the CRS, I joined others in advocating for equitable public access to CRS reports. I believed it was unfair that the public had no online source for getting authenticated copies of the reports, whereas lobbyists and others within the Beltway had easy access. I also contended that in the age of “fake news” and “alternative facts” the public and media need more objective sources of information for reference.¹

This subcommittee acted and fixed the problem. Three years ago, it wrote a law that struck down the 1954 appropriations rider that created inequitable access.² Thank you, again.

I am also pleased to see that the CRS has made great progress implementing the law’s provisions. [Crsreports.congress.gov](https://crsreports.congress.gov) is online and is serving as a great public resource. I receive Google news alerts nearly every day that inform me of various media whose articles are informed by CRS reports. College professors and students also learn from the reports, as do various civil society groups. Governance, as you know all too well, is really complex. CRS reports help everyone better understand government.

Plaudits stated, I would nonetheless like to call your attention to two aspects of implementation that have been less than satisfactory.

- At present, the CRS is posting reports only in PDF format. That makes them difficult to read and slow to load on mobile devices. Congress and its staff, meanwhile, have access to both mobile-friendly HTML copies and PDFs through the non-public CRS.gov. Why the public-facing site offers only PDF copies is unclear. These report files are not born as PDFs. In fact, CRS analysts and experts create their reports as Microsoft Word files, which then are converted into both HTML and PDF files during the publishing process. Please consider directing the CRS to post its reports in HTML or other mobile-friendly

¹ Kevin Kosar, “Where taxpayers pay (\$100 million a year) but interest groups benefit,” *The Washington Post*, Nov. 10, 2015. https://www.washingtonpost.com/news/federal-eye/wp/2015/11/10/where-taxpayers-pay-100-million-a-year-but-interest-groups-benefit/?utm_term=.965e4c523c42.

² Consolidated Appropriations Act, 2018 (P.L. 115-141). <https://www.congress.gov/bill/115th-congress/house-bill/1625/text?format=txt>.

- formats on crsreports.congress.gov. This implementation shortcoming should be easily solved.³
- The CRS has a large trove of what are called “non-current reports.” These are reports that have been placed in the CRSX archive and made unavailable to Congress except upon request from a legislator or legislative staff. Hence, for example, the legislator or staffer who searches crsreports.congress.gov about the “quasi government” or “reinventing government” will get no results—despite the fact that CRS has published lengthy reports on both these topics. The CRS’s rationale for keeping these reports hidden is unclear. When Representative Mike Quigley asked the CRS whether it would place these reports online, the Librarian of Congress replied that the task was outside the scope of the 2018 Consolidated Appropriations Act’s requirements.⁴ This is a shame, and a disservice to Congress and the public. There are an enormous number of informative reports in CRSX—I know as I have used those archived reports. Please consider directing the CRS to begin sharing reports from CRSX on the publicly available site this year.⁵

Thank you for your time and consideration. I would be happy to answer any questions the subcommittee or its staff may have.

³ The privately created site everycrsreport.com, which cost less than \$20,000 to build, has both HTML and PDF copies.

⁴ Carla Hayden, letter to Rep. Mike Quigley, March 1, 2019. Which prompts the question: Can the CRS avoid publishing a report publicly through a declaration that the report is no longer “active”?

⁵ Some of these reports—especially reports published more than a decade ago—might only be available in PDF format. Although not ideal, access to PDF copies of old CRS reports would be better than no access.