

**Statement of Robert Randolph Newlen  
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Before the  
Committee on House Administration  
Subcommittee on Modernization  
U.S. House of Representatives  
March 20, 2024**

Chairwoman Bice, Ranking Member Kilmer, and Members of the Subcommittee,

Thank you for the opportunity to participate in this hearing regarding the Legislative Proposals to Support Modernizing the Congressional Research Service (“CRS” or “Service”) and the Use of Federal Data. Access to federal data is an issue of great importance to CRS, as access to timely, reliable information is critical to its ability to provide high quality research, analysis, information, and consultative assistance to Congress. I look forward to discussing CRS’s need for enhanced authority to obtain access to the information and data needed to carry out this important responsibility. In addition, I will briefly address CRS’s legislative request to cease hardbound printing of the Constitution of the United States: Analysis and Interpretation (“Constitution Annotated” or CONAN). I will also bring the Subcommittee up to date on several initiatives underway to ensure that CRS is fulfilling its mission in the delivery of products and services that best meet your needs.

**CRS LEGISLATIVE REQUESTS BEFORE THE 118<sup>TH</sup> CONGRESS**

As part of the Library of Congress’s Legislative and Appropriations Request to the 118<sup>th</sup> Congress, CRS has submitted two proposals to ensure greater access to the resources needed to effectively serve Congress and to promote more efficient utilization of its existing resources. The proposed amendments and CRS’s need for the legislation are discussed below.

***CRS Access to Federal Agency Information***

CRS’s access to the records, data and other information held by executive branch agencies is essential to its ability to provide Congress with timely, authoritative research and analysis. The Service’s authority to obtain such information is derived from section 203(d) of the Legislative Reorganization Act of 1946, as amended, which provides in relevant part:

“... the Service shall have the authority, when so authorized by a committee and acting as the agent of that committee, to request of any department or agency of the United States the production of such books, records, correspondence, memoranda, papers, and documents as the Service considers necessary, and such department or agency of the United States shall comply with such request...”

CRS’s authority to acquire information under this provision is limited to its work in the performance of its duty to “advise and assist [congressional committees] ... in the analysis, appraisal and evaluation of legislative proposals....”

As currently written, section 203(d) provides CRS very limited authority to acquire the information needed to fully and effectively carry out its statutory duties. Under the provision, executive branch and other federal agencies are required to provide CRS requested information only when the Service’s request is “authorized by a committee.” Consequently, section 203(d) cannot be used to obtain information needed by CRS to serve individual Members and other congressional offices or to conduct independently initiated research and analysis in fulfillment of its statutory obligation to anticipate issues of interest to Congress.

In addition, CRS’s ability to obtain information under this authority is restricted to those instances when it is “acting as an agent” of a committee. CRS’s status as an “agent” would appear to require authorization from the committee chair. As there is no provision for ranking and individual committee members to authorize CRS to request information on their behalf, the statute potentially places the Service in the position of providing services for one Member that are not available to all. Supporting all Members and congressional offices equally and regardless of party affiliation, as well as its anticipatory research on emergent issues have long been hallmarks of CRS’s service to Congress. To the extent that the application of section 203(d) conflicts with these core responsibilities, utilization of this authority in many cases becomes impractical.

The limited authority granted by section 203(d) is reflective of Congress’s committee-centric approach to legislating at the time of its enactment. Such authority was thought to be sufficient to bolster the research, analysis, and reference services then provided by CRS, which skewed heavily toward support of the legislative and oversight activities of congressional committees. As Congress

has evolved in the way that it operates however, so too has CRS adapted its product and service offerings to ensure that it continues to meet Congress's needs. Today, while CRS continues to conduct much of its research and analysis in support of congressional committees, a substantial portion of the Service's workload involves assisting individual Member offices. In fiscal 2023 for example, CRS responded to over 57,000 requests from individual Member and other congressional offices. In addition, as the issues before Congress have become more complex and the pace of legislative and oversight activity has increased, CRS's need for timely, accurate data and other information held by federal agencies has grown. Legislation broadening CRS's authority will ensure the Service's access to the information needed to effectively serve all congressional users and fully execute its statutory mission in the 21<sup>st</sup> century legislative environment.

Generally, CRS has been successful in its ability to secure the information that it needs from other federal agencies through formal agreement or by way of the many collegial relationships between CRS staff and agency officials. There have been instances, however, when the Service has encountered resistance from federal agencies in providing needed information. Among the responses to CRS information requests, agencies have directed the Service to file Freedom of Information Act (FOIA) requests; required disclosure of the congressional office for whom the research is being conducted (in violation of CRS's confidentiality obligations); sought CRS's assurance that the information will not be shared with third parties (a potential conflict with CRS obligations to Congress); restricted identification of the source of the information; and delayed the response pending the completion of lengthy administrative processes. In one notable example, CRS has been attempting to procure two data resources, critical to its research, since 2017. In other instances, information requests are simply ignored or denied, requiring the Service to inform the congressional requestor that CRS is unable to secure the information.

Enhanced authority is required to ensure that CRS has access to the most accurate, up-to-date information available in its support to Congress. In its legislative and appropriations request to the 118<sup>th</sup> Congress, CRS has proposed amendment of its information access authority that would eliminate the limitation to committee work and the need for committee authorization, enabling the Service to secure the information and resources needed to support all of its work for Congress. Broadening section 203 in this manner would place CRS on par with other legislative support agencies with respect to its ability to acquire information needed to fulfill its mission.

## ***CONAN: Repeal of Hardbound Printing Requirement***

CRS is also requesting elimination of the statutory requirement to publish the *Constitution of the United States of America: Analysis and Interpretation* (the “Constitution Annotated” or CONAN) and its supplements in hardbound copy. CONAN has served as the official record of the U.S. Constitution for Congress for over a century. By statute, the Librarian of Congress is directed to print a decennial revised edition of the Constitution Annotated after every tenth term of the Supreme Court and cumulative pocket part supplements every two years in between the decennial edition. The publication is prepared by CRS legal staff and provides a historical overview of the origins of the Constitution as well as analysis and explanation of the Supreme Court’s jurisprudence with respect to every constitutional provision. In 2019, CRS collaborated with the Library of Congress’s Office of the Chief Information Officer (OCIO) and the Law Library of Congress to introduce a new website for CONAN: [constitution.congress.gov](https://constitution.congress.gov). The site features a search capability and hundreds of pages of constitutional analysis and content, which is updated regularly and presented in a concise, user-friendly format. The website has been an overwhelming success since its launch, receiving over 54 million page views. Speaking as one who is a librarian by training, I would always direct my clients to the online source instead of a hardcopy, which is outdated upon delivery.

Given the success of the CONAN site and the projected savings to be gained, CRS has requested amendment of CONAN’s authorizing statute to require the Librarian of Congress to prepare digital decennial editions and cumulative pocket parts, in place of the hardbound versions after the Supreme Court’s 2031 and 2023 terms, respectively. Elimination of the hardbound version of CONAN would provide significant savings for CRS as well as the Government Publishing Office (GPO). Production costs for the 2012 version of CONAN, including labor, paper and binding, totaled over \$960,000. In addition to the production of content for the print, time is required of CRS to coordinate formatting and pagination with GPO officials, contractors, and others and to perform other tasks to meet printing deadlines. In total, CRS estimates the time expended on production of the hardbound editions to be the equivalent of the work of three full-time employees. Transitioning CONAN to a digital-only product would enable CRS to better deploy its resources toward the timely production of CONAN’S digital content and enhancements to the website.

## **Modernization Initiatives**

The legislative changes requested by CRS are components of a broader initiative the Service has undertaken to explore innovative approaches to enhance its products and services and to ensure that Congress has access to the highest quality research, analysis, information, and consultative support available. The following is a brief summary of CRS's progress in achieving these important objectives.

### ***Exploring Artificial Intelligence Applications***

In a full committee hearing earlier this year, Members heard about the Library of Congress's agency-wide AI Working Group (AIWG), established to facilitate discussions of the most effective and responsible use of AI technology in service to our goals and mission. In addition to our participation in the Library's AI Working Group, CRS has established a working group to identify near-, medium-, and long-term opportunities to integrate artificial intelligence (AI) applications into the day-to-day work of the Service. The objectives of CRS AIWG include making recommendations to CRS leadership on best practices and operational processes necessary for the adoption of AI technologies; improving agency awareness of the current capabilities of AI; and informing CRS staff of ongoing Library of Congress and CRS initiatives in this area. These two AI Working Groups closely collaborate to ensure that CRS activities in the field of AI are consistent with Library-wide policies and initiatives.

Under the guidance of the CRS AIWG, CRS has initiated a number of AI related activities including: the launch of an Artificial Intelligence Research Portal to provide resources for CRS staff related to the field of AI; evaluation of new, generative AI components of a commercial legal research database; the development of an internal inventory of potential use cases for incorporating AI into the work of the Service; and the issuance of guidance to CRS staff prohibiting the use of Chat GPT or other AI tools in their work for Congress without prior CRS or Library approval.

In collaboration with the Library's OCIO, CRS is also exploring the utilization of automated processes to expedite drafting, reviewing, and publishing of bill summaries and the assignment of geographic and organizational subject terms. These activities involve the evaluation of models and methods using generative AI, traditional AI/Machine Learning, and Natural Language

Processing tools, and assessment to identify baseline expectations for acceptable accuracy rates, objectivity, and performance standards for machine-generated summaries and subject terms.

### ***Interactive Graphics and Other Visually-Based Products***

CRS continues to develop new, visually-based products through the efforts of its Data Visualization and GIS Section, within the Office of Publishing (PUB), and under the guidance and oversight of the Interactive Graphics Working Group (IGWG). During the past year, the IGWG has worked to streamline the production of such products, address technical issues that arise, facilitate innovation in interactive displays, and expand interactive visual options. In addition, the Group has explored adaptation of content into interactive infographics within the CRS Insight product line; acquired additional libraries to support more options for creating interactive graphic formats; and worked closely with OCIO to ensure that CRS's IT infrastructure is more compatible with its interactive graphic needs.

As of March 2024, CRS's product line includes 44 Infographics and 25 interactive graphics. CRS is also working on the prototype of a new "storymap" product, a next-generation storytelling platform that puts together multiple visual elements to create a narrative. These innovative products present exciting possibilities for CRS to present its research, analysis and information to Congress in new, accessible and user-friendly formats.

### ***Strengthening Data Analytics Capabilities***

CRS is moving forward in its efforts to enhance the Service's quantitative data analysis capabilities. In response to the direction provided in the Joint Explanatory Statement accompanying the Consolidated Appropriations Act, 2023 (Public Law 117-328), CRS contracted with a company to prepare a study identifying the information technology infrastructure, staffing, and analytical support required to establish and maintain a greater data analytics capability. In September 2023, CRS procured a vendor to pilot a small set of cloud based quantitative data models consistent with the guidance in the study. The Service has initiated a number of data analysis projects based on the study's recommendations including: employing a microsimulation model to make assessments and simulate policy alternatives related to low-income assistance programs; enhancing the capabilities of a student loan calculator to

model various changes to federal student loan terms and conditions; and utilizing big data sets to analyze transparency in private health insurance pricing.

For fiscal 2024, CRS has requested a program increase of just over \$3 million and two FTE to pilot and enhance the Service's capability for quantitative data analysis and policy simulation. CRS would utilize the requested amounts to contract data scientists, programmers, and digital interface designers to process data and maintain simulation models in a cloud computing environment. The funds would also be used to acquire the software, data sets, and infrastructure required to perform and maintain the data analysis and policy simulations. Of the total requested funds, \$487,000 of the amount and two FTE are requested for OCIO to design, support and implement systems, and to contract for IT security services.

### ***IT Modernization/Integrated Research and Information Systems (IRIS)***

CRS continues to work with OCIO to modernize its IT infrastructure with the deployment of new tools and software to enhance support to congressional stakeholders. The Integrated Research and Information System (IRIS) initiative is a multi-year effort to update the Service's mission-specific information technology to provide CRS staff with the best resources to create and deliver products and services to Congress.

Several applications have been successfully deployed to CRS users. The Minerva request management application was released to users in the fourth quarter of fiscal 2023; updates and enhancements continue monthly. In addition, the Text Analysis Program (TAP) for supporting bill summaries and bill comparisons was released in the second quarter of fiscal 2024. CRS and OCIO are continuing to execute several additional work streams to include a user-centered CRS.gov website redesign with an enhanced taxonomy and new search capability, authoring and document management, and content management. CRS anticipates a release of the newly redesigned CRS.gov website including an enhanced taxonomy and a new search capability before the end of fiscal 2024.

Technical solutions have been designed and adapted to maintain alignment with Library of Congress and Legislative Branch cloud strategies. Projects are currently proceeding consistent with contractual requirements, schedules, and resources. Solutions are being informed by congressional stakeholders as well as internal CRS staff. These efforts are essential to

modernizing CRS mission-critical applications, to achieve the Library’s “digital first” strategy and meet the growing needs of the Congress, in the areas of information research, policy and data analysis, content creation, and product delivery.

### ***Congress.gov***

The United States House of Representatives and Senate produce, and own, the data that is accessible to Members of Congress, legislative agencies, and the general public from Congress.gov. This fiscal year marks an historic, behind-the-scenes accomplishment for authoritative information provided by our data partners. First generation, 30–40-year-old out-of-date systems and workflows are being retired.

The Library, including CRS, has worked closely with House and Senate data owners to incorporate data standards and best practices into the new systems and workflows that produce data for Congress.gov. Along with the Library, CRS is deeply appreciative for our data partners’ initiatives to improve data quality by standardizing formats for legislative documents. The United States Legislative Markup, or USLM, is a legislative branch-wide standard that is integral to editing and publishing interoperability within the legislative ecosystem. Modernizing behind-the-scenes workflows advances our legislative data partnerships in support of better tracking legislative information and Member contributions through Congress.gov.

We are preparing for the future, and also continue to bring historical materials into Congress.gov. To date, researchers can access more than 3.2 million historical and contemporary items from Congress.gov. We remain committed to working with our data partners, including the Clerk of the House, to continually improve accuracy, timeliness, and completeness of legislative information available from Congress.gov—the official website for U.S. federal legislative information.

### **Conclusion**

Chairwoman Bice, Ranking Member Kilmer, and Members of the Subcommittee, the initiatives outlined above illustrate CRS’s ongoing commitment to ensure that it continues to provide exceptional research, analysis, and information to a 21<sup>st</sup> century Congress. CRS greatly values its role in support of the important work of Congress and strives to make its products and services available in formats that meet Congress’s evolving needs. Of course, CRS’s most important asset



is its dedicated staff with whom I am so privileged to serve. On behalf of my colleagues at CRS, I would like to express my appreciation to the Subcommittee for your continued support.