

April 5, 2011

The Honorable Member
Unites States House/Senate
Address
Washington, DC ZIP

Dear Legislative Branch Appropriations Subcommittee Member,

We are writing to ask you untie the hands of the Congressional Research Service so that the agency has the option of allocating funds to make its reports publicly available.

Prior legislative branch appropriations language prohibits CRS from expending funds to make its products publicly available. This archaic provision no longer makes practical sense. It runs counter to the principles of government openness and transparency. And its original purpose is undercut by the fact that many CRS products are already available to the public – from the Constitution Annotated to bill summaries to a significant subset of CRS reports.

Removing this language would eliminate a legislative stumbling block that currently frustrates efforts to promote the authorized publication of these reports. Its elimination would not require CRS to make its reports publicly available. Rather, it would clear the way so that a decision made on the merits of the question could readily be implemented. We are not asking for any new authorization or appropriation for this purpose.

In support of the requested action, we would note the following:

- CRS products are a valuable, non-partisan resource for informing discussion of nearly every topic of legislative activity, from agricultural subsidies to the space program. Improving public access to CRS reports would help to enrich public discourse and to promote informed citizen engagement in the political process.
- We respect the confidentiality of CRS support to Members of Congress, and we have no wish to infringe upon it. We are seeking public access only to those "published" reports that are broadly available to any Member or staff person through the CRS intranet, and not to any private communications between CRS and an individual Member or office.
- These reports play a critical role in our legislative process, and, when made available, inform the public debate about our nation's policies. In the last two years alone, major newspapers cited the Congressional Research Service 779 times, with 70 mentions in the **Washington Post** and 65 in the **New York Times**. The U.S. Supreme Court has cited CRS 34 times and the circuit court made 112 citations, with 130 judicial citations in the last decade alone.
- More than ten thousand CRS reports have already been made publicly available by commercial vendors and by public interest groups, with no adverse effect on CRS performance.

We therefore urge you to remove the statutory obstacle to authorized distribution of non-confidential CRS reports, and to help promote their distribution in an effective manner.

Representatives from the undersigned organizations would be happy to meet with you or your staff at any time to discuss this important issue. Please contact Amy Bennett, Program Associate, OpenTheGovernment.org (afuller@openthegovernment.org or 202-332-6736), at your convenience.

Sincerely,

American Association of Law Libraries	iSolon.org
American Association of University Professors	Liberty Coalition
American Library Association	National Coalition for History
American Society of News Editors	National Security Counselors
Association of Research Libraries	Northern California Association of Law Libraries
Bill of Rights Defense Committee	OMB Watch
Center for Fiscal Accountability	OpenTheGovernment.org
Center for Investigative Journalism- Puerto Rico	Point of Order
Center for Media and Democracy	Progressive Librarians Guild
Center for Responsive Politics	Project On Government Oversight – POGO
Citizens for Responsibility and Ethics in Washington – CREW	Public Citizen
Colgate University Libraries	Reporters Committee for Freedom of the Press
Defending Dissent Foundation	Society of Professional Journalists
Electronic Frontier Foundation	Special Libraries Association
Essential Information	Sunlight Foundation
Federation of American Scientists	Union of Concerned Scientists
Free Government Information	Washington Coalition for Open Government
Government Accountability Project – GAP	Western Carolina University Libraries
Investigative Reporters and Editors	WildEarth Guardians