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Kevin Kosar, Vice President of Policy, R Street Institute
Testimony before the U.S. Senate Committee on Appropriations,
Subcommittee on Legislative Branch Appropriations
May 12, 2017

Chairman Lankford, Ranking Member Murphy, and Members of the Committee:

Thank you for considering my written testimony. My name is Kevin Kosar, and I am vice president of policy for the [R Street Institute](#), a free-market think tank here in Washington. I also co-direct the [Legislative Branch Capacity Working Group](#), a bipartisan gathering of experts and congressional staff who meet monthly to discuss ways to reform Congress to meet the demands of the 21st century. Our aim, as we say, is to [“Make Congress Great Again.”](#)

I am here today to encourage the committee to make public access to Congressional Research Service reports more equitable. In short, lobbyists and other interested persons within the Beltway can get copies of CRS reports much more easily than the average member of the public. This is not fair, as it is the public whose tax dollars support CRS to the tune of \$106 million per year.

Here I will make two brief points:

First, no harm can come of making the reports more equitably available to the public. I spent more than a decade working at CRS, as an analyst and a research manager. I love the agency, as do the 24 other former and retired CRS experts who signed an [April 28, 2017 letter](#) to you in support of broader public access to CRS reports. We have 570 years of collective experience working at CRS and we are convinced that this is the right thing to do. [Forty groups](#) on the left, right, and center also support more equitable public access—which makes CRS leadership’s lonely lobbying against reform look peculiar (attached).

Second, Congress always has made CRS reports available to the public, albeit in an ad hoc way. For example, [CRS’ 1979 annual report](#) (pp. 63-85) lists dozens of CRS documents publicly released as committee prints, as part of hearings, and in the *Congressional Record* (attached). When the internet arrived 20 years ago, Congress released even more CRS reports to the public. Committees, individual members, and various offices within the two chambers posted CRS reports online and emailed them to lobbyists, interest groups, and constituents. This explains why there are thousands of copies of CRS reports floating about the internet, scattered here and there.

To conclude, what I and other former CRS employees advocate is that Congress continue to publish the reports, but to do so more consistently. I think it makes most sense to have Government Publishing Office do it, since its job is to make authenticated government documents accessible to the public. GPO previously has published CRS reports, like the [Evolving Congress](#), which came out late in 2014. As previously mentioned, GPO also has published CRS reports as parts of committee prints and hearings.

Thank you.

CRS should stop fighting access to its own reports

[Rstreet.org/2017/05/10/crs-should-stop-fighting-access-to-its-own-reports/](http://rstreet.org/2017/05/10/crs-should-stop-fighting-access-to-its-own-reports/)

Kevin Kosar

The Congressional Research Service plays an essential role in policymaking and oversight. It makes Congress smarter about issues and teaches new legislators how to legislate. I would not have spent 11 years working at CRS if I did not think very highly of the institution.

But there is one topic on which the widely esteemed and nonpartisan agency has been embarrassingly biased: the proposals to make its reports more equitably available to the public. As a practical matter, CRS reports are available – [27,000 copies](#) can be found on government and private-sector websites. [EveryCRSReport.com](#), for example, has more than 8,000 reports. But official congressional policy does not provide for consistent public release of the reports, which explain the workings of Congress, agencies and myriad public policies.

[Legislation has been introduced in this Congress and last Congress to fix this situation](#), and a number of times previously. Reps. Mike Quigley, D-Ill., and Leonard Lance, R-N.J., would have the Government Publishing Office post the reports on [GovInfo.gov](#). This solution would give citizens a central repository to go to read authenticated copies of the reports, and would relieve CRS and congressional staff of the hassles of responding to reporters, lobbyists and constituents who ask for copies.

Inevitably, CRS [proclaims aloud](#) that it takes no position on the issue and will do whatever Congress directs. But how are we to square that claim with this [2015 memorandum](#) that CRS' leadership shopped to legislators? The memorandum is modestly titled: "Considerations arising from the dissemination of CRS products." The content, however, is nothing but scare-mongering speculation about bad things that might happen if more Americans had access to CRS reports. Proponents of expanded access to CRS reports quickly [demolished](#) the claims made in CRS' "considerations" memo.

As someone who once reviewed CRS reports before they were published, I can tell you that, had a CRS analyst written this memo, it never would have seen the light of day. And said analyst would have been rebuked by his or her supervisor. The memorandum not only misconstrues what is being proposed—nobody is advocating that CRS itself distribute the reports—but it also makes no mention of the [many possible benefits](#) of a change in policy (like increased public understanding of how Congress and government operates).

That means the memo violates CRS' own very clear policies that its work for Congress *must* be accurate and unbiased, and *must* consider the possible benefits and costs of any proposed policy. (This internal CRS rule not only is intellectually honest, it also, ahem, protects the agency from having its work give the appearance of bias.)

One hopes that someone in Congress would call CRS leadership to the carpet on this tartuffery, and demand the agency to disavow the memorandum. In a time when federal budget cuts are being seriously discussed, the agency does itself, its employees and Congress no favors by being the lone voice advocating against common-sense reform.

APPENDIX C

CRS STUDIES IN THE PUBLIC DOMAIN

A subject listing of those Congressional Research Service studies and reports which have been printed in some form by the U.S. Government Printing Office and have been made generally available between May 1, 1979, and November 30, 1979.

ECONOMIC AFFAIRS

Ahearn, Raymond. Multilateral trade negotiations. [June 25, 1979] 13 p.

Appears in a joint committee print, Joint Economic Committee. *The U.S. role in a changing world political economy: major issues for the 96th Congress*. 1979. p. 48-60.

----- Summary of trade function reorganization approaches. [Sept. 18, 1979] 2 p.

Appears in the Congressional record [daily ed.] v. 125, Sept. 25, 1979: H8496-H8497.

Bresnick, Ronda. East-West commercial relations. [June 25, 1979] 11 p.

Appears in a joint committee print, Joint Economic Committee. *The U.S. role in a changing world political economy: major issues for the 96th Congress*. 1979. p. 285-295.

Bresnick, Ronda. Hardt, John. Policy considerations on export licensing. [Mar. 6, 1979] 20 p.

Appears in U.S. Congress. House. Committee on Foreign Affairs. *Extension and revision of the Export Administration Act of 1969. Hearings and markup, 96th Cong., 1st sess.* 1979. p. 914-933.

Cole, Leon. Thompson, Stephen. Transportation in rural America. [Jan. 15, 1979] 10 p.

Appears in a committee print, Senate Committee on Agriculture,

Nutrition, and Forestry, Subcommittee on Rural Development. *Rural development: an overview*. 1979. p. 139-148.

Congressional Research Service. Schusheim, Morton. Osbourn, Sandra. *Rural development: an overview*. Aug. 20, 1979. 257 p.

Issued as a committee print, Senate Committee on Agriculture, Nutrition, and Forestry, Subcommittee on Rural Development, 96th Cong., 1st sess.

Fletcher, W. Wendell. Cook, Kenneth. Foreign investment in U.S. farmland—*an overview*. [Sept. 1978] 19 p.

Appears in a committee print, Senate Committee on Agriculture, Nutrition, and Forestry. *Foreign investment in United States agricultural land*. 1979. p. 3-21.

Hardt, John. Bresnick, Ronda. *Soviet economy in a time of change: a compendium of papers*. Oct. 10, 1979. 2 v. (1,532 p.)

Issued as a joint committee print, Joint Economic Committee, 96th Cong., 1st sess.

Dr. Hardt helped to plan the scope of the research. He also coordinated and edited the contributions and wrote summaries for each volume. He was assisted by Ronda Bresnick.

Lowenthal, Mark. Whitson, William. Reifman, Alfred. *The U.S. role in a changing*

Appears in a committee print, House Committee on International Relations, Subcommittee on International Security and Scientific Affairs. *International transfer of technology; report of the President to the Congress together with assessment of the report by the Congressional Research Service*, Library of Congress. 1979. p. 35-55.

Huddle, Franklin. Carlson, Elaine. Ayton, Mauree. Knezo, Genevieve. Bates, Dorothy. Kornbluh, Marvin. Rothberg, Paul. *Science policy: a working glossary; fourth edition—1976*. Dec. 1978. 262 p.
Issued as a committee print, House Committee on Science and Technology, Subcommittee on Science, Research and Technology, 95th Cong., 2d sess.

Knezo, Genevieve. *Review of the Office of Technology Assessment and its organic act*. Nov. 1978. 211 p.
Issued as a committee print, House Committee on Science and Technology, Subcommittee on Science, Research and Technology, 95th Cong., 2d sess.
Genevieve Knezo assisted in preparing this report by summarizing the hearings and preparing a bibliography.

Morrison, Robert. Justus, John. Mielke, James. McHugh, Lois. Jones, Nancy. Zafren, Daniel. Viessman, Warren. Jolly, William. *Weather modification: programs, problems, policy, and potential*. May 1978. 746 p.

Issued as a committee print, Senate Committee on Commerce, Science, and Transportation, 95th Cong., 2d sess.

Parratt, Donna. *Regulation under current law of the products of recombinant DNA research*. Dec. 7, 1977. 8 p.

Appears in a committee print, Senate Committee on Commerce, Science, and Transportation, Subcommittee on Science, Technology, and Space. *Recombinant DNA research and its applications*. 1978. p. 99-106.

Smith, Marcia. Chatham, George. Dodge, Christopher. Luxenberg, Barbara. Raleigh, Lani. Sheldon, Charles. *United States civilian space programs: an overview*. Dec. 1978. 182 p.

Issued as a committee print, House Committee on Science and Technology, Subcommittee on Space Science and Applications, 95th Cong., 2d sess.