

**AMENDMENT TO H.R. 5325, AS REPORTED
OFFERED BY MR. LANCE OF NEW JERSEY**

At the end of the bill (before the short title), insert
the following:

1 **TITLE III—ACCESS TO CRS**
2 **REPORTS**

3 **SEC. 301. SHORT TITLE.**

4 This title may be cited as the “Equal Access to Con-
5 gressional Research Service Reports Act of 2016”.

6 **SEC. 302. DEFINITIONS.**

7 (a) **CRS PRODUCT.**—In this title, the term “CRS
8 product” means any final work product of CRS in any
9 format.

10 (b) **CRS REPORT.**—

11 (1) **IN GENERAL.**—In this title, the term “CRS
12 Report” means any written CRS product, including
13 an update to a previous written CRS product, con-
14 sisting of—

15 (A) a Congressional Research Service Re-
16 port;

17 (B) a Congressional Research Service Au-
18 thorization of Appropriations Product and Ap-
19 propriations Product; or

1 (C) subject to paragraph (2)(C), any other
2 written CRS product containing CRS research
3 or CRS analysis which is available for general
4 congressional access on the CRS Congressional
5 Intranet.

6 (2) EXCLUSIONS.—The term “CRS Report”
7 does not include—

8 (A) any CRS product that is determined
9 by the CRS Director to be a custom product or
10 service because it was prepared in direct re-
11 sponse to a request for custom analysis or re-
12 search and is not available for general congres-
13 sional access on the CRS Congressional
14 Intranet;

15 (B) any Congressional Research Service
16 Report or any Congressional Research Service
17 Authorization of Appropriations Product and
18 Appropriations Product which, as of the effec-
19 tive date of this title, is not available for gen-
20 eral congressional access on the CRS Congres-
21 sional Intranet; or

22 (C) a written CRS product that has been
23 made available by CRS for publication on a
24 public website maintained by the GPO Director

1 (other than the Website) or the Library of Con-
2 gress.

3 (c) OTHER DEFINITIONS.—In this title—

4 (1) the term “CRS” means the Congressional
5 Research Service;

6 (2) the term “CRS Congressional Intranet”
7 means any of the websites maintained by CRS for
8 the purpose of providing to Members and employees
9 of Congress access to information from CRS;

10 (3) the term “CRS Director” means the Direc-
11 tor of CRS;

12 (4) the term “GPO Director” means the Direc-
13 tor of the Government Publishing Office;

14 (5) the term “Member of Congress” includes a
15 Delegate or Resident Commissioner to Congress; and

16 (6) the term “Website” means the website es-
17 tablished and maintained under section 303.

18 **SEC. 303. AVAILABILITY OF CRS REPORTS THROUGH GPO**
19 **WEBSITE.**

20 (a) WEBSITE.—

21 (1) ESTABLISHMENT AND MAINTENANCE.—The
22 GPO Director, in consultation with the CRS Direc-
23 tor, shall establish and maintain a public website
24 containing CRS Reports and an index of all CRS

1 Reports contained on the website, in accordance with
2 this section.

3 (2) **FORMAT.**—On the Website, CRS Reports
4 shall be searchable, sortable, and downloadable, in-
5 cluding downloadable in bulk.

6 (3) **FREE ACCESS.**—Notwithstanding section
7 4102 of title 44, United States Code, the GPO Di-
8 rector may not charge a fee for access to the
9 Website.

10 (b) **UPDATES; DISCLAIMER.**—The GPO Director, in
11 consultation with the CRS Director, shall ensure that the
12 Website—

13 (1) is updated contemporaneously, automati-
14 cally, and electronically to include each new or up-
15 dated CRS Report released on or after the effective
16 date of this title;

17 (2) shows the status of each CRS Report as
18 new, updated, or withdrawn; and

19 (3) displays the following statement in reference
20 to the CRS Reports included on the Website: “These
21 documents were prepared by the Congressional Re-
22 search Service (CRS). CRS serves as nonpartisan
23 shared staff to congressional committees and Mem-
24 bers of Congress. It operates solely at the behest of
25 and under the direction of Congress. Information in

1 a CRS Report should not be relied upon for pur-
2 poses other than public understanding of informa-
3 tion that has been provided by CRS to Members of
4 Congress in connection with CRS's institutional role.
5 CRS Reports, as a work of the United States Gov-
6 ernment, are not subject to copyright protection in
7 the United States. Any CRS Report may be repro-
8 duced and distributed in its entirety without permis-
9 sion from CRS. However, as a CRS Report may in-
10 clude copyrighted images or material from a third
11 party, you may need to obtain the permission of the
12 copyright holder if you wish to copy or otherwise use
13 copyrighted material.”.

14 (c) FURNISHING OF NECESSARY INFORMATION AND
15 TECHNOLOGY.—The CRS Director shall consult with and
16 provide assistance to the GPO Director to ensure—

17 (1) that the GPO Director is provided with all
18 of the information necessary to carry out this title,
19 including all of the information described in sub-
20 paragraphs (A) through (E) of section 304(a)(1), in
21 such format and manner as the GPO Director con-
22 siders appropriate; and

23 (2) that CRS makes available and implements
24 such technology as may be necessary to facilitate the
25 contemporaneous, automatic, and electronic provi-

1 sion of CRS Reports to the GPO Director as re-
2 quired under this title.

3 (d) NONEXCLUSIVITY.—The GPO Director may pub-
4 lish other information on the Website.

5 (e) ADDITIONAL TECHNIQUES.—The GPO Director
6 and the CRS Director may use additional techniques to
7 make CRS Reports available to the public, if such tech-
8 niques are consistent with this title and any other applica-
9 ble laws.

10 (f) ADDITIONAL INFORMATION.—The CRS Director
11 is encouraged to make additional CRS products that are
12 not custom products or services available to the GPO Di-
13 rector for publication on the Website, and the GPO Direc-
14 tor is encouraged to publish such CRS products on the
15 Website.

16 (g) EXPANSION OF CONTENTS OF ANNUAL REPORT
17 TO CONGRESS TO INCLUDE INFORMATION ON EFFORTS
18 TO MAKE ADDITIONAL PRODUCTS AVAILABLE ON
19 WEBSITE.—Section 203(i) of the Legislative Reorganiza-
20 tion Act of 1946 (2 U.S.C. 166(i)) is amended by striking
21 the period at the end and inserting the following: “, and
22 shall include in the report a description of the efforts made
23 by the Director to make additional Congressional Re-
24 search Service products that are not custom products or
25 services available to the Director of the Government Pub-

1 lishing Office for publication on the website established
2 and maintained under the Equal Access to Congressional
3 Research Service Reports Act of 2016.”.

4 **SEC. 304. WEBSITE CONTENTS.**

5 (a) SPECIFIC REQUIREMENTS FOR REPORTS POSTED
6 ON WEBSITE.—

7 (1) RESPONSIBILITIES OF GPO DIRECTOR.—

8 With respect to each CRS Report included on the
9 Website, the GPO Director shall include—

10 (A) the name and identification number of
11 the CRS Report;

12 (B) an indication as to whether the CRS
13 Report is new, updated, or withdrawn;

14 (C) the date of release of the CRS Report;

15 (D) the division or divisions of CRS that
16 were responsible for the production of the CRS
17 Report; and

18 (E) any other information the GPO Direc-
19 tor, in consultation with the CRS Director, con-
20 siders appropriate.

21 (2) RESPONSIBILITIES OF CRS DIRECTOR.—

22 With respect to each CRS Report included on the
23 Website, the CRS Director shall, prior to transmit-
24 ting the Report to the GPO Director—

1 (A) at the discretion of the CRS Director,
2 remove the name of and any contact informa-
3 tion for any employee of CRS; and

4 (B) include in the CRS Report the fol-
5 lowing written statement: “This document was
6 prepared by the Congressional Research Service
7 (CRS). CRS serves as nonpartisan shared staff
8 to congressional committees and Members of
9 Congress. It operates solely at the behest of and
10 under the direction of Congress. Information in
11 a CRS Report should not be relied upon for
12 purposes other than public understanding of in-
13 formation that has been provided by CRS to
14 Members of Congress in connection with CRS’s
15 institutional role. CRS Reports, as a work of
16 the United States Government, are not subject
17 to copyright protection in the United States.
18 Any CRS Report may be reproduced and dis-
19 tributed in its entirety without permission from
20 CRS. However, as this CRS Report may in-
21 clude copyrighted images or material from a
22 third party, you may need to obtain the permis-
23 sion of the copyright holder if you wish to copy
24 or otherwise use copyrighted material.”.

1 (b) SPECIFIC REQUIREMENTS FOR INDEX ON
2 WEBSITE.—The GPO Director shall ensure that the index
3 of all CRS Reports published on the Website is—

- 4 (1) comprehensive;
- 5 (2) contemporaneously updated;
- 6 (3) searchable;
- 7 (4) sortable;
- 8 (5) maintained in a human-readable format;
- 9 (6) maintained in a structured data format;
- 10 (7) downloadable; and
- 11 (8) inclusive of each item of information de-
12 scribed in subsection (a)(1) with respect to each
13 CRS Report.

14 **SEC. 305. CONFORMING AMENDMENT TO DUTIES OF CRS.**

15 Section 203(d) of the Legislative Reorganization Act
16 of 1946 (2 U.S.C. 166(d)) is amended—

- 17 (1) by striking “and” at the end of paragraph
18 (7);
- 19 (2) by striking the period at the end of para-
20 graph (8) and inserting “; and”; and
- 21 (3) by adding at the end the following new
22 paragraph:
23 “(9) to comply with the requirements of, and
24 provide information and technological assistance

1 consistent with, the Equal Access to Congressional
2 Research Service Reports Act of 2016.”.

3 **SEC. 306. RULES OF CONSTRUCTION.**

4 (a) NO EFFECT ON SPEECH OR DEBATE CLAUSE.—
5 Nothing in this title may be construed to diminish, qualify,
6 condition, waive, or otherwise affect the applicability of
7 clause 1 of section 6 of article I of the Constitution of
8 the United States (commonly known as the “Speech or
9 Debate Clause”) or any other privilege available to Con-
10 gress or Members, offices, or employees of Congress with
11 respect to any CRS Report made available online under
12 this title.

13 (b) CONFIDENTIAL COMMUNICATIONS.—Nothing in
14 this title may be construed to waive the requirement that
15 any confidential communication by CRS to a Member, of-
16 fice, or committee of Congress shall remain under the cus-
17 tody and control of Congress and may be released only
18 by Congress and its Houses, Members, offices, and com-
19 mittees, in accordance with the rules and privileges of each
20 House and the requirements of this title.

21 (c) DISSEMINATION OF CRS PRODUCTS.—Nothing in
22 this title may be construed to limit or otherwise affect the
23 ability of a Member, office, or committee of Congress to
24 disseminate CRS products on a website of the Member,
25 office, or committee or to otherwise provide CRS products

1 to the public, including as part of constituent service ac-
2 tivities.

3 **SEC. 307. EFFECTIVE DATE.**

4 (a) IN GENERAL.—Except as provided in subsection
5 (b), this title and the amendments made by this title shall
6 take effect 90 days after the date on which the GPO Di-
7 rector submits the certification described in subsection
8 (b)(2).

9 (b) PROVISION OF INFORMATION AND TECH-
10 NOLOGY.—

11 (1) CRS DEADLINE.—Not later than 90 days
12 after the date of enactment of this Act, the CRS Di-
13 rector shall provide the GPO Director with the infor-
14 mation and technology necessary for the GPO Direc-
15 tor to begin the initial operation of the Website.

16 (2) CERTIFICATION.—Upon provision of the in-
17 formation and technology described in paragraph
18 (1), the GPO Director shall submit to Congress a
19 certification that the CRS Director has provided the
20 information and technology necessary for the GPO
21 Director to begin the initial operation of the
22 Website.

