AMENDMENT TO
RULES COMMITTEE PRINT 116–57
OFFERED BY MS. SPEIER OF CALIFORNIA

At the end of subtitle E of title XVII, insert the following:

SEC. 17. PUBLIC AVAILABILITY OF DEPARTMENT OF DEFENSE REPORTS REQUIRED BY LAW.

(a) IN GENERAL.—Section 122a of title 10, United States Code, is amended—

(1) in subsection (a), by striking “To the maximum extent practicable, on or after” and inserting “Not later than 30 days after”; and

(2) by adding at the end the following new subsection:

“(c) TRANSPARENCY.—(1) If the Secretary of Defense determines that a report described in subsection (b)(1) contains information described in subsection (b)(2), the Secretary of Defense, acting through the Assistant to the Secretary of Defense for Public Affairs, shall ensure that the following information is made available to the public on the website described in subsection (a)(1)—

“(A) a citation to the provision of law requiring the report;
“(B) the date on which the report is submitted to Congress; and

“(C) the type of information described in subsection (b)(2) that is contained in the report.

“(2) Nothing in paragraph (1) shall be construed to require the Secretary to disclose any information that—

“(A) is exempt from disclosure under section 552 of title 5;

“(B) is proprietary information; or

“(C) the Secretary determines not to make available to the public in the interest of national security.”.

(b) BRIEFING.—Not later than 14 months after the date of the enactment of this Act, the Secretary shall submit a briefing to the Committees on Armed Services of the Senate and House of Representatives regarding reports covered by section 122a of title 10, United States Code, as amended by subsection (a), during the year immediately following the date of the enactment of this Act. Such briefing shall cover the following:

(1) The total number of covered reports.

(2) The number of reports described in subsection (b)(1) of such section.

(3) The number of reports described in subsection (b)(2) of such section.
(4) The number of reports covered by each exception in such subsection (b)(2).

(5) An estimate of the administrative burden and costs to the Department of Defense under such section.

(6) Recommendations of the Secretary to increase transparency and to reduce burden or costs under such section.