

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:

1 SEC. 17____. PUBLIC AVAILABILITY OF DEPARTMENT OF DE-
2 FENSE REPORTS REQUIRED BY LAW.

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

5 (1) in subsection (a), by striking “To the max-
6 imum extent practicable, on or after” and inserting
7 “Not later than 30 days after”; and

8 (2) by adding at the end the following new sub-
9 section:

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

17 “(A) a citation to the provision of law requiring
18 the report;

1 “(B) the date on which the report is submitted
2 to Congress; and

3 “(C) the type of information described in sub-
4 section (b)(2) that is contained in the report.

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

7 “(A) is exempt from disclosure under section
8 552 of title 5;

9 “(B) is proprietary information; or

10 “(C) the Secretary determines not to make
11 available to the public in the interest of national se-
12 curity.”.

13 (b) BRIEFING.—Not later than 14 months after the
14 date of the enactment of this Act, the Secretary shall sub-
15 mit a briefing to the Committees on Armed Services of
16 the Senate and House of Representatives regarding re-
17 ports covered by section 122a of title 10, United States
18 Code, as amended by subsection (a), during the year im-
19 mediately following the date of the enactment of this Act.
20 Such briefing shall cover the following:

21 (1) The total number of covered reports.

22 (2) The number of reports described in sub-
23 section (b)(1) of such section.

24 (3) The number of reports described in sub-
25 section (b)(2) of such section.

1 (4) The number of reports covered by each ex-
2 ception in such subsection (b)(2).

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

6 (6) Recommendations of the Secretary to in-
7 crease transparency and to reduce burden or costs
8 under such section.

