

## Leslie Harris and Matt Stoller, *Inexplicable Anomaly, The Hill*

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One special talent of Congress is to sternly slam the barn door closed after the animals have already wandered off. We can see this in the debate over whether to “open up” Congressional Research Service (CRS) reports to the public when there are already fee-based services selling the reports, and free but incomplete collections at various websites.

Frankly, it’s difficult to believe that Congress thinks it can control whether CRS reports are made available to the public over the Internet. A decade ago, CRS was among a dwindling handful of government entities that had yet to embrace the democratizing power of the Web. Now, in 2007, CRS’s practices are an inexplicable anomaly that grows more glaring with each passing year.

At a cost of \$100 million a year, CRS generates some of the most informative research available on the key policy issues facing lawmakers. Although the CRS produces a range of products, some of which are confidential and intended only for one member, many of the reports are unclassified and distributed freely throughout Congress. But while those reports play a pivotal role in the policymaking process, they have never been made systematically available to taxpayers.

Not surprisingly, many business models have cropped up in recent years to fill the vacuum left by Congress. Companies like Penny Hill Press and LexisNexis manage to obtain the reports and provide copies for a fee. As a result, well-heeled lobbyists can search CRS reports readily, while ordinary Americans cannot.

To fix this inequity, all Congress has to do is update an archaic policy that never made much sense, and now seems even sillier. CRS already maintains a website that provides lawmakers a fully searchable database of non-confidential CRS reports. Making that service available to the public would be simple and inexpensive.

The objections offered by defenders of the CRS status quo aren’t convincing. Years ago, the principal objection to making CRS reports available to the public had to do with the expense of publishing the reports. The Internet has rendered that argument moot.

The other objection comes from lawmakers who complain that making CRS reports available to the public could change the way they use the service. What undercuts this argument is that CRS reports are already widely available through commercial channels. If lawmakers were inclined to curtail their use of the CRS to prevent greater scrutiny of their policymaking activities, they probably would have done so already.



Public demand for these reports is already high, despite Congress's best efforts to downplay their very existence. In 2005, the Center for Democracy & Technology launched OpenCRS.com, a website that provides a free, searchable database of CRS reports that have been collected by various archivists. Visitors have already downloaded more than 3.5 million CRS reports.

Congress is fortunate to already have strong leadership on this issue. Patrick Leahy (D-Vt.) and John McCain (R-Ariz.) in the Senate and Rep. Christopher Shays (R-Conn.) in the House have been tireless advocates for making CRS reports publicly available. It's long past time for their more reticent colleagues to drop their objections and make these reports available to the public.

-- Read the full text of as [Inexplicable anomaly](#) [2] in The Hill

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