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March 28, 2007

The Honorable Dianne Feinstein  
The Honorable Robert Bennett  
Senate Committee on Rules and Administration  
United States Senate  
Washington, DC 20510

Dear Chairman Feinstein and Ranking Member Bennett:

We, the undersigned members of the OpenTheGovernment.org coalition and others, in cooperation with the Center for Democracy and Technology, are writing to urge you to ensure no-fee online public access to all CRS reports.

For the past several years, academics, journalists, open government advocates and other concerned citizens have urged Congress to provide free, public access to the unclassified, taxpayer-funded reports produced by the Congressional Research Service through the Internet.

We were deeply troubled therefore, when -- in the face of those mounting demands -- CRS officials recently moved to impose even greater restrictions on how researchers can share public information and who has access to the reports. The continued refusal on the part of CRS management, newly reiterated by Director Daniel Mulhollan, to give taxpayers free access to this important source of government information sends the clearest signal yet that Congress must act in order to fix this unfair and untenable policy.

American taxpayers spend over \$100 million a year to fund the CRS, which generates detailed reports relevant to current political events for lawmakers. But while the reports are non-classified, and play a critical role in our political process, they have never been made available in a consistent way to members of the public. Although lawmakers are free to give copies of the reports to their constituents upon request, this is a slow, unreliable process, made slower and less reliable by the fact that there's no real way for an individual taxpayer to know what reports have been published.

CRS already maintains a fully searchable, password-protected Web site for members of Congress, however. Increasing capacity and providing public access to that site would constitute a trivial expense for the Library of Congress or for the House in light of their current levels of traffic.

Predictably, to fill the public void left by the CRS, several private companies now sell copies of the reports at a price. This means that for lobbyists, executives and others who

can afford to pay, CRS reports are readily available. Meanwhile, the vast majority of your constituents continue to lack the information necessary to even request reports. It is unconscionable that taxpayers should be forced to pay twice for these reports, but that is the landscape that has been created by this outdated, misguided policy. The CRS's recent internal crackdown against releasing reports will likely only serve to raise the price of the private services, making the inequity even greater.

Public demand for these reports has never been higher. In a little more than a year, members of the public have downloaded more than 3.5 million CRS reports from OpenCRS.com, a Web site that provides a searchable database of CRS reports that have been obtained by various archivists and members of the public. Making the full catalog of these reports readily available over the Internet will sate those demands and help produce a better-informed electorate.

We urge you to hold hearings on this critical open-government issue and work with Senators McCain and Leahy to re-introduce and finally vote on efforts to provide the public with access to this critical government resource.

Representatives from the undersigned would be happy to meet with you or your staff at any time to discuss this important issue. Please contact Ari Schwartz at the Center for Democracy and Technology (202-637-9800) or Patrice McDermott at OpenTheGovernment.org (202-332-6736 at your convenience.

Sincerely,

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American Booksellers Foundation for  
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American Library Association  
Association of Research Libraries  
Bill of Rights Defense Committee  
Center for Democracy & Technology  
Common Cause  
Electronic Frontier Foundation  
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Southern California Association of Law  
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Special Libraries Association  
Sunlight Foundation

Alasdair Roberts, Professor, The  
Maxwell School of Syracuse University  
Annette Taylor, Professor  
University of Dayton

Cc: Sen. Robert C. Byrd (D WV), Sen. Daniel K. Inouye (D HI), Sen. Christopher J. Dodd (D CT), Sen. Charles E. Schumer (D NY), Sen. Richard J. Durbin (D IL), Sen. E. Benjamin Nelson (D NE), Sen. Harry M. Reid (D NV), Sen. Patty Murray (D WA), Sen. Mark Pryor (D AR), Sen. Robert F. Bennett (R UT), Sen. Ted Stevens (R AK), Sen. Mitch McConnell (R KY), Sen. Thad Cochran (R MS), Sen. Trent Lott (R MS), Sen. Kay Bailey Hutchison (R TX), Sen. Saxby Chambliss (R GA), Sen. Chuck Hagel (R NE), Sen. Lamar Alexander (R TN)