

Jay P. Greene's Blog

A Victory for Transparency in Government

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For decades, the Congressional Research Service has worked very hard to keep its reports to Congress hidden from public view. But now, thanks to the efforts of a group of activists and two members of Congress, the cat is not only out of the bag, but it is eating up all the spilled beans:

A guerrilla group of open-records activists struck a major blow for sunshine in government Wednesday when it posted more than 8,200 reports from the Congressional Research Service, Capitol Hill's nonpartisan think tank whose research is usually closely guarded.

Demand Progress posted the reports at EveryCRSReport.com, giving the public an unprecedented look at the kinds of information accessible to lawmakers on nearly every subject that comes before Congress.

The reports have been available to lawmakers and thousands of staffers on Capitol Hill with access to the internal computer network, but the CRS balked at requests to broaden access, saying its mission was to report to Congress, not to the public.

“For more than 20 years, the public has clamored for Congress to systematically release CRS reports to the public,” said Daniel Schuman, a former CRS attorney who is now policy director at Demand Progress and who spearheaded the effort. “Congress must do better, and this new website points the way forward.”

He said his group has posted every publicly available report and redacted only the names, phone numbers and email addresses of the analysts who wrote them. The group also added a statement about copyrights of information in the documents, addressing one of the concerns the CRS had offered.

Congress has jealously guarded its reports, with lawmakers even voting down efforts to have CRS itself make the documents readily available.

But that has never been a unanimous stance, and some lawmakers have fought for more access.

Stymied by their colleagues, two members of Congress — one Democrat and one Republican, whom the group did not name — are providing access to the reports to Demand Progress.

They include 723 reports on constitutional issues, 211 reports on immigration policy, 592 on health policy, 18 on Indian affairs and more than 1,500 reports on Congress' spending powers

and the programs it chooses to fund. Each of those reports is publicly available to all Capitol Hill staffers on the network.

You can find the reports at the aptly named EveryCRSreport.com. Reports of likely interest to JayBlog readers include:

- “[The Law of Church and State: Public Aid to Sectarian Schools](#)” (2011): “This report gives a brief overview of the evolution of the Court’s interpretation of the Establishment Clause in this area and analyzes the categories of aid that have been addressed by the Court. The report explains which categories have been held to be constitutionally permissible or impermissible, both at the elementary and secondary school level and at the postsecondary level.”
- “[Campus-Based Student Financial Aid Programs Under the Higher Education Act](#)” (2016): “Three Higher Education Act (HEA) student financial aid programs—the Federal Supplemental Educational Opportunity Grant (FSEOG) program, the Federal Work-Study (FWS) program, and the Federal Perkins Loan program—collectively are referred to as the campus-based programs. [...] This report describes the FSEOG, FWS, and Federal Perkins Loan programs. It also presents historical information on appropriations provided for the programs and the federal student aid that has been made available to students through the programs.”
- “[Charter School Programs Authorized by the Elementary and Secondary Education Act \(ESEA Title V-B\): A Primer](#)” (2014): “While the charter school programs have not been reauthorized since the enactment of the No Child Left Behind Act (NCLB; [P.L. 107-110](#)) in 2002, they continue to receive funding through the annual appropriations process. In addition, since FY2010, substantive changes have been made to the programs through annual appropriations acts, including allowing or requiring the Secretary to make grants to nonprofit charter management organizations (CMOs) and other nonprofit entities for the replication and expansion of successful charter school models.”

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