Testimony for the Record

FY 2015 Legislative Branch Budget Request

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on behalf of the

Congressional Data Coalition

To:

House Committee on Appropriations
Subcommittee on the Legislative Branch

Regarding:

Public Access to Legislative Information

Submitted on:

March 7, 2014

Dear Chairman Cole, Ranking Member Wasserman Schultz, and members of the House Appropriations Legislative Branch Subcommittee:

We write on behalf of the **Congressional Data Coalition**, a coalition formed in 2014 of citizens, public interest groups, trade associations, and businesses that champion greater governmental transparency through **improved public access** to and long-term preservation of congressional information.

The work of our coalition members reaches tens of millions of individuals and is relied on daily by Members of Congress and their staff, legislative professionals, journalists, and citizens for timely, complete, and accurate information on the activity of Congress. For instance:

- **250 Members of Congress and more than 6,000 congressional staff** use the mobile app "Capitol Bells" by Ted Henderson for vote alerts.

- The mobile app "Congress" by the Sunlight Foundation, used to monitor congressional legislative activities, has been **downloaded more than 500,000 times**.

- Data from GovTrack.us powers the district map widgets on more than **80 House Member websites, DemCom** (the House Democrats' intranet), as well as Senator Reid's website's vote tracker, and back-office dashboards in several Senate offices.

These products have been successful both *in thanks to* and *in spite of* the information made available by legislative branch offices and agencies. A 2012 report by the Cato Institute grading legislative branch data products identified successes, such as data on House floor debates and the Senate data on Senate membership, as well as failures, notably the status and text of amendments.[1]

As you know, the House's Legislative Branch Bulk Data Task Force submitted a report to the Committee on House Appropriations in December 2012 recommending "that it be a priority for Legislative Branch agencies to publish legislative information in XML and provide bulk access to that data."[2] The Task Force's recommendation reiterated a June 2012 statement by Speaker Boehner, Majority Leader Cantor, then-Chairman of the subcommittee Crenshaw, and Oversight and Government Reform Committee Chairman Issa which stated, "Our goal is to provide bulk access to legislative information to the American people without further delay . . . Bulk data is the next and a very important step."[3]

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[1] Jim Harper. Nov. 5, 2012. *Grading the Government's Data Publication Practices.* Cato Institute. http://www.cato.org/publications/policy-analysis/grading-governments-data-publication-practices
[2] Legislative Branch Bulk Data Task Force, *Report of Activities*, December 31, 2012, p. 1. http://legalinformatics.files.wordpress.com/2013/07/bulkdatataskforcereport-2012-12-31.pdf
[3] http://www.speaker.gov/press-release/house-leaders-back-bulk-access-legislative-information

      We commend the Task Force and the committee. Since the start of the 112th Congress[4], and especially since the start of the Task Force, we have seen significant improvements in congressional transparency, most notably with 1) the publication of floor and committee information on docs.house.gov, 2) the new Rules Committee website that makes it easy to see legislation under consideration for floor action, 3) House floor proceedings XML, 4) a series of conferences on congressional data and transparency, and 5) the new US Code bulk XML data. These accomplishments addressed some of the concerns raised in the 2012 Cato report.

      However, important information on bills has not yet been addressed. Our coalition members have used THOMAS.gov as their primary source of information for bill status for more than a decade. When THOMAS is retired at the end of 2014, products developed by our members and used by Members of Congress, citizens, and others **will stop working**. Further, while we welcome the replacement of THOMAS by Congress.gov, neither THOMAS nor Congress.gov meets the House leadership's pledge to make legislative data available. To illustrate the difference between a website and data, we note that **no legislative branch office or agency makes available a spreadsheet that lists every bill introduced in the 113th Congress.** As you may have experienced in your own lives, a spreadsheet is an important tool when working with large amounts of information. Bulk data is like that.

      Some of our coalition members offered a path forward in a report submitted to the Task Force in August 2012, in which they recommended that legislative status information, which includes the status of bills, information on cosponsors, and so on be made available to the public in **bulk, structured data formats such as XML**.[5] Our members have requested this data regularly since 2007[6], but there is new urgency to our request as THOMAS is

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[4] http://www.speaker.gov/press-release/speaker-boehner-majority-leader-cantor-call-new-data-standards-make-congress-more-open

[5] *Recommendations to the Bulk Data Task Force*, August 24, 2012
  http://assets.sunlightfoundation.com.s3.amazonaws.com/policy/papers/THOMAS/THOMAS%20Recommendations%20FINAL%202012-08-24.pdf

[6] May 8, 2007: The Open House Project Recommendations Report: Congressional Information & the Internet.
 http://www.theopenhouseproject.com/the-open-house-project-report/
 March 11, 2009. A bulk data feasibility report was required by the FY09 omnibus bill, see:
  http://www.wired.com/threatlevel/2009/03/federal-bill-wo/
 May 11, 2011: Daniel Schuman, Testimony Before the House Committee on Appropriations.
  http://sunlightfoundation.com/policy/documents/daniel-schuman-testimony-house-committee-appropria/
 April 10, 2012: Coalition Letter to Representatives Crenshaw and Honda.
  http://assets.sunlightfoundation.com.s3.amazonaws.com/policy/papers/THOMAS/THOMAS%20letter%20to%20Approps%202012-04-10.pdf
 March 17, 2013: Joshua Tauberer, Comments Submitted for the Record for FY 2014 appropriations.
  http://razor.occams.info/blog/2013/03/18/public-comment-to-the-house-appropriations-legislative-branch-subcommittee-for-fy2014/

phased out this year. To provide an orderly transition from THOMAS to bulk and structured data a conversation must begin now.

Our request is relatively simple, inexpensive, and **uncontroversial**. Bulk, structured data is a cornerstone of many legislative information products such as House and Senate roll call votes and House and Senate bill text, which all use XML, as well as nearly all of the recent projects already completed by the Task Force. These methods also embody the "four key data practices that support government transparency" identified by a Cato Institute report.[7]

Specifically, we ask the subcommittee to:

1) Direct the Library of Congress and the Government Printing Office to make timely bill status information available to the public in XML format. Such a requirement could take the form of:

> As soon as practicable, and no later than 90 days after the enactment of this Act, the Librarian of Congress, in consultation with the Public Printer, the Clerk of the House of Representatives, and the Secretary of the Senate, shall make available to the public through the Internet and in a structured data format the legislative status data used by the Librarian to provide the information the Librarian posts on what is known today as the beta.congress.gov website.[8]

2) Continue to support the work of the Legislative Branch Bulk Data Task Force.

The House of Representatives has undertaken a historic effort to open Congress to the American people. More people are able to engage with Congress now than at any time in our nation's history because of these digitization efforts. We welcome the opportunity to work with you to ensure Congress continues to provide crucial, timely legislative information to the public in formats that support analysis and reuse.

To discuss this further, please do not hesitate to contact us. More information on our coalition can be found at http://congressionaldata.org.

Yours,

(among other documents)

[7] Jim Harper. Sept. 23, 2011. *Publication Practices for Transparency Government*. Cato Institute.
http://www.cato.org/publications/briefing-paper/publication-practices-transparent-government

[8] See withdrawn Issa amendment to H.R 5882, 112th Congress.
http://amendments-rules.house.gov/amendments/ISSA112xml65121559155915.pdf

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