

Kevin Kosar, Vice President for Policy, the R Street Institute
Testimony Before The
Legislative Branch Subcommittee
Committee on Appropriations
U.S. House of Representatives
May 3, 2017

Dear Chairman Yoder, Ranking Member Ryan, and Members of the Committee:

On behalf of 25 former employees of the Congressional Research Service (CRS) with a collective 570 years of service with the agency, thank you for the opportunity to testify today. We are in strong support of timely, comprehensive free public access to CRS reports. In doing so, we distinguish between CRS reports, which are non-confidential, and other CRS products, such as memoranda, which are confidential.

CRS plays a vital role in our legislative process by informing lawmakers and staff about important policy issues. To that end, nothing should impair CRS's ability to provide confidential support to members of Congress, such as through briefings and confidential memoranda. Nor should Congress take any steps to weaken the Constitutionally-protected status of CRS's work product. In contrast, CRS reports are widely available on Capitol Hill to staff and lobbyists alike, are released with no expectation of confidentiality, and could be of immense value to the general public.

Longstanding congressional policy allows Members and committees to distribute CRS products to the public, which they do in a variety of ways. In addition, CRS provides reports upon request to the judicial branch, to journalists, and to the executive branch, which often publishes them on agency websites. Insiders with relationships to congressional staff can easily obtain the reports, and well-resourced groups pay for access from third-party subscription services. Members of the public, however, can freely access only a subset of CRS reports, usually via third parties.

It is difficult for the public to know the scope of CRS products they could obtain from Congress. A Google search returned over 27,000 products including 4,260 hosted on .gov domains, but there is no way to know if those documents are up to date, whether the search is comprehensive, or when the documents might disappear from view.

We believe Congress should provide a central online source for timely public access to CRS reports. That would place all members of the public on an equal footing to one another with respect to access. It would resolve concerns around public and congressional use of the most up-to-date version. Additionally, it would ensure the public can verify it is using an authentic version. And it would diminish requests to analysts to provide a copy of the most recent report. Other legislative support agencies, i.e., the Congressional Budget Office and the Government Accountability Office, publish non-confidential reports on their websites as a matter of course. Doing so does not appear to harm their ability to perform their mission for Congress.

Thank you for the opportunity to share our thoughts on implementing full public access to

non-confidential CRS reports. If you wish to discuss this further, please contact me at kkosar@rstreet.org or (202) 525-5717. Thank you for your consideration of this matter.

With best regards,

Henry Cohen
George Costello
Heather Durkin
Gregg Esenwein
Louis Fisher
Peggy Garvin
Jeff Griffith
Pamela Hairston
Glennon J. Harrison
John Haskell
Kevin Holland
Thomas Hungerford

W. Jackson
Nancy Jones
Kevin Kosar
Jon Medalia
Jim Nichol
Elizabeth Palmer
Harold Relyea
Mort Rosenberg
Dick Rowberg
Daniel Schuman
Christine Scott
Sherry Shapiro
Nye Stevens

Kevin Kosar Biography

Kevin Kosar is vice president of policy for the R Street Institute, where he oversees all of the institute's research across its commercial freedom, criminal justice, energy and environment, financial markets, governance, income mobility, innovation policy, insurance and public health policy programs.

Kevin joined R Street in October 2014 from the Congressional Research Service, where he served as analyst and acting research manager for 11 years. Earlier in his career, he was lecturer in policy and public administration at New York University and Metropolitan College of New York.

Kevin is the author of three books, including *Failing Grades: The Federal Politics of Education* (2005). He has been a Presidential Management Fellow, and has written for major media including the *Washington Post* and *New York Times*.

Kevin received his doctorate in politics from New York University and his bachelor's from Ohio State University. He lives in Washington.

Witness Disclosure Form

Clause 2(g) of rule XI of the Rules of the House of Representatives requires non-governmental witnesses to disclose to the Committee the following information. A non-governmental witness is any witness appearing on behalf of himself/herself or on behalf of an organization other than a federal agency, or a state, local or tribal government.

Your Name, Business Address, and Telephone Number: <i>KEVIN KOSAR</i> <i>1050 17th St NW #1150</i> <i>Wash DC 20036 202.525.5715</i>
1. Are you appearing on behalf of yourself or a non-governmental organization? Please list organization(s) you are representing. <i>R Street Institute</i>
2. Have you or any organization you are representing received any Federal grants or contracts (including any subgrants or subcontracts) since October 1, 2012 related to the agencies or programs funded by the Subcommittee? Yes ☐ No ☒
3. Have you or any organization you are representing received any contracts or payments originating with a foreign government since October 1, 2012 related to the agencies or programs funded by the Subcommittee? Yes ☐ No ☒
4. If your response to question #2 and/or #3 is "Yes", please list the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof), and/or the amount and country of origin of any payment or contract originating with a foreign government. Please also indicate whether the recipient was you or the organization(s) you are representing.

Signature:

Kevin R Kosar
Kevin R Kosar (Apr 27, 2017)

Date:

Apr 27, 2017