Congressional Research Service
Informing the legislative debate since 1914

Strategies for Identifying Reporting Requirements and Submitted Reporting to Congress

January 22, 2021

Congressional Research Service
https://crsreports.congress.gov
R46661

CRS REPORT
Prepared for Members and
Committees of Congress

Congressional Research Service
Informing the legislative debate since 1914

SUMMARY

R46661

January 22, 2021

Kathleen E. Marchsteiner
Research Librarian

Strategies for Identifying Reporting Requirements and Submitted Reporting to Congress

Congress may direct federal and independent agencies, commissions, and the President to prepare and submit required reports to Congress and its committees as a function of its oversight of the executive branch and to obtain information for the purposes of enacting legislation. These reporting requirements may be located in public laws, the *United States Code*, and committee reports.

Reporting requirements may vary widely in aspects such as deadlines, requested content, and congressional entities to which the reports are to be submitted. The forms in which reports are delivered, including the submission of written materials or in-person delivery through briefings or testimonies, also vary. Reporting serves multiple purposes such as facilitating oversight, ensuring compliance, and generally informing congressional study and decisionmaking.

For Congress, considering new or leveraging current reporting requirements involves identifying what reporting requirements exist, determining when submissions were due, and then locating the reporting that was submitted to Congress or reasonably establishing that reporting was not submitted. However, identifying what reporting requirements are due to Congress and which reporting has already been submitted is often difficult. Difficulties result from the need to translate variations in the language Congress used in drafting, report types, and underlying purposes of reporting requirements into search strategies.

As such, carefully constructing and systematically using search strategies to mitigate these difficulties may be helpful. These strategies may include the following:

- identifying authoritative sources with effective search engines in which to search the *United States Code*, public laws, or committee reports;
- selecting relevant search terms by considering report submitters, recipients, forms, and timing;
- utilizing search engine rules in order to maximize positive search results and minimize negative results; and
- experimenting with different search strategies.

Contents

Introduction 1
Overview of Reporting Requirements to Congress: Statutes and Report Language 1
Searching for Reporting Requirements to Congress 3
Selecting Search Terms 3
Search Engine "Rules" 4
Sources and Search Strategies 5
Strategies for Locating Submitted Reports 10
How Reports Are Submitted to Congress 10
Sources for Submitted Reports 10

Contacts

Author Information 12

Introduction

Congress may direct federal and independent agencies, commissions, and the President to prepare and submit required reports to Congress and its committees as a function of its oversight of the executive branch and to obtain information for the purposes of enacting legislation. These reporting requirements may be located in public laws, the *United States Code*, and committee reports.

When found in statutes, reporting requirements are legally binding directives by Congress to federal entities. By contrast, when found in committee reports, reporting requirements do not carry the force of the law. Nonetheless, because committee reports are authoritative records and serve to establish congressional intent and need, federal entities may still choose to satisfy the reporting requirements due to the significance Congress has imparted upon them and to preserve their relationships with committees of jurisdiction.

Reporting requirements have a number of potentially valuable uses for Congress. These requirements and the subsequently submitted reporting may serve to facilitate oversight, ensure compliance, and inform congressional decisionmaking.[1] More specifically, information contained in required reporting could be used for developing questions in advance of a hearing, submitted reports themselves may confirm executive branch compliance with a previous requirement, or a new reporting requirement may be considered on the basis of a perceived need for information not addressed by currently existing reporting requirements of executive branch activities.

However, identifying what reporting requirements are due to Congress and which reporting has already been submitted is often difficult. Difficulties result from factors such as differences in the language Congress uses in drafting the reporting requirements, variations in the types of reporting, and differences in the underlying purposes of reporting requirements. Because of these difficulties, it is often not possible to comprehensively identify either all submitted reporting or reporting requirements due from any given federal entity or on any given topic.

To facilitate overcoming such difficulties, this report describes a variety of search methods across several databases that may be used to locate existing reporting requirements to Congress and required reports that have previously been submitted to Congress. It identifies how reporting requirements vary, explores how these variations make comprehensive searching on the topic difficult, and provides strategies for attempting to overcome these difficulties. The report also provides an overview of sources for reports submitted to Congress that may be of assistance to staff researching this topic.

Overview of Reporting Requirements to Congress: Statutes and Report Language

A statutory reporting requirement to Congress appears in law and directs an executive branch entity to transmit specific information to Congress. The statutory language of reporting requirements may be structured in various ways. Individual reporting requirements may differ in the naming of submitters and recipients, forms of submissions, types of actions that need to be

[1] For more general information on congressionally mandated reports, see CRS Report R46357, *Congressionally Mandated Reports: Overview and Considerations for Congress*, by William T. Egar; CRS Report R42490, *Reexamination of Agency Reporting Requirements: Annual Process Under the GPRA Modernization Act of 2010 (GPRAMA)*, by Clinton T. Brass; and CRS Report RL30240, *Congressional Oversight Manual*, coordinated by Christopher M. Davis, Walter J. Oleszek, and Ben Wilhelm.

taken to transmit the information, and in the listing of timing mechanisms that trigger the report submissions. Such language may include the following categories of information:

- **Report submitters.** Congress often mandates the submission of reports to itself from the President, executive agencies, independent agencies, commissions, and other federal departments and entities. In some cases, reporting requirements may not make explicit reference to an agency or government entity as the transmitter of a report, but rather may require a senior official or other delegate within an agency to be the one to submit the report to Congress.
- **Report recipients.** Recipients may be Congress in general, congressional committees, committee chairs and ranking members, or congressional leaders such as the Speaker of the House or the President Pro Tempore of the Senate.[2] Some statutory reporting requirements may not identify Congress as the specific recipient, because Congress may intend for other audiences to use the information as well.[3]
- **Report forms.** Forms of submissions may include physical documents, such as reports, studies, assessments, notifications, or audits. However, in-person meetings, testimonies, or briefings may also be considered forms of reports to Congress and may serve as a means of satisfying certain reporting requirements. In addition, a reporting requirement comprising a single sentence may necessitate multiple actions by an agency and so the number of reporting requirements for any given agency may not necessarily equal the number of actions taken or documents delivered to satisfy these requirements. As a consequence, counting reporting requirements may be difficult and counting results may depend on the methodology used to execute the count.
- **Report timing.** Timing of submissions may also vary depending on the statutory language: reports and other information might be required to be submitted once (e.g., by a specified date), on a recurring basis (e.g., annually), or as specified circumstances arise (e.g., each time the agency head takes a particular action).[4]

Finally, reporting requirements are given the force of law when they appear in federal statutes and public laws. Although, in many cases, reporting requirements may also be found in congressional committee reports,[5] these reporting requirements do not carry the force of the law but are authoritative records and serve to establish congressional intent and need.[6] Oftentimes, there may be informal understandings between congressional committees and agencies on which report

[2] This report focuses on reporting requirements to be made to Congress, but some reporting requirements may also specify the President or other executive agencies as recipients for agency reporting.

[3] For discussion, see CRS Report R42490, *Reexamination of Agency Reporting Requirements: Annual Process Under the GPRA Modernization Act of 2010 (GPRAMA)*, by Clinton T. Brass.

[4] In the latter cases, depending on how often varied "specified circumstances" arise, some reports may be required to be submitted zero, one, or multiple times. An example of a reporting requirement provision that illustrates a specified circumstance is the following excerpt from 42 U.S.C. §247d-6d(b)(9): "Within 30 days after making a declaration under paragraph (1), the Secretary [of Health and Human Services] shall submit to the appropriate committees of the Congress a report that provides an explanation of the reasons for issuing the declaration and the reasons underlying the determinations of the Secretary with respect to paragraph (2)."

[5] For more information on committee reports, see CRS Report 98-305, *Senate Committee Reports: Required Contents*, by Elizabeth Rybicki; and CRS Report 98-169, *House Committee Reports: Required Contents*, by Judy Schneider.

[6] Note that if a statute incorporates committee report language by reference and that incorporated language includes a reporting requirement, then the reporting requirement becomes legally binding.

language is relevant. Thus, agencies may still choose to submit reports to Congress that satisfy these provisions due to the significance Congress has imparted upon them and to preserve their relationships with committees of jurisdiction.[7] Because not all legislation reported out of committee is then passed into law, not all results in accompanying committee reports are indicative of a directive by Congress.

All of these variations serve to complicate the process of devising a strategy to search for existing requirements and determine compliance by identifying already submitted reporting to Congress.

Searching for Reporting Requirements to Congress

Reporting requirements are, typically, sections of text that are embedded in much larger documents, such as provisions in public laws and committee reports. Isolating the relevant sections of text (i.e., reporting requirements) from the larger documents may be difficult, thus three key considerations for searchers developing a search strategy are the following:

- Searches that are expansive may yield more nonrelevant results than can be reasonably sifted through to isolate relevant reporting requirements.
- Searches that are narrow may exclude relevant reporting requirements from the search results.
- Searchers may expect to experiment with changes to their search strategies during a project that intends to identify reporting requirements.

Selecting relevant search terms and applying a search technique called proximity searching can help mitigate difficulties. The selection of search terms is facilitated by taking an inventory of what is known both generally and specifically about the particular reporting requirements being researched. To assist with this task, a selection of common elements that may be known about existing reporting requirements is included below. Proximity searching is discussed as a technique for lessening the number of search results when a search with relevant terms returns results too large for the purposes of a project.

Selecting Search Terms

Search terms—also known as keywords—are words relating to the topic or subject at hand that can be typed into a search engine or database to find relevant information. Depending on a searcher's level of familiarity with a subject area, a first step may involve contacting subject matter specialists, who might assist in identifying relevant terms of art to include as search terms. Individual terms, and synonyms for those terms, may be searched using word variants, including forms of the same word with prefixes, suffixes, and plurals. Terms can also be searched in various combinations with each other. By applying these techniques and experimenting with different variations of a search strategy, the number of results in a search may be narrowed or expanded.[8]

In addition to identifying terms of art, relevant terms in a search for reporting requirements could also include instances of one or all of the following categories of terms: report submitters and recipients; forms of report submissions; and timing mechanisms that trigger the report submissions.

[7] For additional information, please see CRS Report R45442, *Congress's Authority to Influence and Control Executive Branch Agencies*, by Todd Garvey and Daniel J. Sheffner.

[8] Congressional Research Service (CRS) subject matter experts are available to provide assistance to congressional clients identifying search terms and developing search strategies.

Report Submitters

Congress often mandates the submission of reports from the President, Office of Management and Budget, executive agencies, independent agencies, commissions, and other federal departments and entities. As such, relevant search terms related to report submitters could include specific names of departments, their agencies or their bureaus, such as the Department of Health and Human Services or the Centers for Disease Control and Prevention. In some cases, reporting requirements may not make explicit reference to an agency or government entity itself as the transmitter of a report, but rather may require a senior official or other delegate within an agency to be the one to submit the report to Congress. In these cases, relevant search terms for these senior officials might include keywords such as Secretary, Administrator, or Director.

Report Recipients

Report recipients may be Congress in general, congressional committees, committee chairs and ranking members, or congressional leaders. Relevant search terms related to report recipients could include specific congressional committees, such as the House Committee on the Budget (or synonymously, the House Budget Committee) or specific leadership titles, like the Speaker of the House. Alternatively, "Congress" itself could be a potential search term to use in concert with other terms if seeking a report or reports submitted to Congress as a whole.

Report Forms

Reports may be submitted to Congress in various forms, from physical documents to in-person meetings. Depending on the information being sought, relevant search terms related to the physical forms could include reports, studies, assessments, notifications, or audits. Alternatively, to search for reports submitted in-person or verbally to Congress, search terms such as meetings, testimonies, or briefings could be used. Searching for the verb forms of these words—such as meet, testify, or brief—may also yield relevant results.

Report Timing

The timing of the submission of reports and other information can vary. Some reports might be required to be submitted once (e.g., by a specified date), on a recurring basis (e.g., annually), or as specified circumstances arise (e.g., each time the agency head takes a particular action). Relevant search terms related to timing could include keywords or phrases such as "annual," "biannual," "biennial," "not later than," or "each time."

Often, identifying relevant search terms alone may not sufficiently narrow the search results. For instance, a frequent challenge is that relevant search terms may be composed of common terms that appear throughout both relevant and nonrelevant parts of the searched text. To overcome this challenge, combining key word searching with other search tools can help.

Search Engine "Rules"

Searching websites often means searching a database using the search engine provided by the website owner. Search engines have "rules" specifying how letters and symbols typed into the search box on the website generate search results. These search engines can differ, and while one website may include boxes labeled to indicate what rules may be applied to a term being entered, others may be composed of a simple search box without a label of any sort. Some websites offer both labeled boxes and simple search boxes. Most websites also provide instructions for using search engine rules that are variously labeled "help," "tips," or "tools."

Learning to apply these rules in combination with knowledge about reporting requirements can lead to more effective searching. Two of these rules that are particularly useful—quotation marks and proximity searches—are included as features of key sources discussed below.

- In many search engines, quotation marks around a phrase instruct the website to return only results that contain the phrase as a whole and not the individual words. For example, a search on "Department of Education" will return only results that include the entire phrase and not each time "department" or "education" appears individually.
- Proximity searches are used to identify instances within a document in which two or more search terms (either words or phrases) appear within a specified number of other words from each other.[9] Varying the number of words specified between search terms in a proximity search allows a searcher an enhanced ability to expand or narrow search results than would otherwise be allowed by the Boolean operator "and."

Sources and Search Strategies

This section identifies important sources that contain reporting requirements, briefly discusses search strategies, and provides sample searches that employ quotation marks and proximity searching.

Congressional reporting requirements can be found in the *United States Code* (*U.S. Code*), public laws, congressional committee reports, and in "Reports to be Made to Congress," an annually published House report. Search strategies within these sources may be developed with the specific goals and resource constraints (e.g., time or people) of a project in mind. For example, a search strategy seeking to identify as many reporting requirements as possible on a topic will be different than a search strategy identifying one example of a reporting requirement on a topic.

Regardless of the source being searched, important general considerations when developing search strategies are as follows:

- The development of search strategies typically is an iterative process; search strategies may be repeatedly adjusted based on the results of prior (i.e., actual) searches.
- Careful documentation of search strategies used for a project will help ensure that these adjustments effectively meet the goals of the project.
- An effective search strategy may lessen the work of reviewing search results but seldom eliminates it.

More specifically, when developing a search strategy for reporting requirements

- read the instructions to the search engine rules for each source searched because most sources vary in their application of broadly similar types of these rules;
- select relevant search terms, which will often include terms representing one or more of the categories of search terms described above (submitter, recipient, form, and timing) combined with terms of art related to the topic of the reporting requirement; and

[9] Some search engines also allow a search specifying a number of characters between search terms. Others allow a search specifying both the number of characters or words between search terms and the order in which the search terms must appear to be included in the search results.

- leverage search rules—such as quotation marks or a proximity search—to limit the number of search results by more precisely targeting the information that is required.

United States Code

Because reporting requirements in the *U.S. Code* are legally binding, it is perhaps the most important source when searching for reporting requirements to Congress. The *U.S. Code* is a consolidation and codification by subject matter of the general and permanent laws of the United States.[10] Some, but not all, reporting requirements enacted into law have been codified into the *U.S. Code*.[11] Some statutory reporting requirements are located in freestanding public laws published in the *Statutes at Large*.[12] Note that only general and permanent law is codified, so one-time reporting requirements—such as those in the text of an annual appropriations act—may not appear in this resource.[13]

Website and instructions

- Website: https://uscode.house.gov.
- Instructions for searching: https://uscode.house.gov/static/help.html.

Sample question and search example

- Question: What reports are listed in the *U.S. Code* as due to Congress from the Small Business Administration (SBA)?
- Search example: "small business administration" near/8 report.
- Search results: 12.[14]

Search notes and results

- Quotation marks around "small business administration" instruct the database to return only results in which all three words appear immediately next to one another.
- The proximity operator "near/8" further instructs the database to search the results returned by the "small business administration" portion of the search for instances in which the phrase "small business administration" appears within eight words—either before or after—of the word report.
- Because the word report is not in quotes, the search engine searches for minor variations of "report," such as "reports."
- There may be more than one relevant reporting requirement within each of these 12 results; for example, one result may identify a section of the *U.S. Code* that

[10] For more information on the *United States Code*, please see https://uscode.house.gov/about_code.xhtml.

[11] For discussion, see U.S. House of Representatives, Office of the Law Revision Counsel, "About Classification of Laws to the United States Code," at https://uscode.house.gov/about_classification.xhtml.

[12] Some of these freestanding statutes have been compiled unofficially by the House Office of Legislative Counsel. See U.S. House of Representatives, Office of the Legislative Counsel, "Statute Compilations," at http://legcoun.house.gov/members/HOLC/Resources/comps_alpha.html.

[13] For more information on federal statutes, please see CRS Report R45190, *From Slip Law to United States Code: A Guide to Federal Statutes for Congressional Staff*, by Eva M. Tarnay.

[14] As of December 1, 2020.

has multiple distinct relevant entries within. The text of each result should be examined.

- These 12 results may not be comprehensive of all reporting due to Congress from the SBA. Additional searches using other terms could provide evidence for more reporting. For example, the search element representing the form of a report could be changed to an audit, briefing, or study.

Public Laws

Public laws may be searched for reporting requirements in order to identify requirements in laws that have not been codified, such as in recently passed legislation or appropriations acts.[15]

Website and instructions

- Website: https://www.congress.gov/.
- Instructions for searching: https://www.congress.gov/help/search-tools-overview.

Sample question and search example

- Question: What reports are listed in public law as due to Congress from the U.S. Fish & Wildlife Service?
- Search example: "fish wildlife report"~8.[16]
- Search results: 21.[17]

Search notes and results

- To conduct the search above, first, select the Advanced Search tab on Congress.gov, under Congress options select "All since 1973," and under the Words and Phrases options enter the search example exactly as shown above into the search box.
- The proximity operator on Congress.gov is a tilde symbol, or "~". Using it instructs the database to search the results for instances in which the searched words within the quotation marks appear near each other in the text.
- The default search on Congress.gov only searches bill titles and summaries. To find reporting requirements, change the default and search the full bill texts. To do this, after selecting the Advanced Search tab, find the Words and Phrases options, select "Only these fields," deselect "Titles" and "Summaries," and select "Bill Text."
- To search only bills that have become law, under Actions/Status find the Quick List options, and select "Laws" (the last option in the list).
- Select search in the far right column to query the Congress.gov database.
- Review the results to identify which of the results are relevant and consider whether there may be more than one relevant reporting requirement within the laws returned by this search.

[15] For information on currency and updating of the U.S. Code at https://uscode.house.gov/currency/currency.shtml;jsessionid=BCD3BD81F147E96D3BC6462E715A252E.

[16] When creating a proximity search on Congress.gov, it may be helpful to eliminate articles (e.g., "the"), prepositions (e.g., "of") and conjunctions (e.g., "and") in order to streamline the search.

[17] As of December 1, 2020.

- These 21 results may not be comprehensive of all reporting due to Congress from the U.S. Fish & Wildlife Service. Additional searches using other terms could provide evidence for more reporting. For example, the search element representing the form of a report could be changed to an audit, briefing, or study.

Committee Reports

Reporting requirements may also be located in committee reports. Although these reports may not have equivalent significance as those requirements included in public laws, they are nonetheless authoritative records and serve to establish congressional intent and need.[18]

Website and instructions

- Website: https://www.congress.gov/.[19]
- Instructions for searching: https://www.congress.gov/help/search-tools-overview.

Sample question and search example

- Question: What notifications due to Congress from the Department of the Interior are listed in congressional committee reports?
- Search:—"interior notify"~8.[20]
- Search results: 108.[21]

Search notes and results

- To conduct the search above, click the Committee Reports tab on Congress.gov and type the search string in the Words & Phrases search box. Select "All Congresses (1973-present)."
- The proximity operator on Congress.gov is a tilde symbol, or "~". Using it instructs the database to search the results for instances in which the searched words within the quotation marks appear near each other in the text.
- To narrow the search to exclude executive reports—a kind of committee report issued by Senate committees reporting on treaties and nominations—select "House" and "Senate" only under Report Types in the search box.
- To narrow the results to reports from a certain committee (or a certain set of committees), select "committees" from the drop down menu on the right side of the search box.
- There may be more than one relevant reporting requirement within each of these 108 results. The text of each result should be examined for relevance.
- These 108 results may not be comprehensive of all mandated notifications due to Congress from the Department of the Interior. Additional searches using other terms could provide evidence for more reporting. For example, the search element representing the form of a report could be changed to an audit, briefing, or study.

---

[18] For additional information, please see CRS Report R45442, *Congress's Authority to Influence and Control Executive Branch Agencies*, by Todd Garvey and Daniel J. Sheffner.

[19] For more information on congressional committees, please see https://www.congress.gov/committees.

[20] When creating a proximity search on Congress.gov, it may be helpful to eliminate any articles such as "the," "of," and "and" in order to streamline the search.

[21] As of December 1, 2020.

- If the goal is to search specifically for committee activity reports, which provide an overview of a committee's work the previous Congress, a Congress.gov search like the following may help: "activity report"~8. The search can be narrowed by selecting the committee of choice as described previously. Committee activity report content varies, so some may include information on reporting requirements and others may not.

"Reports to be Made to Congress" Publication

Pursuant to Clause 2(b), Rule II of the Rules of the House of Representatives,[22] the Office of the Clerk of the House annually publishes the "Reports to Be Made to Congress" report.[23] Prepared by the Legislative Resource Center within the House Clerk's office, this publication contains a list of reports from federal entities or "reports which it is the duty of any officer or Department to make to Congress."

The "Reports to be Made to Congress" publication is intended to provide reporting requirements to be made to Congress in general by federal entities. It does not include reports that agencies may be required to submit specifically to congressional committees or individuals. As in evaluating any reporting requirement, checking the expiration dates of the reporting requirements is helpful.

The publication lists the reports due to Congress in the following order:

- Reports by the Legislative Branch;
- Reports by the Judicial Branch;
- Reports by the President of the United States;
- Reports by Cabinet Level Departments;
- Reports by Multiple Executive Agencies and Departments;
- Reports by Independent Agencies, Boards, and Commissions; and
- Reports by Federally Chartered Private Corporations.

For each reporting requirement identified, the publication lists the nature of the report, federal authority, and date or frequency by which the report submissions are due.[24] If interested in reports due to Congress from a specific entity, use the Table of Contents to identify the page where that information can be found. Alternatively, the publication can be searched for relevant keywords, such as the report submitter or subject matter.

The publication also provides a list of reporting requirements with "sunset provisions." In this section, the included reporting requirements have dates by which the individual requirements expire or will be terminated.

[22] U.S. Congress. *House Rules of the 116th Congress*, prepared by The Clerk, U.S. House of Representatives, 116th Cong., 2nd sess., available at https://rules.house.gov/sites/democrats.rules.house.gov/files/116-House-Rules-Clerk-V2.pdf.

[23] The most recent report was published in January 2020. See U.S. Congress, *Reports to be Made to Congress*, prepared by The Clerk, U.S. House of Representatives, 116th Cong., 2nd sess., H.Doc. 116-85 (Washington: GPO, 2020), available at https://www.govinfo.gov/content/pkg/CDOC-116hdoc85/pdf/CDOC-116hdoc85.pdf.

[24] More details on each report listed in "Reports to be Made to Congress" can be found in the associated federal authorities as listed in the document.

Strategies for Locating Submitted Reports

How Reports Are Submitted to Congress

Reports may be submitted to Congress in several ways.

- Agencies may submit physical copies of required reports to congressional committees, committee leadership, or to Congress in general without a specified recipient.
- In cases where the required reporting is described in statute as a testimony, meeting, briefing, or other in-person or oral report, the report may be delivered in-person before the respective recipients (i.e., committees, individuals, or to Congress in general) with or without an accompanying written report.
- Timing of submissions may vary: reports and other information may be required to be submitted once (e.g., by a specified date), on a recurring basis (e.g., annually), or as specified circumstances arise (e.g., each time the Secretary takes a particular action).[25]

Sources for Submitted Reports

There is no single repository for reports submitted to Congress; as such, copies of these reports may be difficult to obtain. In some cases it may be easier to verify that a report was submitted than to locate a copy of the report.

Congressional Record

Written reports due to Congress in general are typically submitted as Executive Communications (ECs). The House and Senate Executive Clerks' Offices record the EC submissions and create an abstract to be published in the *Congressional Record*.[26] The actual documents are then given to the congressional committees to which they have been referred by the House or Senate Parliamentarian's Office. The House and Senate Parliamentarians' Offices and the House and Senate Executive Clerks' Offices do not retain copies of submitted written reports. Thus, the full-text versions of reports are generally available in internal committee records or if the respective committee or the executive branch agency publish them online or elsewhere.

Member, Committee, or Agency Websites

Some congressional committees and federal agencies may make certain reports available on their public websites. Others may send copies to interested professional organizations or advocacy groups. The public release of such reports is up to the discretion of the entities receiving or issuing them (and in some cases depends on the classified nature of the report). On occasion, however, Congress includes in statute a requirement for a report to be posted on a publicly accessible website.

[25] In the latter cases, depending on how often varied "specified circumstances" arise, some reports may be required to be submitted zero, one, or multiple times.

[26] The full text of executive communications is never included in the *Congressional Record*.

Agency compliance with reporting requirements can also be difficult to determine. As mentioned previously, reports that are submitted to Congress in general are recorded by the House and Senate Executive Clerks' Offices; these abstracts are inserted in the *Congressional Record* and are searchable in the respective House and Senate Communications tab on Congress.gov.[27] However, if agencies submit their reports directly to committees instead, the transmission may not be recorded and there may not be a public record of the transmission outside of internal committee records and internal agency records.

Committee Clerks

Congressional committee clerks may be able to assist congressional staff in determining the status of reporting submitted or referred to their committees. They may also be able to assist in locating copies of transmitted reports. The release of information related to this reporting is at the discretion of each committee.

Congressional Liaisons for Federal Agencies

In some cases, the congressional liaison offices for federal agencies may be able to assist in locating copies of reporting their agencies have submitted to Congress. Congressional liaison contact information is available to congressional staff at https://www.crs.gov/Resources/LiaisonOffices.

Freedom of Information Act

Congressional staff in their personal capacity, members of the public, and constituents may also be able to obtain copies of transmitted reports by submitting a Freedom of Information Act (FOIA). The submitted reports may be provided if the release of such information is not prohibited under an exemption in statute.[28]

[27] Executive Communications (ECs) are listed by communication number in the *Congressional Record*, which is available online from 1989 to present at https://www.congress.gov and in printed form for previous years. In addition, the online version of the *Daily Digest* on Congress.gov provides a link to the *Congressional Record* page(s) that list that day's executive communications. ECs within House and Senate Communications are also available for searching and browsing on Congress.gov at https://www.congress.gov/.

[28] The Freedom of Information Act (FOIA), codified at 5 U.S.C. §552, provides the public a right to access federal agency information. For more information on FOIA, see CRS In Focus IF11450, *The Freedom of Information Act (FOIA): An Introduction*, by Daniel J. Sheffner.

Author Information

Kathleen E. Marchsteiner
Research Librarian

Acknowledgments

The following individuals provided valuable input on this report: Clinton Brass, Specialist in Government Organization and Management; Todd Garvey, Legislative Attorney; Michael Greene, Analyst on Congress and the Legislative Process; Jennifer Manning, Senior Research Librarian; and Ben Wilhelm, Analyst in Government Organization and Management

Disclaimer

This document was prepared by the Congressional Research Service (CRS). CRS serves as nonpartisan shared staff to congressional committees and Members of Congress. It operates solely at the behest of and under the direction of Congress. Information in a CRS Report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to Members of Congress in connection with CRS's institutional role. CRS Reports, as a work of the United States Government, are not subject to copyright protection in the United States. Any CRS Report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS Report may include copyrighted images or material from a third party, you may need to obtain the permission of the copyright holder if you wish to copy or otherwise use copyrighted material.