

WRITTEN TESTIMONY OF HAJAR HAMMADO, POLICY ASSOCIATE
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SUBMITTED TO THE HOUSE COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE
ON THE LEGISLATIVE BRANCH CONCERNING THE FY 2022 APPROPRIATIONS BILL

May 7, 2021

Chairman Ryan, Ranking Member Herrera Beutler, and members of the Subcommittee, thank you for the opportunity to submit testimony regarding the FY 2022 Legislative Branch Appropriations Bill. My organization, Citizens for Responsibility and Ethics in Washington (CREW), is a non-profit, non-partisan organization committed to protecting the rights of citizens to be informed about government actions and ensuring the integrity of government institutions through increased transparency and accountability. Today we offer proposed report language and testimony regarding the need for all public disclosure forms from House officers, members, and staff to be publicly available and easily accessible.

Public disclosure reports for House officers, members, and staff—while instrumental in civil society’s efforts to ensure representatives act in the public interest—are not easily obtained or understood. This breakdown in government transparency hinders the public’s ability to receive timely information on House officials, members, and staff activities in their official capacity as public servants. For instance, legal expense fund disclosures are not available online, making it difficult for the public to review documents related to special funds, such as those established to respond to House Ethics Committee inquiries,¹ civil lawsuits,² and federal campaign finance charges.³ In such instances these records—which provide information on contributions to the fund, and nature of the fund’s expenses—cannot be easily investigated and publicly reported. Thus, the public is unable to adequately hold their leaders accountable should they act in their own interest, rather than on behalf of their constituents. These recordkeeping procedures must be modernized to maintain transparency in the halls of Congress.

In accordance with House Rules⁴ and federal statutes, all House officers, members, and senior staff are required to file public disclosure documents such as income, travel, and gift reports. The Legislative Resource Center,⁵ a division of the Office of the Clerk for the House of Representatives, is tasked with maintaining these documents and other public disclosure forms.⁶ In theory, this information should be publicly accessible through the Legislative Resource

¹ Chris Marquette, Campus Notebook: Trahan opens legal expense fund to address Ethics inquiry, Roll Call (Feb. 28, 2020), available at

<https://www.rollcall.com/2020/02/28/campus-notebook-trahan-opens-legal-expense-fund-to-address-ethics-inquiry/>

² Chris Marquette, Rep. Tony Cárdenas spent \$148,000 fighting dropped civil lawsuit, Roll Call (Sept. 23, 2019), available at <https://www.rollcall.com/2019/09/23/rep-tony-cardenas-spent-148000-fighting-dropped-civil-lawsuit/>

³ Chris Marquette, Rep. Duncan Hunter has almost depleted his legal expense fund, Roll Call (Aug. 28, 2019), available at <https://www.rollcall.com/2019/08/28/rep-duncan-hunter-has-almost-depleted-his-legal-expense-fund/>

⁴ House Committee on Rules, Rules of the House of Representatives, available at <https://rules.house.gov/rules-and-resources>

⁵ Office of the Clerk, The Legislative Resource Center (LRC), U.S. House of Representatives, available at <https://clerk.house.gov/About/ViewLRCDetails>

⁶ Office of the Clerk, Public Disclosure, U.S. House of Representatives, available at <https://disclosures-clerk.house.gov/>

Center. In practice, however, many public disclosure documents are not available online, and those that are online are not presented accessibly.

To access public disclosure records that are not publicly posted online, an individual must travel to the Legislative Resource Center within the Cannon House Office Building in Washington, and inspect the hard copies of the records during normal business hours.⁷ Visiting the Legislative Resource Center in person is the only way for the public to see these ostensibly public records—including records related to Legal Expense Fund disclosures⁸ and Office of Congressional Ethics board and staff agreement documents.⁹ This outdated and unreliable method of document access meant to uphold an open government is inadequate for the current day.

The health and safety measures implemented since the start of the Covid-19 pandemic have functionally ended the public's access to these documents, as only official visitors are allowed entry into congressional buildings. Over a year has passed since members of the public have been able to inspect public disclosure documents for House officers, members, and staff. Even prior to the pandemic, when public entry into congressional buildings was permissible, requiring individuals located outside the District of Columbia to travel in order to access public records was unjust. This current system is unworkable, and the time to transition these forms to an online platform is long past due; the pandemic has only exacerbated this need.

Even public disclosure records that are available online—such as financial disclosure reports,¹⁰ gift travel filings,¹¹ and post-employment notifications¹²—include barriers to access. While these records are available online, they are often formatted improperly and presented in relatively uncommon file formats. For instance, financial disclosure forms and reports are rotated 90 degrees and many members choose to submit hand-written¹³ or hard to parse low-resolution¹⁴ scanned files, many of which are completely illegible. These records, along with many other documents available online are not machine readable and thus difficult to search. Further, congressional staff disclosures must be searched by individual names, an issue that could be easily fixed by housing staff disclosures under members or committees. The Legislative Resource Center can save constituents time and resources, and significantly improve transparency and accountability, by resolving these minor technological deficiencies.

⁷ Office of the Clerk, [The Legislative Resource Center \(LRC\)](https://clerk.house.gov/About/ViewLRCDetails), U.S. House of Representatives, available at <https://clerk.house.gov/About/ViewLRCDetails>

⁸ Office of the Clerk, [Legal Expense Fund Disclosures](https://disclosures-clerk.house.gov/PublicDisclosure/LegalExpenseFund), U.S. House of Representatives, available at <https://disclosures-clerk.house.gov/PublicDisclosure/LegalExpenseFund>

⁹ Office of the Clerk, [Office of Congressional Ethics](https://disclosures-clerk.house.gov/PublicDisclosure/OfficeOfCongressionalEthics), U.S. House of Representatives, available at <https://disclosures-clerk.house.gov/PublicDisclosure/OfficeOfCongressionalEthics>

¹⁰ Office of the Clerk, [Financial Disclosure Reports](https://disclosures-clerk.house.gov/PublicDisclosure/FinancialDisclosure), U.S. House of Representatives, available at <https://disclosures-clerk.house.gov/PublicDisclosure/FinancialDisclosure>

¹¹ Office of the Clerk, [Gift Travel Filings](https://disclosures-clerk.house.gov/PublicDisclosure/GiftTravelFilings), U.S. House of Representatives, available at <https://disclosures-clerk.house.gov/PublicDisclosure/GiftTravelFilings>

¹² Office of the Clerk, [Post-Employment Notifications](https://disclosures-clerk.house.gov/PublicDisclosure/PostEmploymentNotification), U.S. House of Representatives, available at <https://disclosures-clerk.house.gov/PublicDisclosure/PostEmploymentNotification>

¹³ Filer Notes: Rep. Steven Brett Guthrie, Page 18, Roll Call, available at <https://content.rollcall.com/wp-content/uploads/2020/09/GuthriePAGE-18.png?w=1024>

¹⁴ Schedule A - Assets & "Unearned Income": Rep. Greg Gianforte, Page 2, Roll Call, available at <https://content.rollcall.com/wp-content/uploads/2020/09/Gianforte-PAGE2.png?w=1024>

As part of a permanent online archive of all public disclosure reports, the Legislative Resource Center should convert all documents to a searchable, sortable, and machine readable format. Further, the Legislative Resource Center should review all their public disclosure documents for the 116th Congress going forward, create a catalog, and ensure they are all online for public review.

Public disclosure records are an important tool for the public to hold House officials, members, and staff accountable for their actions. Through public inspection of these records, the public is able to engage in oversight and take steps to ensure integrity in the House of Representatives. Making public disclosures truly accessible is a critical step in upholding transparency and accountability in the federal government. We respectfully recommend inclusion of the following report language in the FY 2022 Appropriations Bill:

Legislative Resource Center Public Records: The Office of the Clerk is requested to make available online all public disclosure forms from all House Officers, Members, and staff from the 116th Congress forward, and to identify other relevant documents that should also be available online.

Thank you for the opportunity to address the subcommittee.