

116TH CONGRESS
1ST SESSION

H. R. 4613

To direct the Secretary of Veterans Affairs to establish and maintain a website of the Department that allows the public to obtain electronic copies of certain legislatively requested reports of the Department of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 4, 2019

Mr. ROSE of New York (for himself and Mr. CISNEROS) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To direct the Secretary of Veterans Affairs to establish and maintain a website of the Department that allows the public to obtain electronic copies of certain legislatively requested reports of the Department of Veterans Affairs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “VA Reporting Trans-
5 parency Act”.

1 **SEC. 2. REQUIRING PUBLIC ACCESS THROUGH DEPART-**
2 **MENT OF VETERANS AFFAIRS WEBSITE TO**
3 **LEGISLATIVELY REQUESTED REPORTS OF**
4 **THE DEPARTMENT.**

5 (a) REQUIREMENT TO ALLOW ACCESS ONLINE.—

6 (1) IN GENERAL.—Not later than one year
7 after the date of enactment of this Act, the Sec-
8 retary shall establish and maintain a website of the
9 Department that allows the public to obtain elec-
10 tronic copies of all legislatively requested reports.

11 (2) EXISTING RESOURCES.—To the extent pos-
12 sible, the Secretary shall carry out paragraph (1) by
13 using existing online resources administered by the
14 Secretary.

15 (b) CONTENT AND FUNCTION.—The Secretary shall
16 ensure that the website includes the following:

17 (1) With respect to each legislatively requested
18 report, each of the following:

19 (A) A citation to the statute requiring the
20 report.

21 (B) An electronic copy of the report, in-
22 cluding any transmittal letter associated with
23 the report, that is platform independent and
24 available to the public without restrictions, in-
25 cluding restrictions that would impede the reuse

1 of the information in the report. Where prac-
2 ticable, the report shall be in an open format.

3 (C) The ability to retrieve a report, to the
4 extent practicable, through searches based on
5 each, and any combination, of the following:

6 (i) The title of the report.

7 (ii) The date of publication.

8 (iii) Any congressional committee or
9 subcommittee receiving the report.

10 (iv) The Act of Congress or confer-
11 ence report that requests the report.

12 (v) Subject tags.

13 (vi) A unique alphanumeric identifier
14 for the report that is consistent across re-
15 port editions.

16 (vii) Any serial number, Superinten-
17 dent of Documents number, or other iden-
18 tification number for the report.

19 (viii) Key words.

20 (ix) Full text search.

21 (x) Any other information the Sec-
22 retary determines appropriate.

23 (D) The date on which the report was re-
24 quired to be submitted to the website.

1 (E) The date on which the report was sub-
2 mitted to the website.

3 (F) To the extent practicable, a permanent
4 means of accessing the report electronically.

5 (2) A means for bulk download of all legisla-
6 tively requested reports.

7 (3) A means for downloading individual reports
8 as the result of a search.

9 (4) In tabular form, a list of all legislatively re-
10 quested reports that can be searched, sorted, and
11 downloaded by—

12 (A) reports submitted within the required
13 time;

14 (B) reports submitted after the date on
15 which such reports were required to be sub-
16 mitted; and

17 (C) reports not submitted.

18 (c) DEADLINE.—The Secretary shall ensure that in-
19 formation required to be published on the website under
20 this Act with respect to a legislatively requested report
21 submitted after the period under subsection (a)(1) is pub-
22 lished not later than three calendar days after the report
23 is submitted.

24 (d) NOTICE ON WEBSITE OF WITHHELD REPORTS.—
25 If a report is withheld from submission to or publication

1 on the website at the request of a recipient committee or
2 subcommittee, the Secretary shall post on the website a
3 statement that the report is withheld at the request of
4 such committee or subcommittee.

5 (e) FREE ACCESS.—The Secretary may not charge
6 a fee, require registration, or impose any other limitation
7 in exchange for access to the website.

8 **SEC. 3. RELATIONSHIP TO THE FREEDOM OF INFORMA-**
9 **TION ACT.**

10 (a) IN GENERAL.—Nothing in this Act shall be con-
11 strued to—

12 (1) require the disclosure of information,
13 records, or reports that are exempt from public dis-
14 closure under section 552 of title 5, United States
15 Code; or

16 (2) impose any affirmative duty on the Sec-
17 retary to review legislatively requested reports sub-
18 mitted for publication to the website for the purpose
19 of identifying and redacting such information or
20 records.

21 (b) REDACTION OF INFORMATION.—The Secretary
22 may redact information required to be disclosed under this
23 Act if the information would be properly withheld from
24 disclosure under section 552 of title 5, United States
25 Code, and shall—

1 (1) redact information required to be disclosed
2 under this Act if disclosure of such information is
3 prohibited by law;

4 (2) redact only such information properly with-
5 held under this subsection from the submission of
6 information or from any legislatively requested re-
7 port submitted under this Act;

8 (3) identify where any such redaction is made
9 in the submission or report; and

10 (4) identify the exemption under which each
11 such redaction is made.

12 **SEC. 4. REPORTS REQUIRED.**

13 (a) **RECURRING REPORTS THAT THE SECRETARY**
14 **RECOMMENDS DISCONTINUING.**—The Secretary shall
15 submit to Congress a report regarding recurring legisla-
16 tively requested reports that the Secretary recommends
17 discontinuing not later than—

18 (1) 180 days after the date of the enactment of
19 this Act; and

20 (2) two years after the date of the enactment
21 of this Act.

22 (b) **COMPLIANCE OF VA WEBSITE WITH FEDERAL**
23 **STATUTES, REGULATIONS, RULES, AND GUIDANCE.**—Not
24 later than 180 days after the date of the enactment of
25 this Act, the Secretary shall submit to Congress a report

1 regarding the compliance of the website of the Department
2 with Federal statutes, regulations, rules, and guidance re-
3 garding transparency for and access by the public and
4 Congress, including requirements for links and informa-
5 tion subject to section 552 of title 5, United States Code,
6 and the Inspector General Act of 1978 (Public Law 95-
7 452).

8 **SEC. 5. DEFINITIONS.**

9 In this Act:

10 (1) **LEGISLATIVELY REQUESTED REPORT.**—The
11 term “legislatively requested report” means a report
12 to be submitted by the Secretary to either house of
13 Congress or any committee of Congress or sub-
14 committee thereof pursuant to—

15 (A) an Act of Congress enacted not more
16 than eight years before the date of the enact-
17 ment of this Act; or

18 (B) a conference report adopted not more
19 than eight years before the date of the enact-
20 ment of this Act.

21 (2) **OPEN FORMAT.**—The term “open format”
22 means a file format for storing digital data based on
23 an underlying open standard that—

24 (A) is not encumbered by any restrictions
25 that would impede reuse; and

1 (B) is based on an underlying open data
2 standard that is maintained by a standards or-
3 ganization.

4 (3) DEPARTMENT.—The term “Department”
5 means the Department of Veterans Affairs.

6 (4) SECRETARY.—The term “Secretary” means
7 the Secretary of Veterans Affairs.

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