

HR 6193

Improving Public Access to Documents Act of 2008

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: Government Operations and Politics

Introduced: Jun 5, 2008

Current Status: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governm

Latest Action: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (Jul 31, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/6193>

Sponsor

Name: Rep. Harman, Jane [D-CA-36]

Party: Democratic • State: CA • Chamber: House

Cosponsors (7 total)

Cosponsor	Party / State	Role	Date Joined
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Jun 5, 2008
Rep. Carney, Christopher P. [D-PA-10]	D · PA		Jun 5, 2008
Rep. Dicks, Norman D. [D-WA-6]	D · WA		Jun 5, 2008
Rep. Jackson-Lee, Sheila [D-TX-18]	D · TX		Jun 5, 2008
Rep. Langevin, James R. [D-RI-2]	D · RI		Jun 5, 2008
Rep. Reichert, David G. [R-WA-8]	R · WA		Jun 5, 2008
Rep. Thompson, Bennie G. [D-MS-2]	D · MS		Jun 5, 2008

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Referred To	Aug 1, 2008
Homeland Security Committee	House	Reported by	Jun 11, 2008

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
110 HR 4806	Related bill	Jul 31, 2008: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

Improving Public Access to Documents Act of 2008 - (Sec. 3) Amends the Homeland Security Act of 2002 to direct the Secretary of Homeland Security to develop and administer policies, procedures, and programs within the Department of Homeland Security (DHS) to implement the controlled unclassified information framework for the marking and disclosure of homeland security information under the Intelligence Reform and Terrorism Prevention Act of 2004. Defines such framework as a single set of policies and procedures governing the designation, marking, safeguarding, and dissemination of terrorism-related controlled unclassified information that originates in federal agencies. Requires the Secretary to coordinate with the Archivist of the United States and consult with representatives of state, local, tribal, and territorial government and law enforcement, organizations with expertise in civil rights, civil liberties, and government oversight, and the private sector to develop such policies, procedures, and programs.

Directs the Secretary to: (1) create a standard format for unclassified finished DHS intelligence products and require all such products to be prepared in such format; (2) ensure that policies protect the national security as well as the information privacy and legal rights of U.S. persons; (3) establish an ongoing auditing mechanism that randomly selects controlled unclassified information from each DHS component to assess whether applicable policies, procedures, rules, and regulations have been followed, describe any problems with their administration, and recommend improvements in awareness and training to address the problems; (4) establish a process to allow employees to challenge the use of controlled unclassified information markings; (5) institute a series of penalties for DHS employees and contractors that fail to comply with requirements under this Act; (6) maintain a publicly available list of all documents designated as controlled unclassified information; and (7) create a process for the public to notify the DHS Inspector General of concerns about the implementation of the framework.

Requires the Secretary to ensure that: (1) information is designated and marked as controlled unclassified information only if a statute or executive order so requires or the Secretary determines that the information is controlled unclassified information; (2) information is not designated as controlled unclassified information to conceal violations of law or for other improper purposes; and (3) the framework is administered in a manner that ensures appropriate sharing of information.

(Sec. 4) Requires the Secretary to: (1) assess technologies by which an electronic identification number or marker can be assigned to each DHS employee and contractor with controlled unclassified information designation authority to track which documents have been designated by which employee or contractor, to determine the circumstances when such documents have been shared, to identify and address misuse of information markings, and to assess the information sharing impact of any such problems or misuse; (2) develop an implementation plan for a DHS standard for such technology with appropriate benchmarks; and (3) provide a copy of the implementation plan to the House Homeland Security Committee and the Senate Homeland Security and Governmental Affairs Committee.

Directs the Secretary, in coordination with the Archivist, to: (1) require annual training for each DHS employee and contractor with controlled unclassified information designation authority or those responsible for analyzing, producing, or communicating written controlled unclassified information; and (2) ensure that such training is conducted efficiently in conjunction with any other security, intelligence, or other training programs required by DHS.

Requires the Secretary to: (1) implement a program to detail DHS personnel to the National Archives and Records Administration (NARA) for one year for purposes of training and educating DHS personnel to better understand the controlled unclassified information framework, bolstering NARA's ability to conduct oversight, and ensuring that the policies and procedures established by the Secretary remain consistent with those established by the Archivist; and (2)

report to Congress, in coordination with the Archivist, on the advisability of expanding the detailee program government-wide and on the administrative and monetary costs of full compliance. Terminates the detailee program on December 31, 2012.

Actions Timeline

- **Jul 31, 2008:** Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.
- **Jul 30, 2008:** Considered as unfinished business. (consideration: CR H7596)
- **Jul 30, 2008:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR 7/29/2008 H7186-7188)
- **Jul 30, 2008:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR 7/29/2008 H7186-7188)
- **Jul 30, 2008:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 29, 2008:** Ms. Harman moved to suspend the rules and pass the bill, as amended.
- **Jul 29, 2008:** Considered under suspension of the rules. (consideration: CR H7186-7189)
- **Jul 29, 2008:** DEBATE - The House proceeded with forty minutes of debate on H.R. 6193.
- **Jul 29, 2008:** At the conclusion of debate, the chair put the question on the motion to suspend the rules. Mr. Bilirakis objected to the vote on the grounds that a quorum was not present. Further proceedings on the motion were postponed. The point of no quorum was withdrawn.
- **Jul 28, 2008:** Reported (Amended) by the Committee on Homeland Security. H. Rept. 110-779.
- **Jul 28, 2008:** Placed on the Union Calendar, Calendar No. 498.
- **Jun 26, 2008:** Committee Consideration and Mark-up Session Held.
- **Jun 26, 2008:** Ordered to be Reported (Amended) by Voice Vote.
- **Jun 11, 2008:** Subcommittee Hearings Held.
- **Jun 11, 2008:** Subcommittee Consideration and Mark-up Session Held.
- **Jun 11, 2008:** Forwarded by Subcommittee to Full Committee (Amended) by Unanimous Consent .
- **Jun 9, 2008:** Referred to the Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment.
- **Jun 5, 2008:** Introduced in House
- **Jun 5, 2008:** Referred to the House Committee on Homeland Security.