

Union Calendar No. 387

113TH CONGRESS
2^D SESSION

H. R. 4195

[Report No. 113-515]

To amend chapter 15 of title 44, United States Code (commonly known as the Federal Register Act), to modernize the Federal Register, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 2014

Mr. ISSA, Mr. CUMMINGS, and Mr. CONNOLLY) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

JULY 3, 2014

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend chapter 15 of title 44, United States Code (commonly known as the Federal Register Act), to modernize the Federal Register, 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 “Federal Register Mod-
5 ernization Act”.

6 **SEC. 2. FEDERAL REGISTER MODERNIZATION.**

7 (a) REFERENCES TO PRINTING.—Chapter 15 of title
8 44, United States Code, is amended—

9 (1) in section 1502—

10 (A) in the heading, by striking “**print-**
11 **ing**” and inserting “**publishing**”; and

12 (B) by striking “printing and distribution”
13 and inserting “publishing”;

14 (2) in section 1507 is amended—

15 (A) by striking “the duplicate originals or
16 certified copies of the document have” and in-
17 serting “the document has”; and

18 (B) in paragraph (2), by striking “print-
19 ed” and inserting “published”; and

20 (3) in section 1509, in subsections (a) and (b)
21 of, by striking “printing, reprinting, wrapping, bind-
22 ing, and distributing” and inserting “publishing”,
23 each place it appears.

24 (b) PUBLISH DEFINED.—Section 1501 of title 44,
25 United States Code, is amended—

1 (1) by striking “; and” at the end of the defini-
2 tion for “person” and inserting a semicolon;

3 (2) by inserting after the definition for “per-
4 son” the following:

5 “‘publish’ means to circulate for sale or dis-
6 tribution to the public; and”.

7 (c) FILING DOCUMENTS WITH OFFICE AMEND-
8 MENT.—Section 1503 of title 44, United States Code, is
9 amended to read as follows:

10 **“§ 1503. Filing documents with Office; notation of**
11 **time; public inspection; transmission for**
12 **publishing**

13 “The original document required or authorized to be
14 published by section 1505 of this title shall be filed with
15 the Office of the Federal Register for publication at times
16 established by the Administrative Committee of the Fed-
17 eral Register by regulation. The Archivist of the United
18 States shall cause to be noted on the original of each docu-
19 ment the day and hour of filing. Upon filing, the document
20 shall be immediately available for public inspection in the
21 Office. The original shall be retained by the National Ar-
22 chives and Records Administration and shall be available
23 for inspection under regulations prescribed by the Archi-
24 vist, unless such original is disposed of in accordance with
25 disposal schedules submitted by the Administrative Com-

1 mittee and authorized by the Archivist pursuant to regula-
2 tions issued under chapter 33 of this title; however, origi-
3 nals of proclamations of the President and Executive or-
4 ders shall be permanently retained by the Administration
5 as part of the National Archives of the United States. The
6 Office shall transmit to the Government Printing Office,
7 as provided by this chapter, each document required or
8 authorized to be published by section 1505 of this title.
9 Every Federal agency shall cause to be transmitted for
10 filing the original of all such documents issued, prescribed,
11 or promulgated by the agency.”.

12 (d) FEDERAL REGISTER AMENDMENT.—Section
13 1504 of title 44, United States Code, is amended to read
14 as follows:

15 “§ 1504. ‘Federal Register’; publishing; contents; dis-
16 **tribution; price**

17 “Documents required or authorized to be published
18 by section 1505 of this title shall be published immediately
19 by the Government Printing Office in a serial publication
20 designated the ‘Federal Register’. The Public Printer shall
21 make available the facilities of the Government Printing
22 Office for the prompt publication of the Federal Register
23 in the manner and at the times required by this chapter
24 and the regulations prescribed under it. The contents of
25 the daily issues shall constitute all documents, required

1 or authorized to be published, filed with the Office of the
2 Federal Register up to the time of the day immediately
3 preceding the day of publication fixed by regulations under
4 this chapter. There shall be published with each document
5 a copy of the notation, required to be made by section
6 1503 of this title, of the day and hour when, upon filing
7 with the Office, the document was made available for pub-
8 lic inspection. Distribution shall be made at a time in the
9 morning of the day of distribution fixed by regulations
10 prescribed under this chapter. The prices to be charged
11 for the Federal Register may be fixed by the Administra-
12 tive Committee of the Federal Register established by sec-
13 tion 1506 of this title without reference to the restrictions
14 placed upon and fixed for the sale of Government publica-
15 tions by sections 1705 and 1708 of this title.”.

16 (e) DOCUMENTS TO BE PUBLISHED IN FEDERAL
17 REGISTER.—Section 1505 of title 44, United States Code,
18 is amended—

19 (1) in subsection (b)—

20 (A) in the heading, by striking “COM-
21 MENTS” and inserting “NEWS COMMENTARY”;

22 and

23 (B) by striking “comments” and inserting
24 “news commentary”; and

1 (2) in subsection (c), in the matter following
2 paragraph (2)—

3 (A) by inserting “telecommunications, the
4 Internet,” after “the press, the radio,”; and

5 (B) by striking “and two duplicate origi-
6 nals or two certified copies” and inserting “doc-
7 ument”.

8 (f) ADMINISTRATIVE COMMITTEE OF THE FEDERAL
9 REGISTER AMENDMENT.—Section 1506 of title 44,
10 United States Code, is amended to read as follows:

11 **“§ 1506. Administrative Committee of the Federal**
12 **Register; establishment and composition;**
13 **powers and duties**

14 “The Administrative Committee of the Federal Reg-
15 ister shall consist of the Archivist of the United States
16 or Acting Archivist, who shall chair the committee, an offi-
17 cer of the Department of Justice designated by the Attor-
18 ney General, and the Public Printer or Acting Public
19 Printer. The Director of the Federal Register shall act as
20 secretary of the committee. The committee shall prescribe,
21 with the approval of the President, regulations for car-
22 rying out this chapter. The regulations shall provide for,
23 among other things—

1 “(1) the documents which shall be authorized
2 under section 1505(b) of this title to be published in
3 the Federal Register;

4 “(2) the manner and form in which the Federal
5 Register shall be published;

6 “(3) the manner of distribution to Members of
7 Congress, officers and employees of the United
8 States, or Federal agency, for official use, and the
9 number which shall be available for distribution to
10 the public;

11 “(4) the prices to be charged for individual cop-
12 ies of, and subscriptions to, the Federal Register
13 and any reprints and bound volumes of it;

14 “(5) the manner and form by which the Federal
15 Register may receive information and comments
16 from the public, if practicable and efficient; and

17 “(6) special editions of the Federal Register.”.

18 (g) CODE OF FEDERAL REGULATIONS AMEND-
19 MENT.—Section 1510 of title 44, United States Code, is
20 amended to read as follows:

21 **“§ 1510. Code of Federal Regulations**

22 “(a) SPECIAL EDITION FOR CODIFICATION OF AGEN-
23 CY DOCUMENTS.—The Administrative Committee of the
24 Federal Register, with the approval of the President, may
25 require, from time to time as it considers necessary, the

1 preparation and publication in a special edition of the Fed-
2 eral Register a complete codification of the documents of
3 each agency of the Government having general applica-
4 bility and legal effect, issued or promulgated by the agency
5 by publication in the Federal Register or by filing with
6 the Administrative Committee, and which are relied upon
7 by the agency as authority for, or are invoked or used by
8 it in the discharge of, its activities or functions, and are
9 in effect as to facts arising on or after dates specified by
10 the Administrative Committee.

11 “(b) CODE OF FEDERAL REGULATIONS.—A codifica-
12 tion prepared under subsection (a) of this section shall be
13 published and shall be designated as the ‘Code of Federal
14 Regulations’. The Administrative Committee shall regu-
15 late the manner and forms of publishing this codification.

16 “(c) SUPPLEMENTATION, COLLATION, AND REPUBLI-
17 CATION.—The Administrative Committee shall regulate
18 the supplementation and the collation and republication
19 of the codification with a view to keeping the Code of Fed-
20 eral Regulations as current as practicable. Each unit of
21 codification shall be supplemented and republished at least
22 once each calendar year. The Office of the Federal Reg-
23 ister may create updates of each unit of codification from
24 time to time and make the same available electronically
25 or may provide public access using an electronic edition

1 that allows a user to select a specific date and retrieve
2 the version of the codification in effect as of that date.

3 “(d) PREPARATION AND PUBLICATION BY THE FED-
4 ERAL REGISTER.—The Office of the Federal Register
5 shall prepare and publish the codifications, supplements,
6 collations, and user aids authorized by this section.

7 “(e) PRIMA FACIE EVIDENCE.—The codified docu-
8 ments of the several agencies published in the Code of
9 Federal Regulations under this section, as amended by
10 documents subsequently filed with the Office and pub-
11 lished in the daily issues of the Federal Register, shall
12 be prima facie evidence of the text of the documents and
13 of the fact that they are in effect on and after the date
14 of publication.

15 “(f) REGULATIONS.—The Administrative Committee,
16 with approval of the President, shall issue regulations for
17 carrying out this section.

18 “(g) EXCEPTION.—This section does not require
19 codification of the text of Presidential documents pub-
20 lished and periodically compiled in supplements to title 3
21 of the Code of Federal Regulations.”.

22 (h) TECHNICAL AND CONFORMING AMENDMENTS.—
23 The table of sections for chapter 15 of title 44, United
24 States Code, is amended by striking the items related to
25 sections 1502, 1503, and 1504 and inserting the following:

“1502. Custody and publishing of Federal documents; appointment of Director.

“1503. Filing documents with Office; notation of time; public inspection; transmission for publishing.

“1504. ‘Federal Register’; publishing; contents; distribution; price.”.

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