

“(e) REQUIREMENT FOR SUBMISSION.—The Director shall not publish any report through the reports online portal that is received from anyone other than the head of the applicable Federal agency, or an officer or employee of the Federal agency specifically designated by the head of the Federal agency.

“SEC. 7245. CHANGING OR REMOVING REPORTS.

“(a) LIMITATION ON AUTHORITY TO CHANGE OR REMOVE REPORTS.—Except as provided in subsection (b), the head of the Federal agency concerned may change or remove a congressionally mandated report submitted to be published on the reports online portal only if—

“(1) the head of the Federal agency consults with each committee of Congress or subcommittee thereof to which the report is required to be submitted (or, in the case of a report which is not required to be submitted to a particular committee of Congress or subcommittee thereof, to each committee with jurisdiction over the agency, as determined by the head of the agency in consultation with the Speaker of the House of Representatives and the President pro tempore of the Senate) prior to changing or removing the report; and

“(2) a joint resolution is enacted to authorize the change in or removal of the report.

“(b) EXCEPTIONS.—Notwithstanding subsection (a), the head of the Federal agency concerned—

“(1) may make technical changes to a report submitted to or published on the reports online portal;

“(2) may remove a report from the reports online portal if the report was submitted to or published on the reports online portal in error; and

“(3) may withhold information, records, or reports from publication on the reports online portal in accordance with section 5246 [7246].

“SEC. 7246. WITHHOLDING OF INFORMATION.

“(a) IN GENERAL.—Nothing in this subtitle shall be construed to—

“(1) require the disclosure of information, records, or reports that are exempt from public disclosure under section 552 of title 5, United States Code, or that are required to be withheld under section 552a of title 5, United States Code; or

“(2) impose any affirmative duty on the Director to review congressionally mandated reports submitted for publication to the reports online portal for the purpose of identifying and redacting such information or records.

“(b) WITHHOLDING OF INFORMATION.—

“(1) IN GENERAL.—Consistent with subsection (a)(1), the head of a Federal agency may withhold from the Director, and from publication on the reports online portal, any information, records, or reports that are exempt from public disclosure under section 552 of title 5, United States Code, or that are required to be withheld under section 552a of title 5, United States Code.

“(2) NATIONAL SECURITY.—Nothing in this subtitle shall be construed to require the publication, on the reports online portal or otherwise, of any report containing information that is classified, the public release of which could have a harmful effect on national security, or that is otherwise prohibited.

“(3) LAW ENFORCEMENT SENSITIVE.—Nothing in this subtitle shall be construed to require the publication on the reports online portal or otherwise of any congressionally mandated report—

“(A) containing information that is law enforcement sensitive; or

“(B) that describe[s] information security policies, procedures, or activities of the executive branch.

“(c) RESPONSIBILITY FOR WITHHOLDING OF INFORMATION.—In publishing congressionally mandated reports to the reports online portal in accordance with this subtitle, the head of each Federal agency shall be responsible for withholding information pursuant to the requirements of this section.

“SEC. 7247. IMPLEMENTATION.

“(a) REPORTS SUBMITTED TO CONGRESS.—

“(1) IN GENERAL.—This subtitle shall apply with respect to any congressionally mandated report which—

“(A) is required by statute to be submitted to the House of Representatives, or the Speaker thereof, or the Senate, or the President or President Pro Tempore thereof, at any time on or after the date of the enactment of this Act [Dec. 23, 2022]; or

“(B) is included by the Clerk of the House of Representatives or the Secretary of the Senate (as the case may be) on the list of reports received by the House of Representatives or the Senate (as the case may be) at any time on or after the date of the enactment of this Act.

“(2) TRANSITION RULE FOR PREVIOUSLY SUBMITTED REPORTS.—To the extent practicable, the Director shall ensure that any congressionally mandated report described in paragraph (1) which was required to be submitted to Congress by a statute enacted before the date of the enactment of this Act is published on the reports online portal under this subtitle.

“(b) REPORTS SUBMITTED TO COMMITTEES.—In the case of congressionally mandated reports which are required by statute to be submitted to a committee of Congress or a subcommittee thereof, this subtitle shall apply with respect to—

“(1) any such report which is first required to be submitted by a statute which is enacted on or after the date of the enactment of this Act; and

“(2) to the maximum extent practical, any congressionally mandated report which was required to be submitted by a statute enacted before the date of enactment of this Act unless—

“(A) the chair of the committee, or subcommittee thereof, to which the report was required to be submitted notifies the Director in writing that the report is to be withheld from publication; and

“(B) the Director publishes the notification on the reports online portal.

“(c) ACCESS FOR CONGRESSIONAL LEADERSHIP.—Notwithstanding any provision of this subtitle or any other provision of law, congressional leadership shall have access to any congressionally mandated report.

“SEC. 7248. DETERMINATION OF BUDGETARY EFFECTS.

“The budgetary effects of this subtitle, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010 [2 U.S.C. 931 et seq.], shall be determined by reference to the latest statement titled ‘Budgetary Effects of PAYGO Legislation’ for this subtitle, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.”

§ 4101. Electronic directory; online access to publications; electronic storage facility

(a) IN GENERAL.—The Superintendent of Documents, under the direction of the Director of the Government Publishing Office, shall—

(1) maintain an electronic directory of Federal electronic information;

(2) provide a system of online access to the Congressional Record, the Federal Register, and, as determined by the Superintendent of Documents, other appropriate publications distributed by the Superintendent of Documents; and

(3) operate an electronic storage facility for Federal electronic information to which online access is made available under paragraph (2).

(b) DEPARTMENTAL REQUESTS.—To the extent practicable, the Superintendent of Documents shall accommodate any request by the head of a department or agency to include in the system

of access referred to in subsection (a)(2) information that is under the control of the department or agency involved.

(c) CONSULTATION.—In carrying out this section, the Superintendent of Documents shall consult—

- (1) users of the directory and the system of access provided for under subsection (a); and
- (2) other providers of similar information services.

The purpose of such consultation shall be to assess the quality and value of the directory and the system, in light of user needs.

(Added Pub. L. 103-40, §2(a), June 8, 1993, 107 Stat. 112; amended Pub. L. 113-235, div. H, title I, §1301(c)(1), Dec. 16, 2014, 128 Stat. 2537.)

Editorial Notes

AMENDMENTS

2014—Subsec. (a). Pub. L. 113-235 substituted “Director of the Government Publishing Office” for “Public Printer” in introductory provisions.

Statutory Notes and Related Subsidiaries

STATUS REPORT

Pub. L. 103-40, §3, June 8, 1993, 107 Stat. 113, required the Public Printer to submit a report to Congress on the status of the directory, the system of access, and the electronic storage facility referred to in section 4101 of this title by June 30, 1994.

OPERATIONAL DEADLINE

Pub. L. 103-40, §4(a), June 8, 1993, 107 Stat. 113, provided that: “The directory, the system of access, and the electronic storage facility referred to in section 4101 of title 44, United States Code, as added by section 2(a), shall be operational not later than one year after the date of the enactment of this Act [June 8, 1993].”

§ 4102. Fees

(a) IN GENERAL.—The Superintendent of Documents, under the direction of the Director of the Government Publishing Office, may charge reasonable fees for use of the directory and the system of access provided for under section 4101, except that use of the directory and the system shall be made available to depository libraries without charge. The fees received shall be treated in the same manner as moneys received from sale of documents under section 1702 of this title.

(b) COST RECOVERY.—The fees charged under this section shall be set so as to recover the incremental cost of dissemination of the information involved, with the cost to be computed without regard to section 1708 of this title.

(Added Pub. L. 103-40, §2(a), June 8, 1993, 107 Stat. 113; amended Pub. L. 113-235, div. H, title I, §1301(c)(1), Dec. 16, 2014, 128 Stat. 2537.)

Editorial Notes

AMENDMENTS

2014—Subsec. (a). Pub. L. 113-235 substituted “Director of the Government Publishing Office” for “Public Printer”.

§ 4103. Biennial report

Not later than December 31 of each odd-numbered year, the Director of the Government Publishing Office shall submit to the Congress, with respect to the two preceding fiscal years, a report on the directory, the system of access, and the electronic storage facility referred to in section 4101(a). The report shall include a description of the functions involved, including a statement of cost savings in comparison with traditional forms of information distribution.

(Added Pub. L. 103-40, §2(a), June 8, 1993, 107 Stat. 113; amended Pub. L. 113-235, div. H, title I, §1301(c)(1), Dec. 16, 2014, 128 Stat. 2537.)

Editorial Notes

AMENDMENTS

2014—Pub. L. 113-235 substituted “Director of the Government Publishing Office” for “Public Printer”.

Statutory Notes and Related Subsidiaries

FIRST BIENNIAL REPORT

Pub. L. 103-40, §4(b), June 8, 1993, 107 Stat. 114, provided that: “The first report referred to in section 4103 of title 44, United States Code, as added by section 2(a), shall be submitted not later than December 31, 1995.”

§ 4104. Definition

As used in this chapter, the term “Federal electronic information” means Federal public information stored electronically.

(Added Pub. L. 103-40, §2(a), June 8, 1993, 107 Stat. 113.)