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(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R. _____

To amend title 44, United States Code, to modernize the Federal Register,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. HIGGINS of Louisiana introduced the following bill; which was referred
to the Committee on _____

A BILL

To amend title 44, United States Code, 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—

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

3 (B) by striking “printing and distribution”
4 and inserting “publishing”;

5 (2) in section 1507—

6 (A) by striking “the duplicate originals or
7 certified copies of the document have” and in-
8 serting “the document has”; and

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

11 (3) in section 1509, by striking “printing, re-
12 printing, wrapping, binding, and distributing” each
13 place it appears and inserting “publishing”.

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

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

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

20 “‘publish’ means to circulate for sale or dis-
21 tribution to the public, as determined by the Admin-
22 istrative Committee of the Federal Register; and”.

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

1 **“§ 1503. Filing documents with Office; notation of**
2 **time; public inspection; transmission for**
3 **publishing; physical copies**

4 “The original document required or authorized to be
5 published by section 1505 shall be filed with the Office
6 of the Federal Register for publication at times estab-
7 lished by the Administrative Committee of the Federal
8 Register by regulation. The Archivist of the United States
9 shall cause to be noted on the original of each document
10 the day and hour of filing. Upon filing, the document shall
11 be immediately available for public inspection. The origi-
12 nal shall be retained by the National Archives and Records
13 Administration and shall be available for inspection under
14 regulations prescribed by the Archivist, unless such origi-
15 nal is disposed of in accordance with disposal schedules
16 submitted by the Administrative Committee and author-
17 ized by the Archivist pursuant to regulations issued under
18 chapter 33; however, originals of proclamations of the
19 President and Executive orders shall be permanently re-
20 tained by the Administration as part of the National Ar-
21 chives of the United States. The Office shall transmit to
22 the Government Publishing Office, as provided by this
23 chapter, each document required or authorized to be pub-
24 lished by section 1505. Every Federal agency shall cause
25 to be transmitted for filing the original of all such docu-
26 ments issued, prescribed, or promulgated by the agency.

1 The Office shall print two physical copies of each docu-
2 ment required or authorized to be published by section
3 1505 and store each copy in a separate facility to ensure
4 the preservation of the Federal Register for the purposes
5 of continuity of government.”.

6 (d) FEDERAL REGISTER AMENDMENT.—Section
7 1504 of title 44, United States Code, is amended to read
8 as follows:

9 **“§ 1504. ‘Federal Register’; publishing; contents; dis-**
10 **tribution; price**

11 “Documents required or authorized to be published
12 by section 1505 shall be published immediately by the
13 Government Publishing Office in a serial publication des-
14 ignated the ‘Federal Register’. The Director of the Gov-
15 ernment Publishing Office shall make available the facili-
16 ties of the Government Publishing Office for the prompt
17 publication of the Federal Register in the manner and at
18 the times required by this chapter and the regulations pre-
19 scribed under it. The contents of the daily issues shall con-
20 stitute all documents, required or authorized to be pub-
21 lished, filed with the Office of the Federal Register up to
22 the time of the day immediately preceding the day of pub-
23 lication fixed by regulations under this chapter. There
24 shall be published with each document a copy of the nota-
25 tion, required to be made by section 1503, of the day and

1 hour when, upon filing with the Office, the document was
2 made available for public inspection. Distribution shall be
3 made at a time in the morning of the day of distribution
4 fixed by regulations prescribed under this chapter. The
5 prices to be charged for the Federal Register may be fixed
6 by the Administrative Committee of the Federal Register
7 established by section 1506 without reference to the re-
8 strictions placed upon and fixed for the sale of Govern-
9 ment publications by sections 1705 and 1708.”.

10 (e) DOCUMENTS TO BE PUBLISHED IN FEDERAL
11 REGISTER.—Section 1505 of title 44, United States Code,
12 is amended—

13 (1) in subsection (b)—

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

16 and

17 (B) by striking “comments” and inserting
18 “news commentary”;

19 (2) by redesignating subsection (c) as sub-
20 section (d);

21 (3) by inserting after subsection (b) the fol-
22 lowing new subsection:

23 “(c) ALTERNATIVE PUBLICATION.—In a continuity
24 of operations event in which the Government Publishing
25 Office does not fulfill the publication requirements of this

1 chapter, the Office of the Federal Register may establish
2 an alternative method to publish the Federal Register
3 until such time that the Government Publishing Office re-
4 sumes publication.”; and

5 (4) in subsection (d), as so redesignated, in the
6 matter following paragraph (2)—

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

9 (B) by striking “and two duplicate origi-
10 nals or two certified copies” and inserting “doc-
11 ument”.

12 (f) ADMINISTRATIVE COMMITTEE OF THE FEDERAL
13 REGISTER AMENDMENT.—Subsection (a) of section 1506
14 of title 44, United States Code, is amended to read as
15 follows:

16 “(a) COMPOSITION; DUTIES.—The Administrative
17 Committee of the Federal Register shall consist of the Ar-
18 chivist of the United States or Acting Archivist, who shall
19 chair the committee, an officer of the Department of Jus-
20 tice designated by the Attorney General, and the Director
21 of the Government Publishing Office or Acting Director
22 of the Government Publishing Office. The Director of the
23 Federal Register shall act as secretary of the committee.
24 The committee shall prescribe, with the approval of the
25 President or their designee, regulations for carrying out

1 this chapter. The regulations shall provide for, among
2 other things, the following:

3 “(1) The documents which shall be authorized
4 under section 1505(b) to be published in the Federal
5 Register.

6 “(2) The manner and form in which the Fed-
7 eral Register shall be published.

8 “(3) The manner and form in which agencies
9 submit documents for publication in the Federal
10 Register and special editions of the Federal Reg-
11 ister.

12 “(4) Subject to subsection (b), the manner of
13 distribution to Members of Congress, officers and
14 employees of the United States, or Federal agency,
15 for official use, and the number which shall be avail-
16 able for distribution to the public.

17 “(5) The prices to be charged for individual
18 copies of, and subscriptions to, the Federal Register
19 and any reprints and bound volumes of it.

20 “(6) The manner and form by which the Fed-
21 eral Register may receive information and comments
22 from the public, if practicable and efficient.

23 “(7) Special editions of the Federal Register.”.

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

4 **“§ 1510. Code of Federal Regulations**

5 “(a) SPECIAL EDITION FOR CODIFICATION OF AGEN-
6 CY DOCUMENTS.—The Administrative Committee of the
7 Federal Register, with the approval of the President or
8 their designee, may require, from time to time as it con-
9 siders necessary, the preparation and publication in a spe-
10 cial edition of the Federal Register a complete codification
11 of the documents of each agency of the Government hav-
12 ing general applicability and legal effect, issued or promul-
13 gated by the agency by publication in the Federal Register
14 or by filing with the Administrative Committee, and which
15 are relied upon by the agency as authority for, or are in-
16 voked or used by it in the discharge of, its activities or
17 functions, and are in effect as to facts arising on or after
18 dates specified by the Administrative Committee.

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

24 “(c) SUPPLEMENTATION, COLLATION, AND REPUBLI-
25 CATION.—The Administrative Committee shall regulate

1 the supplementation and the collation and republication
2 of the codification with a view to keeping the Code of Fed-
3 eral Regulations as current as practicable. Each unit of
4 codification shall be supplemented and republished at least
5 once each calendar year. The Office of the Federal Reg-
6 ister may create updates of each unit of codification from
7 time to time and make the same available electronically
8 or may provide public access using an electronic edition
9 that allows a user to select a specific date and retrieve
10 the version of the codification in effect as of that date.

11 “(d) PREPARATION AND PUBLICATION BY THE FED-
12 ERAL REGISTER.—The Office of the Federal Register
13 shall prepare and publish the codifications, supplements,
14 collations, indices, and user aids authorized by this sec-
15 tion.

16 “(e) PRIMA FACIE EVIDENCE.—The codified docu-
17 ments of the several agencies published in the Code of
18 Federal Regulations under this section, as amended by
19 documents subsequently filed with the Office and pub-
20 lished in the daily issues of the Federal Register, shall
21 be prima facie evidence of the text of the documents and
22 of the fact that they are in effect on and after the date
23 of publication.

1 “(f) REGULATIONS.—The Administrative Committee,
2 with approval of the President or their designee, shall
3 issue regulations for carrying out this section.

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

8 (h) TECHNICAL AND CONFORMING AMENDMENTS.—
9 The table of sections for chapter 15 of title 44, United
10 States Code, is amended by striking the items related to
11 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; trans-
mission for publishing.

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

12 **SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.**

13 The budgetary effects of this Act, for the purpose of
14 complying with the Statutory Pay-As-You-Go Act of 2010,
15 shall be determined by reference to the latest statement
16 titled “Budgetary Effects of PAYGO Legislation” for this
17 Act, submitted for printing in the Congressional Record
18 by the Chairman of the House Budget Committee, pro-
19 vided that such statement has been submitted prior to the
20 vote on passage.