

GOVERNMENT PUBLISHING OFFICE
LEGISLATIVE PROPOSALS
FOR CHAPTER 19

February 28, 2022

1 **TITLE I.—PUBLIC INFORMATION**
2 **PROGRAMS**

3 **SEC. 101. IN GENERAL.**

4 (a) Before section 1901 of title 44, United States
5 Code insert the following:

6 **“§ 1900. Purpose and establishment of the Public Infor-**
7 **mation Programs of the Superintendent of**
8 **Documents.**

9 “(a) The purposes of this chapter are:

10 “(1) To ensure the public’s right to free, equita-
11 ble, and convenient access to its Government’s infor-
12 mation; and

13 “(2) To establish the Public Information Pro-
14 grams of the Superintendent of Documents in the
15 Government Publishing Office, that together, func-
16 tion to identify, acquire, catalog, preserve, authenti-
17 cate, disseminate, reformat, and provide no-fee per-
18 manent public access to the corpus of Federal public
19 information for future generations, including the—

20 “(A) Federal Depository Library Program;

21 “(B) Cataloging and Access Services Pro-
22 gram;

23 “(C) Online System of Access;

1 “(D) National Collection of U.S. Govern-
2 ment Public Information; and

3 “(E) Preservation Program.

4 “(b) The Superintendent of Documents shall engage
5 in activities that enhance awareness and access to United
6 States Government public information or provide services
7 that support libraries in their efforts to serve their com-
8 munities.”.

9 (b) TECHNICAL AND CONFORMING AMENDMENT.—
10 The table of sections for chapter 19 of title 44, United
11 States Code, is amended by adding at the beginning the
12 following:

**1900. Purpose and establishment of the Public Information Pro-
grams of the Superintendent of Documents.**

13 **SEC. 102. DEFINITIONS.**

14 (a) Section 1901 of title 44, United States Code, is
15 amended to read as follows:

16 **“§ 1901. Definitions.**

17 “As used in this chapter—

18 “(1) the term ‘unreported public information’
19 means public information which is not cataloged or
20 otherwise identifiable or retrievable by an end user of
21 the catalog described in section 1917;

22 “(2) the term ‘government publication’ means
23 informational matter which is published as an indi-

1 vidual document at Government expense, or as re-
2 quired by law;

3 “(3) the term ‘information’ means any commu-
4 nication or representation of knowledge such as facts,
5 data, or opinions in any medium or form, including
6 textual, numerical, graphic, cartographic, narrative,
7 electronic, or audiovisual forms;

8 “(4) the term ‘information lifecycle manage-
9 ment’ means the planning, budgeting, administering,
10 processing and controlling information throughout
11 the stages through which tangible or digital informa-
12 tion assets pass including:

13 “(A) creation, identification and acquisi-
14 tion; organization, bibliographic control and
15 metadata;

16 “(B) preservation, digitization and refor-
17 mating; authentication, access, and dissemina-
18 tion;

19 “(C) promoting;

20 “(D) storage of tangible information assets;
21 and

22 “(E) trusted digital repository manage-
23 ment;

24 “(5) the term ‘permanent public access’, means
25 making public information resources discoverable and

1 available to, and accessible by, the public on an in-
2 definite, continuing basis, without charge;

3 “(6) the term ‘preservation’ means strategic ini-
4 tiatives, programs, and processes designed to main-
5 tain useful access to information assets, serving the
6 information needs of both present and future genera-
7 tions;

8 “(7) the term ‘access services’ means those func-
9 tions or services which enable or enhance discovery,
10 awareness, and use of public information in the Na-
11 tional Collection of U.S. Government Public Informa-
12 tion, and Federal documents collections held by Fed-
13 eral depository libraries; and

14 “(8) the term ‘public information’ means Fed-
15 eral Government publications or information re-
16 sources, regardless of physical form or medium, com-
17 piled by Government employees, or at Government
18 expense, or as required by law, and disseminated to
19 the public by an agency or a contractor thereof or of
20 educational value, including such publications or in-
21 formation resources which have been declassified.”.

22 (b) TECHNICAL AND CONFORMING AMENDMENT.—
23 The table of sections for chapter 19 of title 44, United
24 States Code, is amended by adding the following:

1901. Definitions.

1 **SEC. 103. AVAILABILITY OF GOVERNMENT PUBLICATIONS.**

2 (a) Section 1902 of title 44, United States Code, is
3 amended to read as follows:

4 **“§ 1902. Availability of Government publications**
5 **through Superintendent of Documents;**
6 **notification of publications not ordered**
7 **from Government Publishing Office.**

8 “(a) The Superintendent of Documents shall make
9 Government public information available to depository li-
10 braries through the Superintendent of Documents Public
11 Information Programs.

12 “(b) Each component of the Government shall—

13 “(1) furnish to the Superintendent of Docu-
14 ments tangible Government public information con-
15 tent it has issued;

16 “(2) notify the Superintendent of Documents of
17 digital Government public information content it has
18 issued;

19 “(3) collaborate with the Superintendent of Doc-
20 uments to ensure any such digital Government public
21 information remains permanently accessible; and

22 “(4) notify the Superintendent of Documents of
23 any tangible public information it has issued that was
24 obtained from sources other than the Government
25 Publishing Office, unless other arrangements have
26 been made with the Superintendent of Documents to

1 ensure the public information is accessible to deposi-
 2 tory libraries.

3 “(c) The requirements of subsection (b) do not apply
 4 to Government public information that is confidential in
 5 character or classified for reasons of national security.”.

6 (b) TECHNICAL AND CONFORMING AMENDMENT.—
 7 The table of sections for chapter 19 of title 44, United
 8 States Code, is amended by amending the entry for sec-
 9 tion 1902 as follows:

**1902. Availability of Government publications through Superin-
 tendent of Documents; notification of publications
 not ordered from Government Publishing Office.**

10 **SEC. 104. DISTRIBUTION TO DEPOSITORIES.**

11 Section 1905 of title 44, United States Code, is
 12 amended to read as follows:

13 **“§ 1905. Distribution to depositories; designation of ad-
 14 ditional libraries; justification; authoriza-
 15 tion for certain designations.**

16 “(a) Government public information available from
 17 the Superintendent of Documents, and when requested
 18 from the Superintendent of Documents, shall be distrib-
 19 uted or made accessible to depository libraries specifically
 20 designated by law and to libraries designated pursuant to
 21 this section.

22 “(b) libraries within areas served by Members of the
 23 House, Delegates, or the Resident Commissioner from the
 24 Commonwealth of Puerto Rico may be designated by them

1 to receive Government public information to the extent
2 that the total number of libraries designated by them does
3 not exceed two within each area.

4 “(c) Not more than two additional libraries within a
5 State may be designated by each Senator from the State.

6 “(d) The Mayor of the District of Columbia may des-
7 ignate two depository libraries in the District of Columbia.

8 “(e) The Governor of the Commonwealth of Puerto
9 Rico, the Governor of Guam, the Governor of American
10 Samoa and the Governor of the Commonwealth of the
11 Northern Mariana Islands may each designate one deposi-
12 tory library in the Commonwealth of Puerto Rico, Guam,
13 American Samoa and the Commonwealth of the Northern
14 Mariana Islands respectively. The Governor of the Virgin
15 Islands may designate one depository library on the island
16 of Saint Thomas and one on the island of Saint Croix.

17 “(f) Before a library is designated as a depository for
18 Government public information, the Superintendent of
19 Documents shall assess the potential depository library to
20 determine its sustainability for housing a depository col-
21 lection and for providing access services, including provid-
22 ing access to digital content. The head of that library shall
23 furnish justification of the necessity for the additional des-
24 ignation to the library’s Senator, Member of the House,
25 Delegate, the Resident Commissioner from the Common-
26 wealth of Puerto Rico, Mayor of the District of Columbia

1 or Governor, as the case may be. The justification shall
 2 also include the assessment of the Superintendent of Doc-
 3 uments. The justification for depository library designa-
 4 tions shall be transmitted to the Superintendent of Docu-
 5 ments by the Senator, Member of the House, Delegate,
 6 the Resident Commissioner from the Commonwealth of
 7 Puerto Rico, the Mayor of the District of Columbia or
 8 Governor, as the case may be.”.

9 **SEC. 105. LIBRARIES OF EXECUTIVE DEPARTMENTS.**

10 Section 1907 of title 44, United States Code, is
 11 amended by—

12 (1) in the first sentence, striking “publications”
 13 and inserting “public information”; and

14 (2) in the last sentence, striking “Library of
 15 Congress and the Archivist of the United States” and
 16 inserting “Superintendent of Documents”.

17 **SEC. 106. REQUIREMENTS FOR DEPOSITORY LIBRARIES.**

18 (a) Section 1909 of title 44, United States Code, is
 19 amended to read as follows:

20 **“§ 1909. Requirements of depository libraries; reports**
 21 **on conditions; consultations and training;**
 22 **termination; replacement**

23 “(a) Only a library able to provide access to, custody
 24 of, and services for deposited materials or access to and
 25 services for online digital content and located in an area
 26 where it can best serve the public need may be designated

1 as a depository library. The designated depository librari-
2 es shall report to the Superintendent of Documents at
3 least every two years concerning their condition.

4 “(b) The Superintendent of Documents shall make
5 regular visits to consult on conditions and provide training
6 as needed and include the results of consultations in the
7 Superintendent of Documents’ annual report. When the
8 Superintendent of Documents ascertains that the desig-
9 nated depository has ceased to be maintained so as to be
10 accessible to the public, or that the Government publica-
11 tions which have been furnished the library have not been
12 properly maintained, the Superintendent of Documents
13 shall remove the library from the directory of depository
14 libraries if the library fails to correct the unsatisfactory
15 conditions within an agreed upon time frame. A library
16 may be designated, pursuant to section 1905 of this chap-
17 ter, to replace a library deleted by the Superintendent of
18 Documents, provided that the designation may not be in
19 excess of the number of depository libraries authorized by
20 law.”.

21 (b) The table of sections for chapter 19 of title 44,
22 United States Code, is amended by striking the entry for
23 section 1909 and inserting:

**1909. Requirements of depository libraries; reports on conditions;
consultations and training; termination; replace-
ment.**

1 **SEC. 107. FREE USE OF GOVERNMENT INFORMATION IN DE-**
2 **POSITORIES.**

3 (a) Section 1911 of title 44, United States Code, is
4 amended to read as follows:

5 **“§ 1911. Free use of Government public information in**
6 **depositories; disposal of unwanted public**
7 **information**

8 “Depository libraries shall make Government public
9 information available for the free use of the general pub-
10 lic, and may dispose of this Government property after re-
11 tention for five years under section 1912 of this title, if
12 the depository library is served by a regional depository li-
13 brary. Depository libraries not served by a regional de-
14 pository library, or that are regional depository libraries
15 themselves, may dispose of unwanted public information
16 in accordance with Superintendent of Documents policy
17 and guidance. Superseded publications or those issued lat-
18 er in bound form may be discarded as authorized by the
19 Superintendent of Documents.”.

20 (b) The table of sections for chapter 19 of title 44,
21 United States Code, is amended by striking the entry for
22 section 1911 and inserting:

1911. Free use of Government public information in depositories;
disposal of unwanted public information.

1 **SEC. 108. REGIONAL DEPOSITORIES.**

2 (a) Section 1912 of title 44, United States Code, is
3 amended to read as follows:

4 **“§ 1912. Regional depositories; designation; functions;**
5 **shared responsibilities, disposal of publi-**
6 **cations**

7 “(a) Not more than two depository libraries in each
8 State and the Commonwealth of Puerto Rico may be des-
9 ignated as regional depositories and shall receive from the
10 Superintendent of Documents copies of or access to all
11 new and revised Government publications authorized for
12 dissemination to depository libraries. Designation of re-
13 gional depository libraries may be made by a Senator or
14 the Resident Commissioner from Puerto Rico within the
15 areas served by them. Prior to the designation the Super-
16 intendent of Documents shall consult with the head of the
17 potential regional depository library and ascertain that the
18 library will fulfill the requirements for depository libraries.
19 The agreement to function as a regional depository library
20 shall be transmitted to the Superintendent of Documents
21 by the Senator or the Resident Commissioner from Puerto
22 Rico when the designation is made.

23 “(b) Regional depository libraries shall retain at least
24 one copy of all Government publications received, except
25 those authorized to be discarded by the Superintendent of
26 Documents or covered by collaborative agreements ap-

1 proved by the Superintendent of Documents, or make ac-
2 cessible digital versions (in accordance with Superintend-
3 ent of Documents policy) and, within the area served, will
4 provide leadership and coordination for the provision of
5 program-related activities for depository libraries.

6 “(c) Regional depository libraries from different
7 states may share responsibilities by entering into agree-
8 ments in accordance with Superintendent of Documents
9 guidance and upon approval of a Senator from each of the
10 States.

11 “(d) Publications distributed by the Superintendent
12 of Documents to depository libraries are holdings of the
13 National Collection of U.S. Government Public Informa-
14 tion and remain the property of the United States Govern-
15 ment. Libraries designated as regional depositories will co-
16 ordinate with the Superintendent of Documents on the
17 disposition of Government Publications from depository li-
18 braries, within the areas served by them, which the deposi-
19 tory library has retained for five years or when the deposi-
20 tory library is relinquishing its depository designation.
21 After first offering the publications to the regional deposi-
22 tory and to other depository libraries within their area,
23 the Superintendent of Documents will ensure depository
24 libraries nationwide have an opportunity to obtain them,
25 and then will authorize the withdrawal of the materials
26 from the depository library program.”.

1 (b) The table of sections for chapter 19 of title 44,
2 United States Code, is amended by striking the entry for
3 section 1912 and inserting:

1912. Regional depositories; designation; functions; shared responsibilities, disposal of publications.

4 **SEC. 109. CATALOG AND INDEXING PROGRAM.**

5 (a) Chapter 17 of title 44, United States Code, is
6 amended by repealing sections 1710 and 1711.

7 (b)(1) Chapter 19 of title 44, United States Code, is
8 amended by adding the following new section:

9 **“§ 1917. Cataloging and Access Services.**

10 “(a) CATALOGING DESCRIBED.—The Superintendent
11 of Documents shall provide descriptive cataloging records
12 for the corpus of government public information. The cat-
13 aloging records shall be created using library or informa-
14 tion industry standards and best practices and shall in-
15 clude metadata elements in accordance with Superintend-
16 ent of Documents policy

17 “(b) SPECIFIC ACCESS SERVICES.—

18 “(1) The Superintendent of Documents shall
19 maintain an online comprehensive catalog of histori-
20 cal and current, tangible and digital government pub-
21 lic information cataloged under subsection (a), and
22 such catalog shall show where the public information
23 may be obtained. The catalog shall be machine or de-

1 vice-independent and available for free use by the
2 public.

3 “(2) The Superintendent of Documents shall
4 carry out a program to bring unreported public infor-
5 mation under bibliographic control and to make
6 records associated with such information available
7 through the catalog established by this subsection.

8 “(3) The Superintendent of Documents may
9 make the records of such catalog available to Federal
10 depository libraries, bibliographic utilities that sup-
11 port widely available record sharing, or other entities
12 that make available government public information.

13 “(4) The Superintendent of Documents may ac-
14 cept records for inclusion in such catalog from librar-
15 ies and agencies of the Federal government, Federal
16 depository libraries, bibliographic utilities that sup-
17 port widely available record sharing, or other entities
18 that make available government public information.

19 “(5) The Superintendent of Documents may ac-
20 quire digital Federal government public information
21 for inclusion in the Federal Depository Library Pro-
22 gram, Cataloging and Access Services Program, and
23 GPO’s System of Online Access through automated
24 and manual harvesting of official Federal public web-
25 sites. Such content will be cataloged and made acces-

1 sible through the catalog established under this sub-
2 section.

3 “(6) The Superintendent of Documents may en-
4 gage in activities that enhance access to and aware-
5 ness of government public information or provide
6 services that support libraries in their efforts to serve
7 their communities’ government information needs.”.

8 (2) The table of sections for chapter 19 of title 44,
9 United States Code, is amended by adding the following at
10 the end:

1917. Cataloging and Access Services.

11 **SEC. 110. NATIONAL COLLECTION OF UNITED STATES PUB-**
12 **LIC INFORMATION.**

13 (a) Chapter 41 of title 44, United States Code, is
14 hereby repealed.

15 (b) Chapter 19 of title 44, United States Code, is
16 amended by adding the following at the end:

17 **“§ 1918. National Collection of United States Public In-**
18 **formation.**

19 “(a) ESTABLISHMENT AND PURPOSE.—

20 “(1) There is hereby established a National Col-
21 lection of United States Government Public Informa-
22 tion (referred to in this chapter as the “National Col-
23 lection”).

24 “(2) The Federal Government’s publications and
25 information are national assets and resources. Their

1 availability and accessibility ensures an informed citi-
2 zenry and an improved quality of life for them while
3 spurring innovation. The National Collection is estab-
4 lished to ensure the public’s right to free, equitable,
5 and convenient access to the Government’s public in-
6 formation.

7 “(b) SCOPE OF THE NATIONAL COLLECTION.—The
8 content included in the National Collection is the corpus
9 of Federal Government public information, tangible or
10 digital, regardless of format or medium, produced by Fed-
11 eral employees of the three branches of Government or
12 paid for with Federal funds or as required by law, or of
13 educational value and is disseminated to the public by an
14 agency or a contractor thereof.

15 “(c) RESPONSIBILITIES OF THE SUPERINTENDENT
16 OF DOCUMENTS.—The Superintendent of Documents
17 shall administer the National Collection and shall—

18 “(1) guarantee free permanent public access to
19 the geographically distributed National Collection;

20 “(2) apply information lifecycle management
21 best practices to the National Collection;

22 “(3) collaborate with stakeholders including na-
23 tional libraries of the United States, Federal agen-
24 cies, Congress, the Judiciary, and Federal Depository
25 Library Program member libraries in as much is

1 practicable, to ensure preservation, comprehensive-
2 ness, and accessibility of the National Collection; and

3 “(4) ensure a minimum of four tangible copies
4 of distributed publications exist in the depository li-
5 brary program distributed geographically in four Na-
6 tional Collection service areas.

7 “(d) RESPONSIBILITIES OF THE DIRECTOR OF THE
8 GOVERNMENT PUBLISHING OFFICE.—The Director
9 shall—

10 “(1) operate a digital repository system that
11 functions as the Government Publishing Office’s on-
12 line system of access through which members of the
13 public may obtain, at no charge, information that is
14 included in the National Collection;

15 “(2) develop and enhance such system as need-
16 ed;

17 “(3) digitize, authenticate, manage, preserve,
18 and provide a permanent means of accessing infor-
19 mation;

20 “(4) provide access to information in an open
21 format to the extent practicable;

22 “(5) provide funding for system development,
23 operational support, and infrastructure; and

24 “(6) have the ability to provide services to Fed-
25 eral agencies for the purpose of carrying out this
26 title.”.

1 (c) The table of sections for chapter 19 of title 44,
2 United States Code, is amended by adding the following at
3 the end:

1918. National Collection of United States Public Information.