

## The Protecting and Enhancing Public Access to Codes Act (Pro Codes)

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The Pro Codes Act would upend a bedrock principle of a democratic society: the law belongs to the public. When governments incorporate technical standards—like building codes, fire safety rules, or accessibility guidelines—into law, those standards don't remain private documents. They *become* the law. And the law must be free for everyone to read, share, and discuss.

The Pro Codes Act moves us in the opposite direction, giving private organizations new leverage to control materials that have been incorporated into law.

### Pro Codes Would Stifle Access to the Law

The bill claims to promote “public access,” but in reality, the public's ability to read the law will be sharply limited to clunky, disorganized websites, often inaccessible to the print-disabled, subject to onerous contractual terms. Only those who can pay will get first-class access to law.

The public cannot be expected to comply with laws they cannot freely read, search, and share. That's why court after court has recognized that no one can own the law. The Supreme Court held as much in its very first copyright case, and recently [reaffirmed](#) it: if “every citizen is presumed to know the law . . . all should have free access to its contents.”

By placing private control over public access, the bill risks creating a legal landscape where critical rules are locked behind pay walls. Workers may be unable to verify safety requirements, small businesses may struggle to understand compliance obligations, and first responders could face delays in accessing crucial standards. Researchers, journalists, and advocates would encounter new barriers to analyzing and improving the laws that govern us.

### No One Owns the Law

Supporters of the bill claim that standards organizations need copyright protection to fund their work. But the thousands of volunteers and government employees who actually develop those codes neither need nor want a copyright incentive. The Pro Codes Act is a deceptive power grab that will help giant industry associations put up tollbooths in front of huge swaths of U.S. law.

People must be able to know what the law demands of them without legal or technical barriers, and the Pro Codes Act would make that harder. Congress should reject this effort.

**Want more information?** Please contact Assistant Director of Federal Affairs Maddie Daly at [Maddie@eff.org](mailto:Maddie@eff.org).



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