

FEDERAL REGISTER MODERNIZATION ACT

JULY 3, 2014.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. ISSA, from the Committee on Oversight and Government Reform, submitted the following

R E P O R T

[To accompany H.R. 4195]

[Including cost estimate of the Congressional Budget Office]

The Committee on Oversight and Government Reform, to whom was referred the bill (H.R. 4195) 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, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

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## COMMITTEE STATEMENT AND VIEWS

## PURPOSE AND SUMMARY

The Federal Register Modernization Act creates flexibility for the Office of the Federal Register (OFR) and the U.S. Government Printing Office (GPO) to adjust to new technologies by removing outdated statutory requirements. The Federal Register Act (FRA) was enacted in 1935, long before it was possible to archive records electronically on a large scale. The FRA was therefore written in the language of paper documents. Government operations are increasingly being conducted via electronic communication and storage, and the statute should be revised to accommodate non paper-based publication.

H.R. 4195 removes two outdated requirements: (1) the requirement to print the Federal Register; and (2) the requirement for agencies to submit multiple copies of documents to be published in the Federal Register. The bill replaces the requirement to print with the requirement to publish—which includes a requirement to circulate or distribute. Allowing the OFR and GPO to publish rather than print will preserve scarce resources or enable them to be redirected toward improving ease of use and breadth of dissemination via technology.

Under the FRA, submissions to the Federal Register require an original document and two copies. This requirement made sense when the OFR worked with paper documents. Today, however, federal agencies meet this requirement by submitting multiple electronic copies on a single disc or portable storage device, such as a thumb-drive. H.R. 4195 removes this unnecessary requirement, allowing federal agencies to submit a single electronic document.

## BACKGROUND AND NEED FOR LEGISLATION

The Federal Register Act was enacted in 1935. The first issue was published on March 14, 1936; it had just 16 pages.<sup>1</sup> In 1972, the Federal Register moved from “hot metal” printing to electronic photo-composition technology. In the 1980s, the OFR received its first computer terminal, and by 1989 every staff member had a personal computer for work use. In 1992, OFR entered the internet age with an electronic bulletin board called “FRIEND” (Federal Register Electronic News Delivery System). Two years later, the Office of the Federal Register published the first electronic version of the Federal Register on June 8, 1994.

In the twenty years since the first electronic edition of the Federal Register, OFR and GPO have made significant technological advancements. FederalRegister.gov, jointly administered by OFR and GPO, was built with extensive navigation aids and links to related materials.<sup>2</sup> Public inspection of agency submissions, prior to official publication in the Federal Register, is now available online.<sup>3</sup>

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<sup>1</sup> A Brief History Commemorating the 70th Anniversary of the Publication of the First Issue of the Federal Register, Office of the Federal Register, available at: <http://www.archives.gov/federal-register/the-federal-register/history.pdf>.

<sup>2</sup> About Us, Federal Register, [www.federalregister.gov/blog/policy/about-us](http://www.federalregister.gov/blog/policy/about-us) (last visited July 1, 2014).

<sup>3</sup> Id.

The Archivist of the United States requested the Federal Register Modernization Act “to take advantage of modern technology to improve efficiency.”<sup>4</sup> The bill will allow OFR to “increase interaction with the public and improve interoperability with other federal systems dealing with agency rulemaking.”<sup>5</sup>

#### LEGISLATIVE HISTORY

The Federal Register Modernization Act was introduced by Chairman Darrell Issa on March 11, 2014. The bill was referred to the House Committee on Oversight and Government Reform. H.R. 4195 was considered during a full Committee business meeting on March 12, 2014. The Committee by voice vote ordered the bill favorably reported to the House of Representatives.

#### SECTION-BY-SECTION

##### *Section 1: Short title*

Establishes the short title of the bill as the “Federal Register Modernization Act.”

##### *Section 2: Federal Register modernization*

Amends the Federal Register Act, Chapter 15 of title 44 of the United States Code by replacing all references to “print” with “publish” and defining publish to mean circulate or distribute. Eliminates the requirement that agencies provide multiple copies of documents submitted to the Federal Register.

#### EXPLANATION OF AMENDMENTS

H.R. 4195 passed without amendment.

#### COMMITTEE CONSIDERATION

On March 12, 2014, the Committee met in open session and ordered reported favorably the bill, H.R. 4195, by voice vote, a quorum being present.

#### APPLICATION OF LAW TO THE LEGISLATIVE BRANCH

Section 102(b)(3) of Public Law 104–1 requires a description of the application of this bill to the legislative branch where the bill relates to the terms and conditions of employment or access to public services and accommodations. This bill creates flexibility for the Office of the Federal Register and the U.S. Government Printing Office to adjust to new technologies by removing outdated statutory requirements. As such this bill does not relate to employment or access to public services and accommodations.

#### STATEMENT OF OVERSIGHT FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE

In compliance with clause 3(c)(1) of rule XIII and clause (2)(b)(1) of rule X of the Rules of the House of Representatives, the Commit-

<sup>4</sup> Letter from David S. Ferriero, Archivist, NARA, to John Boehner, Speaker, House of Representatives, (Nov. 12, 2013).

<sup>5</sup> *Id.*

tee's oversight findings and recommendations are reflected in the descriptive portions of this report.

#### STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee's performance goals and objectives are reflected in the descriptive portions of this report.

#### DUPLICATION OF FEDERAL PROGRAMS

No provision of H.R. 4195 establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

#### DISCLOSURE OF DIRECTED RULE MAKINGS

Section 2 amends 44 U.S.C. § 1506, an existing directed rule-making requiring the Administrative Committee of the Federal Register to issue regulations related to the promulgation of the federal register. H.R. 4195 amends this section to update some of the specific matters to be addressed by the Committee, in accordance with the purposes of this bill.

#### FEDERAL ADVISORY COMMITTEE ACT

The Committee finds that the legislation does not establish or authorize the establishment of an advisory committee within the definition of 5 U.S.C. App., Section 5(b).

#### UNFUNDED MANDATE STATEMENT

Section 423 of the Congressional Budget and Impoundment Control Act (as amended by Section 101(a)(2) of the Unfunded Mandate Reform Act, P.L. 104-4) requires a statement as to whether the provisions of the reported include unfunded mandates. In compliance with this requirement the Committee has received a letter from the Congressional Budget Office included herein.

#### EARMARK IDENTIFICATION

H.R. 4195 does not include any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

#### COMMITTEE ESTIMATE

Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs that would be incurred in carrying out H.R. 4195. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act.

BUDGET AUTHORITY AND CONGRESSIONAL BUDGET OFFICE COST  
ESTIMATE

With respect to the requirements of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of clause (3)(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 4195 from the Director of Congressional Budget Office:

APRIL 1, 2014.

Hon. DARRELL ISSA,  
*Chairman, Committee on Oversight and Government Reform,  
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 4195, the Federal Register Modernization Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford.

Sincerely,

DOUGLAS W. ELMENDORF.

Enclosure.

*H.R. 4195—Federal Register Modernization Act*

CBO estimates that enacting H.R. 4195 would have no significant effect on the federal budget. The legislation would amend federal laws regarding the Federal Register and the Code of Federal Regulations (CFR), which provide comprehensive information about actions of the United States Government. The legislation would end requirements to print the Federal Register or the CFR and for agencies to provide multiple copies of their submissions to the Federal Register. The bill would change references from printing those publications to publishing them, and publishing could include making those publications available online.

Under the Federal Register Act, the Office of the Federal Register (OFR) within the National Archives and Records Administration (NARA) produces the Federal Register. That publication compiles and organizes thousands of rules, regulations, executive orders, presidential documents, and notices generated by federal departments and agencies. Currently, the Federal Register is updated daily and is printed and published Monday through Friday, except federal holidays. The OFR, working with the Government Printing Office (GPO), has made the Federal Register available online since 1994. In addition, the OFR produces the CFR, which contains all agency rules that first appeared in the Federal Register.

Under the legislation, OFR would no longer be required to print the Federal Register or CFR, but would still have to make it available online. Based on information from NARA and GPO, CBO expects that copies of the Federal Register and CFR would continue to be produced following enactment of H.R. 4195 to meet the demand for printed documents. We expect agencies' administrative costs would be reduced because fewer copies of printed material would be submitted to the Federal Register, but we estimate that any such savings over the next five years would be small because

most of the costs associated with the submission of those documents involves their preparation, not their duplication.

H.R. 4195 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Matthew Pickford. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

#### CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

### TITLE 44, UNITED STATES CODE

\* \* \* \* \*

#### CHAPTER 15—FEDERAL REGISTER AND CODE OF FEDERAL REGULATIONS

Sec.

1501. Definitions.

**1502.** Custody and printing of Federal documents; appointment of Director.

**1503.** Filing documents with Office; notation of time; public inspection; transmission for printing.

**1504.** “Federal Register”; printing; contents; distribution; price. **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.*

#### § 1501. Definitions

As used in this chapter, unless the context otherwise requires—

“document” means a Presidential proclamation or Executive order and an order, regulation, rule, certificate, code of fair competition, license, notice, or similar instrument, issued, prescribed, or promulgated by a Federal agency;

“Federal agency” or “agency” means the President of the United States, or an executive department, independent board, establishment, bureau, agency, institution, commission, or separate office of the administrative branch of the Government of the United States but not the legislative or judicial branches of the Government;

“person” means an individual, partnership, association, or corporation; **[and]**

“publish” means to circulate for sale or distribution to the public; and

“National Archives of the United States” has the same meaning as in section 2901(11) of this title.

#### § 1502. Custody and **[printing]** *publishing* of Federal documents; appointment of Director

The Archivist of the United States, acting through the Office of the Federal Register, is charged with the custody and, together

with the Public Printer, with the prompt and uniform [printing and distribution] *publishing* of the documents required or authorized to be published by section 1505 of this title. There shall be at the head of the Office a director, appointed by, and who shall act under the general direction of, the Archivist of the United States in carrying out this chapter and the regulations prescribed under it.

**【§ 1503. Filing documents with Office; notation of time; public inspection; transmission for printing**

【The original and two duplicate originals or certified copies of a document required or authorized to be published by section 1505 of this title shall be filed with the Office of the Federal Register, which shall be open for that purpose during all hours of the working days when the National Archives Building is open for official business. The Archivist of the United States shall cause to be noted on the original and duplicate originals or certified copies of each document the day and hour of filing. When the original is issued, prescribed, or promulgated outside the District of Columbia, and certified copies are filed before the filing of the original, the notation shall be of the day and hour of filing of the certified copies. Upon filing, at least one copy shall be immediately available for public inspection in the Office. The original shall be retained by the National Archives and Records Administration and shall be available for inspection under regulations prescribed by the Archivist, unless such original is disposed of in accordance with disposal schedules submitted by the Administrative Committee of the Federal Register and authorized by the Archivist pursuant to regulations issued under chapter 33 of this title; however, originals of proclamations of the President and Executive orders shall be permanently retained by the Administration as part of the National Archives of the United States. The Office shall transmit immediately to the Government Printing Office for printing, as provided by this chapter, one duplicate original or certified copy of each document required or authorized to be published by section 1505 of this title. Every Federal agency shall cause to be transmitted for filing the original and the duplicate originals or certified copies of all such documents issued, prescribed, or promulgated by the agency.

**【§ 1504. “Federal Register”; printing; contents; distribution; price**

【Documents required or authorized to be published by section 1505 of this title shall be printed and distributed immediately by the Government Printing Office in a serial publication designated the “Federal Register.” The Public Printer shall make available the facilities of the Government Printing Office for the prompt printing and distribution of the Federal Register in the manner and at the times required by this chapter and the regulations prescribed under it. The contents of the daily issues shall be indexed and shall comprise all documents, required or authorized to be published, filed with the Office of the Federal Register up to the time of the day immediately preceding the day of distribution fixed by regulations under this chapter. There shall be printed with each document a copy of the notation, required to be made by section 1503

of this title, of the day and hour when, upon filing with the Office, the document was made available for public inspection. Distribution shall be made by delivery or by deposit at a post office at a time in the morning of the day of distribution fixed by regulations prescribed under this chapter. The prices to be charged for the Federal Register may be fixed by the Administrative Committee of the Federal Register established by section 1506 of this title without reference to the restrictions placed upon and fixed for the sale of Government publications by sections 1705 and 1708 of this title.】

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

*The original document required or authorized to be published by section 1505 of this title shall be filed with the Office of the Federal Register for publication at times established by the Administrative Committee of the Federal Register by regulation. The Archivist of the United States shall cause to be noted on the original of each document the day and hour of filing. Upon filing, the document shall be immediately available for public inspection in the Office. The original shall be retained by the National Archives and Records Administration and shall be available for inspection under regulations prescribed by the Archivist, unless such original is disposed of in accordance with disposal schedules submitted by the Administrative Committee and authorized by the Archivist pursuant to regulations issued under chapter 33 of this title; however, originals of proclamations of the President and Executive orders shall be permanently retained by the Administration as part of the National Archives of the United States. The Office shall transmit to the Government Printing Office, as provided by this chapter, each document required or authorized to be published by section 1505 of this title. Every Federal agency shall cause to be transmitted for filing the original of all such documents issued, prescribed, or promulgated by the agency.*

**§ 1504. “Federal Register”; publishing; contents; distribution; price**

*Documents required or authorized to be published by section 1505 of this title shall be published immediately by the Government Printing Office in a serial publication designated the “Federal Register”. The Public Printer shall make available the facilities of the Government Printing Office for the prompt publication of the Federal Register in the manner and at the times required by this chapter and the regulations prescribed under it. The contents of the daily issues shall constitute all documents, required or authorized to be published, filed with the Office of the Federal Register up to the time of the day immediately preceding the day of publication fixed by regulations under this chapter. There shall be published with each document a copy of the notation, required to be made by section 1503 of this title, of the day and hour when, upon filing with the Office, the document was made available for public inspection. Distribution shall be made at a time in the morning of the day of distribution fixed by regulations prescribed under this chapter. The prices to be charged for the Federal Register may be fixed by the Administrative Committee of the Federal Register established by section 1506 of this title without reference to the restrictions placed*

upon and fixed for the sale of Government publications by sections 1705 and 1708 of this title.

**§ 1505. Documents to be published in Federal Register**

(a) \* \* \*

(b) DOCUMENTS AUTHORIZED TO BE PUBLISHED BY REGULATIONS; **[COMMENTS]** *NEWS COMMENTARY* AND NEWS ITEMS EXCLUDED.—In addition to the foregoing there shall also be published in the Federal Register other documents or classes of documents authorized to be published by regulations prescribed under this chapter with the approval of the President, but **[comments]** *news commentary* or news items of any character may not be published in the Federal Register.

(c) SUSPENSION OF REQUIREMENTS FOR FILING OF DOCUMENTS; ALTERNATE SYSTEMS FOR PROMULGATING, FILING, OR PUBLISHING DOCUMENTS; PRESERVATION OF ORIGINALS.—In the event of an attack or threatened attack upon the continental United States and a determination by the President that as a result of an attack or threatened attack—

(1) \* \* \*

(2) under existing conditions publication in the Federal Register would not serve to give appropriate notice to the public of the contents of documents, the President may, without regard to any other provision of law, suspend all or part of the requirements of law or regulation for filing with the Office or publication in the Federal Register of documents or classes of documents.

The suspensions shall remain in effect until revoked by the President, or by concurrent resolution of the Congress. The President shall establish alternate systems for promulgating, filing, or publishing documents or classes of documents affected by such suspensions, including requirements relating to their effectiveness or validity, that may be considered under the then existing circumstances practicable to provide public notice of the issuance and of the contents of the documents. The alternate systems may, without limitation, provide for the use of regional or specialized publications or depositories for documents, or of the press, the radio, *telecommunications*, *the Internet*, or similar mediums of general communication. Compliance with alternate systems of filing or publication shall have the same effect as filing with the Office or publication in the Federal Register under this chapter or other law or regulation. With respect to documents promulgated under alternate systems, each agency shall preserve the original **[and two duplicate originals or two certified copies]** *document* for filing with the Office when the President determines that it is practicable.

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

**[**The Administrative Committee of the Federal Register shall consist of the Archivist of the United States or Acting Archivist, who shall be chairman, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer. The Director of the Federal Register shall act as secretary of the committee. The committee shall prescribe, with the

approval of the President, regulations for carrying out this chapter. The regulations shall provide, among other things—

【(1) the manner of certification of copies required to be certified under section 1503 of this title, which certification may be permitted to be based upon confirmed communications from outside the District of Columbia;

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

【(3) the manner and form in which the Federal Register shall be printed, reprinted, and compiled, indexed, bound, and distributed;

【(4) the number of copies of the Federal Register, which shall be printed, reprinted, and compiled, the number which shall be distributed without charge to Members of Congress, officers and employees, of the United States, or Federal agency, for official use, and the number which shall be available for distribution to the public; and

【(5) the prices to be charged for individual copies of, and subscriptions to, the Federal Register and reprints and bound volumes of it.】

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

*The Administrative Committee of the Federal Register shall consist of the Archivist of the United States or Acting Archivist, who shall chair the committee, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer. The Director of the Federal Register shall act as secretary of the committee. The committee shall prescribe, with the approval of the President, regulations for carrying out this chapter. The regulations shall provide for, among other things—*

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

*(2) the manner and form in which the Federal Register shall be published;*

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

*(4) the prices to be charged for individual copies of, and subscriptions to, the Federal Register and any reprints and bound volumes of it;*

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

*(6) special editions of the Federal Register.*

**§ 1507. Filing document as constructive notice; publication in Federal Register as presumption of validity; judicial notice; citation**

A document required by section 1505(a) of this title to be published in the Federal Register is not valid as against a person who has not had actual knowledge of it until 【the duplicate originals or certified copies of the document have】 *the document has* been filed with the Office of the Federal Register and a copy made available

for public inspection as provided by section 1503 of this title. Unless otherwise specifically provided by statute, filing of a document, required or authorized to be published by section 1505 of this title, except in cases where notice by publication is insufficient in law, is sufficient to give notice of the contents of the document to a person subject to or affected by it. The publication in the Federal Register of a document creates a rebuttable presumption—

(1) \* \* \*

(2) that it was filed with the Office of the Federal Register and made available for public inspection at the day and hour stated in the **[printed]** *published* notation;

\* \* \* \* \*

#### **§ 1509. Costs of publication, etc.**

(a) The cost of **[printing, reprinting, wrapping, binding, and distributing]** *publishing* the Federal Register and the Code of Federal Regulations, and, except as provided in subsection (b), other expenses incurred by the Government Printing Office in carrying out the duties placed upon it by this chapter shall be charged to the revolving fund provided in section 309. Reimbursements for such costs and expenses shall be made by the Federal agencies and credited, together with all receipts, as provided in section 309(b).

(b) The cost of **[printing, reprinting, wrapping, binding, and distributing]** *publishing* all other publications of the Federal Register program, and other expenses incurred by the Government Printing Office in connection with such publications, shall be borne by the appropriations to the Government Printing Office and the appropriations are made available, and are authorized to be increased by additional sums necessary for the purposes, the increases to be based upon estimates submitted by the Public Printer.

#### **【§ 1510. Code of Federal Regulations**

**【(a)** The Administrative Committee of the Federal Register, with the approval of the President, may require, from time to time as it considers necessary, the preparation and publication in special or supplemental editions of the Federal Register of complete codifications of the documents of each agency of the Government having general applicability and legal effect, issued or promulgated by the agency by publication in the Federal Register or by filing with the Administrative Committee, and are relied upon by the agency as authority for, or are invoked or used by it in the discharge of, its activities or functions, and are in effect as to facts arising on or after dates specified by the Administrative Committee.

**【(b)** A codification published under subsection (a) of this section shall be printed and bound in permanent form and shall be designated as the “Code of Federal Regulations.” The Administrative Committee shall regulate the binding of the printed codifications into separate books with a view to practical usefulness and economical manufacture. Each book shall contain an explanation of its coverage and other aids to users that the Administrative Committee may require. A general index to the entire Code of Federal Regulations shall be separately printed and bound.

**【(c)** The Administrative Committee shall regulate the supplementation and the collation and republication of the printed

codifications with a view to keeping the Code of Federal Regulations as current as practicable. Each book shall be either supplemented or collated and republished at least once each calendar year.

[(d) The Office of the Federal Register shall prepare and publish the codifications, supplements, collations, and indexes authorized by this section.

[(e) The codified documents of the several agencies published in the supplemental edition of the Federal Register under this section, as amended by documents subsequently filed with the Office and published in the daily issues of the Federal Register shall be prima facie evidence of the text of the documents and of the fact that they are in effect on and after the date of publication.

[(f) The Administrative Committee shall prescribe, with the approval of the President, regulations for carrying out this section.

[(g) This section does not require codification of the text of Presidential documents published and periodically compiled in supplements to Title 3 of the Code of Federal Regulations.]

#### **§ 1510. Code of Federal Regulations**

(a) *SPECIAL EDITION FOR CODIFICATION OF AGENCY DOCUMENTS.*—*The Administrative Committee of the Federal Register, with the approval of the President, may require, from time to time as it considers necessary, the preparation and publication in a special edition of the Federal Register a complete codification of the documents of each agency of the Government having general applicability and legal effect, issued or promulgated by the agency by publication in the Federal Register or by filing with the Administrative Committee, and which are relied upon by the agency as authority for, or are invoked or used by it in the discharge of, its activities or functions, and are in effect as to facts arising on or after dates specified by the Administrative Committee.*

(b) *CODE OF FEDERAL REGULATIONS.*—*A codification prepared under subsection (a) of this section shall be published and shall be designated as the “Code of Federal Regulations”. The Administrative Committee shall regulate the manner and forms of publishing this codification.*

(c) *SUPPLEMENTATION, COLLATION, AND REPUBLICATION.*—*The Administrative Committee shall regulate the supplementation and the collation and republication of the codification with a view to keeping the Code of Federal Regulations as current as practicable. Each unit of codification shall be supplemented and republished at least once each calendar year. The Office of the Federal Register may create updates of each unit of codification from time to time and make the same available electronically or may provide public access using an electronic edition that allows a user to select a specific date and retrieve the version of the codification in effect as of that date.*

(d) *PREPARATION AND PUBLICATION BY THE FEDERAL REGISTER.*—*The Office of the Federal Register shall prepare and publish the codifications, supplements, collations, and user aids authorized by this section.*

(e) *PRIMA FACIE EVIDENCE.*—*The codified documents of the several agencies published in the Code of Federal Regulations under this section, as amended by documents subsequently filed with the*

*Office and published in the daily issues of the Federal Register, shall be prima facie evidence of the text of the documents and of the fact that they are in effect on and after the date of publication.*

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

*(g) EXCEPTION.—This section does not require codification of the text of Presidential documents published and periodically compiled in supplements to title 3 of the Code of Federal Regulations.*

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