

# Rules and Regulations

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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## ADMINISTRATIVE COMMITTEE OF THE FEDERAL REGISTER

### 1 CFR Parts 5, 11 and 18

#### Prices and Availability of Federal Register Publications; Acceptance of Digital Signatures

**AGENCY:** Administrative Committee of the Federal Register.

**ACTION:** Final rule with request for comments.

**SUMMARY:** The Administrative Committee of the Federal Register (ACFR) announces changes to the prices charged for Federal Register publications. The price changes apply to the daily Federal Register, the Federal Register Index and LSA (List of CFR Sections Affected), the Code of Federal Regulations (CFR) and the Weekly Compilation of Presidential Documents. These price changes are necessary to accurately reflect certain increases and decreases in the Government Printing Office's (GPO) current cost of production and distribution of these publications.

These regulations also make certain technical amendments to acknowledge the official status and availability of the Administrative Committee's online editions of the Federal Register and The United States Government Manual on the GPO Access service. In addition, the regulations are amended to permit original Federal Register documents to be authenticated by digital signatures. This action will enable the Office of the Federal Register (OFR) to participate in selected pilot projects.

**DATES:** These regulations are effective January 27, 1997. Comments will be accepted through February 25, 1997.

**ADDRESSES:** Comments may be submitted by U.S. Mail: Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408; by private delivery services:

Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC 20002; by fax: 202-523-6866; by electronic mail: info@fedreg.nara.gov.

**FOR FURTHER INFORMATION CONTACT:** Michael White at 202-523-4534.

**SUPPLEMENTARY INFORMATION:** The Administrative Committee of the Federal Register, which establishes prices for Federal Register publications, has determined that it must make price adjustments to certain Federal Register publications to accurately reflect the current costs of production and distribution. These regulations will increase the subscription rates for the paper editions of the daily Federal Register, the Federal Register Index and LSA (List of CFR Sections Affected), the Code of Federal Regulations (CFR) and the Weekly Compilation of Presidential Documents. The subscription rate and the single copy price charged for the microfiche edition of the daily Federal Register will decrease and the subscription rate for the microfiche edition of the CFR will decrease.

On September 1, 1992, the Administrative Committee announced that it had adopted a policy for requiring full cost recovery to ensure that revenues from subscriptions and single issue sales would keep pace with increased costs attributable to printing and labor expenses at the GPO plant and postal rate increases (57 FR 40024). The Administrative Committee resolved to adjust prices over a period of several years and to conduct an annual review to determine the rate of increase necessary to gradually bring prices into alignment with costs. Since 1992, the Administrative Committee has periodically adjusted the prices of Federal Register publications pursuant to its annual pricing review. In 1995, the Administrative Committee found it unnecessary to make any price adjustments, based on GPO's cost estimates.

After reviewing GPO's current analysis of its production and distribution costs over the past two years and estimates for calendar year 1997, the Administrative Committee has determined that increases in the prices to be charged for the paper editions of Federal Register publications ranging from 4 to 12 per cent are necessary to achieve full cost recovery. The increased prices reflected in

amendments to 1 CFR part 11 in this final rule are primarily attributable to labor charges, paper prices, equipment costs and postal rate increases.

Production of the microfiche editions of the Federal Register and CFR are subject to a competitive bidding process that determines the prices to be charged. As a result of that process, subscription rates for the microfiche edition of the Federal Register will decrease by nearly 50 per cent and single copy prices will decrease by 33 per cent, and CFR subscription rates will decrease by 6.5 per cent.

The following rates are effective as of January 1, 1997. The annual subscription rates for the Federal Register paper edition are increased to \$555, or \$607 for a combined Federal Register, Federal Register Index and LSA (List of CFR Sections Affected) subscription. The annual subscription price of the microfiche edition of the Federal Register, including the Federal Register Index and LSA, is decreased to \$220. The price for single copies of the daily Federal Register microfiche edition is decreased to \$1. The annual subscription price for the Federal Register Index is increased to \$25. The annual subscription price for the monthly LSA is increased to \$27. The annual subscription rates for a full set of the Code of Federal Regulations are increased to \$951 for the paper edition and decreased to \$247 for the microfiche edition. The annual subscription rates for the Weekly Compilation of Presidential Documents are increased to \$80 for delivery by non-priority mail, and \$137 for delivery by first-class mail.

In addition to the price changes contained in this document, the Administrative Committee is updating its regulations to acknowledge the official status and availability of the Administrative Committee's online editions of the Federal Register and The United States Government Manual. The Administrative Committee has resolved that the American public should have greater access to essential information on the structure, functions and actions of its Government through the Federal Register system. The Administrative Committee has general authority under 44 U.S.C. section 1506 to determine the manner and form for publishing the Federal Register and its special editions. The Government Printing

Office Electronic Information Access Enhancement Act of 1993 (GPO Access), 44 U.S.C. 4101, provided additional authority for the Administrative Committee to expand public access to Federal Register publications, beginning with the inauguration of online Federal Register service on June 8, 1994.

Accordingly, 1 CFR part 5 is amended by adding a section to state that the Administrative Committee publishes the daily Federal Register in three official formats, including the online edition on GPO Access. In part 11, a reference to subscription prices for the online edition of the Federal Register, which is now available to the public at no charge, is eliminated. It is replaced by a paragraph citing the availability of the online service. Part 11 is further revised to cite the availability of the online edition of The United States Government Manual on GPO Access to reflect the Administrative Committee's commitment to provide access to the Manual in electronic form.

In addition, the regulations in 1 CFR part 18 are amended to permit original Federal Register documents to be submitted in electronic form and to be authenticated by digital signatures. The Federal Register Act, at 44 U.S.C. 1503, requires agencies to submit original documents to the OFR for publication in the Federal Register but does not define the term "original" document. Original documents are currently defined in ACFR regulations by provisions that require originals to be submitted in manuscript form and to be authenticated by ink signatures. The amendments to part 18 expand the definition of an original document to include electronic documents submitted by telecommunication that are authenticated by digital signatures.

This action establishes the legal basis for OFR to accept documents in electronic form so that the OFR and GPO may participate in selected pilot programs currently under development. If the pilot programs are successful in establishing a government-wide Public Key Infrastructure for Federal agencies and a consensus on technical standards and specifications, the OFR and GPO will adapt their production processes to permit certain electronic documents to be published on a regular basis. However, during the pilot phase, the OFR will only accept electronic documents for publication in the Federal Register from agencies participating in selected pilot programs.

The Administrative Committee's last price change regulation, published at 59 FR 48989 on September 26, 1994, invited public comment on the pricing structure of Federal Register

publications. No pricing related comments were received. Customers who called to inquire about the online Federal Register, published daily on the GPO Access service since June 8, 1994, as referenced in the September 26, 1994 final rule, were referred to the GPO Access User Support Team. Complete information on free public access to the online editions of the Federal Register, The United States Government Manual and other Federal Register publications on the GPO Access service Wide Area Information Server (WAIS) may be obtained by consulting introductory page II of the paper edition of the daily Federal Register; by Internet e-mail at [gpoaccess@gpo.gov](mailto:gpoaccess@gpo.gov); by telephone at 202-512-1530; or by fax at 202-512-1262. Internet users can access the database by using the World Wide Web. The GPO's home page address for Federal Register publications is: [http://www.access.gpo.gov/su\\_docs/aces/aces140.html](http://www.access.gpo.gov/su_docs/aces/aces140.html). The OFR home page address is: <http://www.nara.gov/nara/fedreg/fedreg.html>. The Administrative Committee continues to welcome comments on Federal Register publications and prices.

The Administrative Committee has not published a notice of proposed rulemaking on the revised price schedule, as permitted by 5 U.S.C. 553(b)(B) when there is good cause not to publish a proposed rule and obtain comments from interested persons. The Administrative Committee has determined that publication of a proposed rule is unnecessary. The Administrative Committee has authority under 44 U.S.C. 1506 to set the prices to be charged for Federal Register subscriptions and individual copies. To the extent possible, the Administrative Committee sets prices to recover only the actual cost of producing and distributing Federal Register publications. The revised prices are based on an in-depth cost study conducted by GPO for the Administrative Committee.

Because only actual prior costs and conservative estimates of future costs were considered in setting the revised price schedule, and because of the requirement that GPO must recover its production and distribution costs, the Administrative Committee has determined that there is good cause for promulgating this final rule without a prior notice of proposed rulemaking. The changes to ACFR regulations relating to submission of electronic documents are procedural rules which are not subject to notice and comment under 5 U.S.C. 553(b)(A).

This regulatory action has been reviewed by the Office of Management

and Budget's Office of Information and Regulatory Affairs under Executive Order 12866. The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) does not apply to rate increases necessary to recover the costs of the Government of printing and distributing these publications.

## List of Subjects

### 1 CFR Part 5

Administrative practice and procedure, Federal Register, Government publications.

### 1 CFR Part 11

Code of Federal Regulations, Federal Register, Government publications, Organizations and functions (Government agencies)

### 1 CFR Part 18

Administrative practice and procedure, Federal Register.

For the reasons discussed in the preamble, the Administrative Committee of the Federal Register amends parts 5, 11 and 18 of chapter I of title 1 of the Code of Federal Regulations as set forth below:

## PART 5—GENERAL

1. The authority citation for part 5 continues to read as follows:

Authority: 44 U.S.C. 1506; sec. 6, E.O. 10530, 19 FR 2709, 3 CFR, 1954-1958 Comp., p. 189.

2. Amend part 5 by adding § 5.10 to read as follows:

### § 5.10 Forms of publication.

Pursuant to section 1506 of title 44, United States Code, the Administrative Committee publishes the Federal Register in the following formats: paper; microfiche; and online on GPO Access (44 U.S.C. 4101).

## PART 11—SUBSCRIPTIONS

1. The authority citation for part 11 continues to read as follows:

Authority: 44 U.S.C. 1506; sec. 6, E.O. 10530, 19 FR 2709, 3 CFR, 1954-1958 Comp., p. 189.

2. Amend § 11.1 by revising the first sentence to read as follows:

### § 11.1 Subscription by the public.

The Government Printing Office produces the paper and microfiche editions of the publications described in § 2.5 of this chapter, and the Superintendent of Documents, Government Printing Office, Washington, DC 20402, makes them available for sale to the public.\* \* \*

3. Revise § 11.2 to read as follows:

**§ 11.2 Federal Register.**

(a) Daily issues are provided to subscribers by mail for \$555 per year in paper form. A combined subscription consisting of the daily issues, the monthly Federal Register Index, and the monthly LSA (List of CFR Sections Affected) is provided to subscribers by mail for \$607 per year in paper form or \$220 per year in microfiche form. Six month subscriptions to the paper and microfiche editions are also available at one-half the annual rate. Limited quantities of current or recent issues may be obtained for \$8 per copy in paper form or \$1 per copy in microfiche form.

(b) The online edition of the Federal Register, issued under the authority of the Administrative Committee, is available on GPO Access, a service of the Government Printing Office (44 U.S.C. 4101).

4. Revise § 11.3 to read as follows:

**§ 11.3 Code of Federal Regulations (CFR)**

A complete set is provided to subscribers by mail for \$951 per year for the bound, paper edition or \$247 per year for the microfiche edition. Individual volumes of the bound, paper edition of the Code are sold at prices determined by the Superintendent of Documents under the general direction of the Administrative Committee. The price of an individual volume in microfiche form is \$1 per copy.

5. In § 11.4, add a second sentence to read as follows:

**§ 11.4 The United States Government Manual.**

\* \* \* \* \*

The online edition of the Manual, issued under the authority of the Administrative Committee, is available on GPO Access, a service of the Government Printing Office (44 U.S.C. 4101).

6. Revise § 11.6 to read as follows:

**§ 11.6 Weekly Compilation of Presidential Documents.**

Copies in paper form are provided to subscribers for \$80 per year by non-priority mail or \$137 per year by first-class mail. The price of an individual copy in paper form is \$3.

7. Revise § 11.7 to read as follows:

**§ 11.7 Federal Register Index.**

The annual subscription price for the monthly Federal Register Index, purchased separately, in paper form, is \$25.

8. Revise § 11.8 to read as follows:

**§ 11.8 LSA (List of CFR Sections Affected).**

The annual subscription price for the monthly LSA (List of CFR Sections

Affected), purchased separately, in paper form, is \$27.

**PART 18—PREPARATION AND TRANSMITTAL OF DOCUMENTS GENERALLY**

1. The authority citation for part 18 continues to read as follows:

Authority: 44 U.S.C. 1506; sec. 6, E.O. 10530, 19 FR 2709, 3 CFR, 1954–1958 Comp., p. 189.

2. in § 18.4, add paragraph (c) to read as follows:

**§ 18.4 Form of document.**

\* \* \* \* \*

(c) Original documents submitted by telecommunication and authenticated by digital signatures consistent with applicable Federal standards and Office of the Federal Register technical specifications may be accepted for publication.<sup>3</sup>

3. In § 18.7, add a third sentence to read as follows:

**§ 18.7 Signature.**

\* \* \* \* \*

Documents submitted under § 18.4(c) may be authenticated as original documents by digital signatures.

John W. Carlin,

*Chairman.*

Michael F. DiMario,

*Member.*

Rosemary Hart,

*Member.*

Janet Reno,

*Attorney General.*

John W. Carlin,

*Archivist of the United States.*

[FR Doc. 96–32865 Filed 12–26–96; 8:45 am]

BILLING CODE 1505–02–M

**OFFICE OF PERSONNEL MANAGEMENT****5 CFR Part 410**

RIN 3206–AF99

**Training**

**AGENCY:** Office of Personnel Management.

**ACTION:** Correction to final rule.

**SUMMARY:** The Office of Personnel Management referenced an incorrect reference in § 410.306(c). This document corrects this error.

**EFFECTIVE DATE:** December 17, 1996.

**FOR FURTHER INFORMATION CONTACT:**

<sup>3</sup> At present, submission of documents by telecommunication is limited to selected pilot projects.

Judith Lombard, 202–606–2431, EMAIL jmlombar@opm.gov, or FAX 202–606–2394.

**SUPPLEMENTARY INFORMATION:**

Accordingly, page 66194, third column, § 410.306(c) of the final rule published on December 17, 1996, is corrected to read as follows:

(c) Subject to the prohibitions of § 410.308(a) of this part, an agency may pay all or part of the training expenses of students hired under the Student Career Experience Program (see 5 CFR § 213.3202(d)(10)).

Jacqueline D. Carter,

*Federal Regulations Liaison Officer.*

[FR Doc. 96–32856 Filed 12–26–96; 8:45 am]

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**DEPARTMENT OF AGRICULTURE****Food and Consumer Service****7 CFR Part 278**

RIN 0584–AC00

**Food Stamp Program: Revisions in Use and Disclosure Rules Involving the Sharing of Information Provided by Retail and Wholesale Food Concerns with Other Federal and State Agencies**

**AGENCY:** Food and Consumer Service, USDA

**ACTION:** Final rule.

**SUMMARY:** This rulemaking implements certain provisions in two different laws which expand the authority of the United States Department of Agriculture's Food and Consumer Service (FCS) to share information provided by applicants and firms participating as authorized retail food stores or wholesale food concerns in the Food Stamp Program (FSP) with other Federal and State government agencies.

The intent of this final rule is to enable better administration and enforcement of the Food Stamp Act of 1977, as amended (the Act), or any other Federal or State law and regulations issued under the Act or any other Federal or State law. This rule provides new criteria to govern the sharing of such information and new criminal penalties for unauthorized use. It also implements the Secretary of Agriculture's new authority to share employer identification numbers (EINs) and Social Security numbers (SSNs) of applicants and firms participating in the FSP with other Federal agencies.

Finally, this rule makes technical changes to correct an error in regulatory reference and also to reflect changes made by the Department of the Treasury