

National Archives



Washington, DC 20408

November 1, 1994

Mr. Eddie Kahn
14 Via De Casas Sur
#201
Boynton Beach, FL 33426

Dear Mr. Kahn:

The Director of the Federal Register has asked me to respond to your inquiry concerning Internal Revenue Service (IRS) provisions. You have asked whether statutory material codified at 26 U.S.C. 6020, 6201, 6203, 6301, 6303, 6321, 6331 through 6343, 6601, 6602, 6651, 6701, and 7207 has been "processed or included" in 26 CFR part 1.

The Parallel Table of Authorities and Rules, a finding aid compiled and published by the Office of the Federal Register (OFR) as a part of the CFR Index, indicates that implementing regulations for the sections cited above have been published in various parts of title 27 of the Code of Federal Regulations (CFR). There are no corresponding entries for title 26.

However, the Parallel Table is only an extract of authority citations from the CFR data base and cannot be considered a comprehensive key to the statutory basis of all regulations. An agency may have additional authority for regulations that is not listed separately in authority citations, or is carried within the text of CFR sections. Citations in regulatory text generally do not appear as entries in the Parallel Table.

Since there are 12 volumes that make up part 1 of title 26 of the CFR, it would require extensive research to answer your question with certainty. Commercial computer based services are better equipped to perform this type of research. In any case, the OFR has neither the resources nor the authority to perform the research requested, since to do so would require us to make substantive interpretations as to whether certain tax statutes have any association with the specified set of regulations (see 1 CFR 3.1 enclosed).

Your second question refers to IRS procedures for incorporating material by reference in the Federal Register. The incorporation by reference process is narrowly defined by the provisions of 5 U.S.C. 552(a) and 1 CFR Part 51. Our

(Page 1 of 2)

National Archives and Records Administration

(13)

records indicate that the Internal Revenue Service has not incorporated by reference in the Federal Register (as that term is defined in the Federal Register system) a requirement to make an income tax return.

I hope this information will be useful to you.

Sincerely,

Michael L. White

MICHAEL L. WHITE
Senior Counsel to the Director
Office of the Federal Register

Enclosure

I certify that this is a true and complete copy of the original of the letter presented to me by Mr. Eddie Kahn.

Patricia L. Squire



PATRICIA L. SQUIRE
My Comm Exp. 4-18-98
Bonded By Service Ins
No. CC365302

June 30, 1995