**Impracticality of Whole-Document Processing for the United States Code**

Rob Sukol[[1]](#footnote-1)

If whole-document processing were to be required for maintaining the United States Code, then navigation and updating would become burdensome and maddeningly time consuming. Such an approach is so impractical as to be utterly unworkable.

Maintaining the United States Code is a rather arcane subject, and the details of the processes involved are not well known or understood. For any who may be interested, some basic information about the United States Code is presented here, along with a brief overview of the processes for maintaining it.[[2]](#footnote-2)

The United States Code is the official codification of the federal statutory law of the United States. The United States Code is a large, complex document. In print, the United States Code runs to nearly 50,000 pages set out in 33 volumes. The United States Code is divided into 51 broad subject matter titles. Each title is divided into chapters. The chapters are divided into sections. This *title-chapter-section* description of structure is a simplification reflecting the bare minimum. In reality, the United States Code contains many complex and varied hierarchical structures, frequently using 10 to 15 nested levels of content. In addition, a great deal of statutory material is incorporated in statutory notes inserted under sections. Beyond statutory material, nearly all sections of the United States Code are followed by editorial notes providing the reader with related information about provisions, including amendatory history, scope of applicability, transfers of functions, and other matters.

Maintaining and improving the United States Code is the responsibility of the Office of the Law Revision Counsel (OLRC), an independent, nonpolitical office in the United States House of Representatives. As new statutes are enacted, they are incorporated into the United States Code by the OLRC. Newly enacted statutes can be small, but frequently they are large, complex documents. Typically, newly enacted statutes contain a mix of provisions. Some provisions constitute new, freestanding statutory text. Other provisions amend or repeal existing statutory text.

In the OLRC, staff attorneys read each provision of the newly enacted statute to determine whether the provision is to be incorporated into the United States Code, and, if so, where. In order update the United States Code, the OLRC carves the newly enacted statute into small slices, based on where each slice of the statute needs to be incorporated into the United States Code.

An example may help to clarify the scope and complexity of the task. Public Law 108-173[[3]](#footnote-3) was enacted on December 8, 2003, and incorporated into the United States Code by the OLRC. The table set out below (beginning on page 2) shows where each slice of the Public Law was incorporated into the United States Code. Not all statutes are so large, but the size and complexity of Public Law 108-173 is not at all unusual.

The issue here is not merely the size of the documents involved or the long list of required updates illustrated in the table below. If the required updates were machine processable, then perhaps whole-document processing would be feasible or even advisable.

However, editing and updating the United States Code cannot be reduced to a set of machine executable instructions. Human intellectual work and judgment are required. Staff attorneys in the OLRC read and analyze each provision of a newly enacted statute in order to determine where and how the United States Code is impacted. Problems and issues are identified, alternative solutions are considered, decisions are made, and editorial notes are prepared to inform the reader. This work is carried out in a careful, methodical manner and painstakingly reviewed to ensure accuracy.

To update the United States Code, the OLRC attorneys use a suite of custom programs, with multiple attorneys updating different parts of the United States Code at any given time. These custom programs are designed to allow attorneys to focus in at a microscopic level, so to speak, in order to promote efficiency and accuracy.

**Incorporating Public Law 108-173 Into the United States Code**

*In the table set out below, each row represents a small slice of Public Law 108-173. The middle and right columns of the table indicate the particular place in the United States Code where each slice of Public Law 108-173 was incorporated. For example, the first row of the table indicates that section 1(a) of Public Law 108-173 was incorporated as a note provision ("nt") under section 1305 of title 42, United States Code.*

**Pub. L. 108-173 United States Code**

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1(c) 42 1301 nt

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101(a)(2) 42 1395w–111

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101(a)(2) 42 1395w–114

101(a)(2) 42 1395w–115

101(a)(2) 42 1395w–116

101(a)(2) 42 1395w–131

101(a)(2) 42 1395w–132

101(a)(2) 42 1395w–133

101(a)(2) 42 1395w–134

101(a)(2) 42 1395w–141

101(a)(2) 42 1395w–151

101(a)(2) 42 1395w–152

101(b) 42 1395w–101 nt

101(c) 42 1395w–101 nt

101(d) 42 1395w–101 nt

101(e)(1) 42 1395x nt

101(e)(1) 42 426

101(e)(1) 42 1395i–4

101(e)(1) 45 231f

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101(e)(3)(C) 42 1395t

101(e)(3)(D) 42 1395w–23

101(e)(4) 42 1396r–8

101(e)(5) 42 1395i–2

101(e)(6) 26 6103

101(e)(7) 42 1395ll

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101(e)(8)(B) 42 1395nn

101(e)(9) 42 1396r–8

102(a) 42 1395w–21

102(b) 42 1395w–22

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103(b)–(d)(1) 42 1396u–5

103(d)(2) 42 1308

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103(e)(2) 42 1396r–8 nt

103(f)(1) 42 1396a

103(f)(2) 42 1396u–3

103(f)(3) 42 1396a nt

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105(a) 42 1395r

105(b) 42 1396r–8

105(c) 42 1395w–141 nt

105(d) 42 1395t

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105(e)(4) 26 7213

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107(a) 42 1395w–111 nt

107(b) 42 1395i–3 nt

107(c) 42 299 nt

107(d) 42 1395w–27 nt

107(e) 42 1395w–114 nt

107(f) 21 352 nt

108 42 1395w–104 nt

109(a), (b) 42 1320c–3

109(c) 42 1320c–3 nt

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110 42 1395w–101 nt

111 42 1395w–132 nt

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223(b) 42 1395w–21 nt

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231(e) 42 1395w–21 nt

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303(a)(3) 42 1395w–4 nt

303(a)(4) 42 1395w–4 nt

303(a)(5) 42 1395w–4 nt

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303(c)(3) 42 1395w–3a nt

303(d)(1) 42 1395w–3b

303(d)(2) 42 1395w–3b nt

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405(a)(2) 42 1395f nt

405(b)(1) 42 1395m

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405(c)(1) 42 1395g

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405(c)(3) 42 1395g nt

405(d)(1) 42 1395m

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405(e)(3) 42 1395i–4 nt

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405(g)(2) 42 1395f

405(g)(3) 42 1395f nt

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410(a) 42 1395yy

410(b) 42 1395yy nt

410A 42 1395ww nt

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411(b) 42 1395l

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433 42 1395ww nt

434 42 1395x nt

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502(a), (b) 42 1395ww

502(c) 42 1395ww nt

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503(d)(2) 42 1395ww nt

503(e) 42 1395ww nt

504, 505(a) 42 1395ww

505(b) 42 1395cc

505(c) 42 1395ww nt

506(a) 42 1395cc

506(b) 42 1395cc nt

506(c) 42 1395cc nt

507(a) 42 1395nn

507(b) 42 1395nn nt

507(c) 42 1395nn nt

508 42 1395ww nt

511(a) 42 1395yy

511(b) 42 1395yy nt

512(a) 42 1395d

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623(b)(1) 42 1395rr nt

623(b)(2) 42 1395rr

623(c) 42 1395rr nt

623(d) 42 1395rr

623(e) 42 1395rr nt

623(f) 42 1395rr nt

624(a)(1) 42 1395l

624(a)(2) 42 1395l nt

624(b) 42 1395l nt

625(a)(1) 42 1395r

625(a)(2) 42 1395r nt

625(b) 42 1395p nt

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645 42 1395x nt

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648 42 1395b–8 nt

649 42 1395b–1 nt

650 42 1395cc nt

651 42 1395x nt

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702 42 1395x nt

703 42 1395fff nt

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705 42 1395fff nt

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723 42 1395b–8 nt

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731(a)(2) 42 1395y nt

731(b)(1) 42 1395y

731(b)(2) 42 1395y nt

731(b)(3) 42 1395y nt

731(c) 42 1395u nt

732 42 1395w–4 nt

733 42 1395l nt

734 42 1395i nt

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735(e)(1) 42 1395b–6

735(e)(2) 42 1395b–6 nt

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736(a)(3) 42 1395g

736(a)(4) 42 1395h

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736(a)(8) 42 1395i–3

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921(c)(2) 42 1395kk–1 nt

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1201(e) 26 4973

1201(f) 26 4975

1201(g) 26 6693

1201(h) 26 848

1201(i) 26 125

1201(j) 26 prec. 211

1201(k) 26 62 nt

1202(a) 26 139A

1202(b) 26 56

1202(c) 26 prec. 101

1202(d) 26 56 nt

1203(a) 26 6041

1203(b) 26 6041 nt

1. The writer is Robert M. Sukol, Esq., Deputy Law Revision Counsel of the United States House of Representatives. Email: robert.sukol@mail.house.gov. [↑](#footnote-ref-1)
2. For more information, see the Detailed Guide to the United States Code Content and Features available on the internet site of the Office of the Law Revision Counsel (<http://uscodebeta.house.gov/detailed_guide.xhtml;jsessionid=D0465E6D3E46DEDA4135A1AEAD3B3F4F> ). [↑](#footnote-ref-2)
3. Medicare Prescription Drug, Improvement, and Modernization Act of 2003. [↑](#footnote-ref-3)