

Reclamation Manual

Directives and Standards

Subject:	Federal Register Documents
Purpose:	Sets forth the requirements for the management of the Bureau of Reclamation Federal Register (FR) and rulemaking processes. The benefit of this Directive and Standard (D&S) is that it provides procedures and promotes consistency for initiating and publishing FR notices and rules.
Authority:	The Federal Register Act (44 U.S.C., Chapter 15); Administrative Procedure Act (5 U.S.C. 551 et seq.); Congressional Review Act (5 U.S.C. 801 et seq.); 318 DM, Federal Register Documents; Office of the Federal Register Document Drafting Handbook; Executive Order 12866, Regulatory Planning and Review; Executive Order 13777, Enforcing Regulatory Reform Agenda; and Executive Order 13771, Reducing Regulation and Controlling Regulatory Costs.
Approving Official:	Director, Mission Assurance and Protection Organization (MAPO)
Contact:	Reclamation Law Administration Division (84-55000)

1. **Introduction.** The Administrative Procedure Act (5 U.S.C. 552) requires Federal agencies to publish documents in the FR when interpreting policy, issuing final decisions, creating rules, generating procedures, and in other matters that affect the general public. Documents published in the FR include direct and final rules, rulemaking documents including advance notices of proposed rulemaking, and documents that are codified in the Code of Federal Regulations. Other documents published in the FR are non-regulatory notices such as Federal advisory committee meeting announcements, solicitations for nominees to participate on Federal advisory committees, proposed leases of power privilege, National Environmental Policy Act announcements, requests for information, notice of patent license availability, solicitations for comments related to Paperwork Reduction Act requirements, and Privacy Act system of records notices.
2. **Applicability.** This D&S applies to all Reclamation employees and all documents Reclamation submits to the Office of the Federal Register (OFR) for publication.
3. **Requirements.**
 - A. **Billing Address Code.** Reclamation's unique billing address code for all documents published FR is 4332-90. This code must appear on all documents submitted to the OFR for publication.
 - B. **Document Drafting.** The FR's Document Drafting Handbook and Departmental Manual 318 DM provide specific instructions on the format required for the various types of notices published in the FR. A copy of the Document Drafting Handbook is

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available on the Internet at www.archives.gov/files/federal-register/write/handbook/ddh.pdf or may be obtained from Reclamation's FR Liaison (FR Liaison). Departmental Manual 318 DM is available at www.doi.gov/elips.

C. Clearance Procedures.

- (1) After the appropriate official associated with the region/program office signs the FR notice, the region/program office e-mails the notice and supporting documents (if applicable) to the FR Liaison¹. The FR Liaison uploads the notice and supporting documents to the Document Tracking System (DTS) and enters the appropriate routing sequence. The FR Liaison surnames the notice to start the routing which signals to senior leadership that the notice meets FR requirements and Department of the Interior protocols.
- (2) The FR Liaison coordinates Department clearance of the notice with the following offices: Commissioner, Solicitor, Assistant Secretary for Water and Science, and the Office of the Executive Secretariat and Regulatory Affairs. When the notice receives Department clearance, the FR Liaison will notify the region/program and submit the notice and applicable supporting documents to the OFR for publication.
- (3) Managers in the Denver and Washington offices and regional directors are responsible for implementing the requirements of this document. The Reclamation Regulatory Contact, FR Liaison, and Manager of MAPO's Reclamation Law Administration Division provide guidance and support Reclamation-wide for FR document drafting and publication activities. The Director, MAPO assumes overall responsibility for implementation and operation of the FR and rulemaking programs Reclamation-wide. The Deputy Commissioner, Policy Administration, and Budget ensures the FR and rulemaking programs operate in compliance with Federal law, policy, and regulations.

D. **Signatory Authority.** The Assistant Secretary for Water and Science must sign rulemaking documents that are processed through Reclamation's Regulatory Contact and the FR Liaison. The signatory authority may not be delegated to a lower level (318 DM 1).

E. **Submitting Notices to the OFR.** After the FR notice has been cleared by the Department for publication, the notice must be submitted to the OFR via one of two methods:

¹For more-detailed instructions on notices of intent for environmental impact statements, see Reclamation Manual Temporary D&S, *Streamlining National Environmental Policy Act Reviews*, Appendix J *Reclamation EIS Approval and Filing Procedures* (ENV TRMR-121).

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- (1) Electronic submission can be accomplished via the OFR's webportal. Notices submitted via the webportal must be a Microsoft Word document that is digitally signed in Microsoft Word by the individual identified in the signature block in the notice. The FR Liaison is responsible for submitting the notice to the webportal once it has been digitally signed.
 - (2) Notices can also be submitted via hard-copy submission to the OFR. Hard-copy notices may be hand-delivered or mailed to the OFR by the office that has signatory authority via Federal Express. When a notice is submitted via hard copy, the following must be included in the package:
 - (a) Three single-sided, unstapled, original copies of the notice signed in blue ink only.
 - (b) The electronic Microsoft Word file of the notice must be copied to a blank CD-ROM. The CD-ROM must be labeled with the following information: Bureau of Reclamation as the submitting agency, the billing address code (4332-90), and the file name of the document.
 - (c) A disk verification letter on Reclamation letterhead certifying the Microsoft Word file on the CD-ROM is an exact match to the three original, signed notices. If the notice needs to be published sooner than the normal 3-day turnaround generally scheduled by the OFR, the certification letter must contain an explanation of the reason for publishing on a specified date (e.g., to align with press releases). While specific dates are routine, expedited requests should be reserved for emergency situations only.
- F. **Publication Costs.** Costs for the publication of notices in the FR are announced annually by the Office Management Budget via circular letters.
- G. **Publication Timeframes.** In most cases, notices will publish within 3-5 days of delivery to the OFR. Notices that are especially long or complicated (e.g., those with maps or long rulemaking documents) are likely to take longer. A few days before publication, the OFR notifies the FR Liaison of the date the notice is scheduled to go on public display and the date of publication (these dates are normally consecutive). The FR Liaison notifies the region/program office of these dates.
4. **Review Period.** The originating office will review this release every 4 years.

RECLAMATION MANUAL TRANSMITTAL SHEET

Effective Date: _____

Release No. _____

Ensure all employees needing this information are provided a copy of this release.

Reclamation Manual Release Number and Subject

Summary of Changes

NOTE: This Reclamation Manual release applies to all Reclamation employees. When an exclusive bargaining unit exists, changes to this release may be subject to the provisions of collective bargaining agreements.

Filing instructions

Remove Sheets

Insert Sheets

All Reclamation Manual releases are available at <http://www.usbr.gov/recman/>

Filed by: _____

Date: _____