
Federal Register Document Drafting Handbook

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Chapter 8: Frequently Asked Questions

Notes: In this chapter, “we,” “our,” or “OFR” refer to the Office of the Federal Register, National Archives and Records Administration, and “you” or “your” refer to Federal agencies that prepare documents for publication in the *Federal Register*.

Use the examples in this chapter as models for style, not content. Although many of these are single-spaced for visual impact, you must double-space your document.

Federal Register Contacts

8.1 Who is my agency's contact with the Federal Register Office?

Your agency must designate a Federal Register Liaison Officer and a Certifying Officer (1 CFR 16.1). Each Officer must have an Alternate.

Your agency must notify the Director of the Federal Register, in writing, of the name, title, address, telephone, and fax numbers of each person designated. You must also notify the Director of the Federal Register of any changes. (See Appendix A for a model letter.)

The Liaison Officer is the main contact between the agency and the OFR. Therefore, your agency should choose a person who is directly involved in the regulatory program. The Liaison Officer and the Alternate resolve any problems concerning documents that you submit for publication in the *Federal Register* or other problems concerning your agency's rules in the CFR.

The Certifying Officer ensures that copies of original documents and any disks submitted for publication are true and accurate copies. The Certifying Officer signs a statements at the bottom of the signature page on each copy: "Certified to be a true copy of the original." (See example 1.) The Certifying Officer also signs the certification letter that accompanies a disk. (See Appendix A for a model letter.)

8.2 Who is my agency's contact with the Government Printing Office?

The GPO requires that your agency designate a Printing Officer who is the liaison between your agency and GPO in all billing matters.

Receipt, Filing, and Publication Schedules

8.3 How many copies of my document must I submit?

You must send one original and two certified copies **or** three originals of each document for filing and publication in the *Federal Register*. An official authorized to sign documents for publication in the *Federal Register* must sign the original document in ink. The OFR suggests using blue ink since a black ink signature may look like a photocopy.

One Original and two certified copies. If you send one original document, you must also submit two certified copies. Submit legible, complete, and single-sided copies that are identical to the original.

Certified copies are not signed by the issuing official. The name and title of the issuing official are typed or stamped on the signature page. The agency also places a signed certification statement on the signature page. (See example 1.) The agency's Certifying Officer signs the certification statement. The Certifying Officer attests that the copies are identical to the original document. Certification means that the copies match the original document ensuring that they are identical and complete.

Example 1: Certification statement.

Certified to be a true copy of the original document.

(Signature of Certifying Officer)

Three originals. You may choose to provide three identical original documents that the issuing official has signed in ink, with name and title typed below. In this case, you need no certification statement because all documents are originals.

8.4 Where do I deliver my document?

U.S. Mail. Address U.S. mail to:

FEDERAL REGISTER (NF)
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
700 PENNSYLVANIA AVE NW
WASHINGTON DC 20408-0001

Do not address U.S. mail to 800 N. Capitol St.

Hand delivery. Deliver letters or documents in person or by messenger to:

Office of the Federal Register
800 North Capitol Street, NW., Suite 700
Washington, DC 20001.
(Three blocks north of Union Station Metro)

We are open to accept deliveries **only** between 8:45 a.m. and 5:15 p.m. ET, Monday through Friday, except Federal holidays.

8.5 How can I get proof of receipt of my document?

Normally, you submit an original and two certified copies or three originals; if you want proof of receipt of your document, you must submit an additional copy of the document. An OFR staff person will place a stamp indicating receipt on this extra copy. Your messenger may wait for the stamped copy or you may submit a stamped or franked, self-addressed envelope so that the OFR may mail it to you.

8.6 When is my document filed for public inspection?

The OFR files each document for public inspection at 8:45 a.m. on the workday before the date of publication (44 U.S.C. 1503 and 1504, see Appendix C). Our public inspection docket is located at:

Office of the Federal Register
800 North Capitol Street, NW., Suite 700
Washington, DC.

Anyone may inspect or copy filed documents during our business hours, 8:45 a.m. to 5:15 p.m. ET, Monday through Friday, except for Federal holidays.

We recommend that you notify your public affairs office that we do not release information concerning a document to the public until the document is on file for public inspection.

8.7 How can I get emergency filing?

You may request earlier filing in writing. (See Appendix A for a model request.) We are able to file documents for public inspection **only** during official business hours, 8:45 a.m. to 5:15 p.m. ET, Monday through Friday, except for Federal holidays.

We place a document on file for public inspection only after we have reviewed it, resolved any problems, and assigned it a publication date.

8.8 How can I delay filing?

You can only delay the filing of your document if you also delay the publication date. You may request a filing time later than 8:45 am, but the document cannot be published on the next working day. Each document must be on public inspection by 8:45 a.m. on the working day before the date of publication.

8.9 How do I know if my document is on file for public inspection?

You can see a list of documents currently on file for public inspection at <http://www.nara.gov/fedreg>. Select the link for “Public Inspection List.” **You will only get a list of documents, not the text of those documents.** We update this list on a regular basis.

8.10 How do I correct or withdraw a document before publication?

If it is necessary for you to correct or withdraw a document that you have submitted to us for publication, immediately contact your agency's Liaison Officer. See Chapter 4 for detailed requirements and procedures.

8.11 When will my document be published?

The OFR assigns a publication date once a document meets our publication requirements.

Regular schedule. The OFR normally assigns each document to the regular publication schedule. Documents received before 2 p.m. are on a 3-day schedule, and those received after 2 p.m. are on a 4-day schedule.

Example 2: Regular publication schedule.

If we receive a document before 2 p.m. on:	We file it for public inspection at 8:45 a.m. on:	And publish it in the <i>Federal Register</i> on:
Monday	Wednesday	Thursday
Tuesday	Thursday	Friday
Wednesday	Friday	Monday
Thursday	Monday	Tuesday
Friday	Tuesday	Wednesday

This table does not reflect the changes caused by Federal holidays.

Sunshine Act meeting notices. (See section 3.11.) Sunshine Act meeting notices received before 4 p.m. are published on a 2-day publication schedule and Sunshine Act meeting notices received after 4 p.m. are placed on a 3-day publication schedule.

Deferred schedule. The OFR assigns your document to the deferred schedule if:

- You request delayed publication;
- The length of the document requires additional review and processing time. (A document of 100 double-spaced pages or more requires additional time.);
- The complexity of the document requires additional review and processing time; or
- Technical printing considerations require additional time for publication.

8.12 Can I get emergency publication?

If you need emergency publication, make your request by letter explaining the need for emergency handling. The letter must accompany the document. We do not approve all emergency requests. (See Appendix A for a model letter.)

Drafting Options

8.13 Can I combine a rule, proposed rule, or notice in the same document?

No, the OFR does not accept any document for publication that combines material that would appear in different categories of the *Federal Register*. In cases where two categories are involved, submit two separate documents that cross-reference each other. (See example 3 for a model cross reference statement.)

You may request that the two documents be published in the same separate part of a *Federal Register* issue. (See Appendix A, Request for Special Handling Form.)

Example 3. Cross reference statement.

A [RULE, PROPOSED RULE, NOTICE] relating to [SUBJECT MATTER] is published elsewhere in this issue of the Federal Register.

8.14 How can my agency issue a document jointly with one or more other agencies?

Your Liaison Officer must consult with us in advance for assistance when preparing common or jointly issued documents. An authorized official from each agency must sign a jointly issued or common rule document. Identify each agency in the heading and preamble of the document. Carry the agencies in numerical order by CFR title number in both the heading and regulatory text.

Example 4: Adoption of identical regulations

TENNESSEE VALLEY AUTHORITY

18 CFR Part 1312

DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 296

Archaeological Resources Protection Act of 1979; Final Uniform Regulations

AGENCIES: Tennessee Valley Authority, and Forest Service, USDA.

ACTION: Final rule.

SUMMARY: These final regulations establish uniform procedures for implementing provisions of the Archaeological Resources Protection Act. * * *

8.15 How do I write a definitions section?

In sections or paragraphs containing only definitions, we recommend that you do not use paragraph designations if you list the terms in alphabetical order. Begin the definition paragraph with the term that you are defining. If a definition contains subordinate paragraphs, number these paragraphs (1), (2), (3), etc. Underline the term to indicate italics. **Do not include substantive regulatory provisions in a definition.**

8.16 How do I refer to a publication that is not incorporated by reference in my document?

If you provide an informational reference to a publication in your document that is not incorporated by reference, include a statement of availability which:

- Identifies the title, edition, author, and publisher; and
- Contains the address where a copy may be obtained.

8.17 May I quote other material?

It is not appropriate to quote laws and rules in the text of *Federal Register* documents. Laws may be paraphrased and rules may be cross-referenced if they meet the requirements in section 1.15 or 2.15.)

8.18 What is an OMB control number and where do I put it?

The Paperwork Reduction Act (see Appendix C) requires that all agencies submit their information collection requirements and related forms to the Office of Management and Budget (OMB) for review. If OMB approves the information collection requirements, it assigns them a control number. You may either codify this OMB control number in the CFR or you may include it in the SUPPLEMENTARY INFORMATION section of the preamble.

To codify an OMB control number in the CFR:

- Place the approval statement and number parenthetically at the end of the appropriate section. (See example 5.);
- Display the number in a section devoted to OMB control numbers. (See example 6.); or
- Display the number in a CFR part devoted to OMB control numbers. (See example 7.)

Example 5: OMB number at the end of the appropriate section.

§264.51 Purpose and implementation of contingency plan.

(a) You as the owner or operator must have a contingency plan for your facility. You must design your contingency plan to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water.

(b) You must execute the provisions of the plan immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment. You must send XXX an annual report of the number of occurrences of hazards to human health or to the environment in your facility.

(Approved by the Office of Management and Budget under control number 2050-0011)

Example 6: Section devoted to OMB numbers.

§ 1942.500 OMB control number.

The information collection requirements in this part are approved by the Office of Management and Budget and assigned OMB control number 0575-0123.

Example 7: Part devoted to OMB numbers.

PART XX-OMB CONTROL NUMBERS

Sec.

§ XX.1 What is an OMB control number?

§ XX.2 Table of approved OMB control numbers in this chapter.

Authority: 44 U.S.C. 3501 et seq.

§ XX.1 What is an OMB Control Number?

[EXPLANATION OF OMB CONTROL NUMBERS]

§ XX.2 Table of approved OMB control numbers in this chapter.

This table lists the OMB Control Numbers assigned to the rules in this chapter.

CFR cite	OMB control no.
§3541.5	2050-11

8.19 How can I get extra copies of a document that appeared in the *Federal Register* ?

Your agency can purchase extra copies of a separate part of a *Federal Register*, or of an entire issue, by requesting a press overrun from GPO. These copies are available shortly after the issue is printed.

To arrange for an overrun of a separate part of a *Federal Register*, your Federal Register Liaison Officer must, when submitting a document to OFR:

- Request its publication as a separate part. (See Appendix A, Request for Special Handling.)
- Request from us its publication date and separate part number. (See Appendix A, Request for Special Handling.)
- Provide the publication date and separate part number to your agency's GPO Printing Officer.

Your Printing Officer orders the overrun by submitting a Standard Form 1 (SF-1) to GPO before noon on the workday before the publication date.