



NOAA
FISHERIES

Office of Sustainable Fisheries

Publishing Documents in the Federal Register

A Guide

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Cover image: Jeff Muir ©International Seafood Sustainability Foundation



Introduction

This handbook provides technical guidance for regulation coordinators and technical writers. It covers all the critical aspects of drafting and publishing various rulemaking and related documents with the **Office of the Federal Register** (OFR).

The goal of this handbook is to provide uniform guidance about the Federal regulation development and clearance process. It is designed to help regulation coordinators and technical writers navigate the legal and technical requirements of the OFR and the Government Publishing Office (GPO).

While this guidance is intended for Office of Sustainable Fisheries headquarters and regional staff, most offices within the National Marine Fisheries Service (NMFS) might find this handbook useful.

Many of the documents we refer to in this handbook will amend the Code of Federal Regulations (CFR). As such, we recommend regulation coordinators and technical writers obtain a copy of the **Office of the Federal Register** Document Drafting Handbook, found at



Big eye thresher shark.

www.archives.gov/files/federal-register/write/handbook/ddh.pdf.

We recommend document drafters also consult the GPO Manual of Style, found at www.govinfo.gov/content/pkg/GPO-STYLEMANUAL-2016/pdf/GPO-STYLEMANUAL-2016.pdf.

The Office of Information and Regulatory Affairs within the Office of Management and Budget (OMB) also provides an overview of the regulations and rulemaking process, with some basic questions and answers

at www.whitehouse.gov/omb/information-regulatory-affairs.

Visit www.reginfo.gov/public/jsp/Utilities/faq.jsp for additional information.

Regulatory Services Branch

The staff of the Regulatory Services Branch (Regs Services) in the Office of Sustainable Fisheries (SF) provide support and guidance to NMFS staff with all phases of the **Federal Register** publication process. From editorial reviews to regulation package clearance to document publication, Regs Services staff make sure all legal and technical requirements of the Federal rulemaking process are followed.

Regs Services staff serve as both Certifying and Liaison Officers to the OFR. As Certifying Officers, Regs Services staff ensure electronic or hard copies of original documents submitted for publication are true and accurate copies. As Liaison Officers, Regs Services staff resolve any problems concerning documents submitted for publication.

Regs Services staff also:

- Assign Regulation Identifier Numbers (RIN) to all NMFS rules for tracking documents in the biennial Unified Agenda and on the online GPO publication database. We can also provide Regulatory Tracking Identification (RTID) for documents.

- Provide guidance and training on OFR technical drafting provisions to regulation coordinators, technical writers, and the eight Fishery Management Councils.
- Serve as the NOAA Agency Administrator for the Federal Docket Management System (FDMS) and Business Rules process.
- Review and edits documents of Domestic Fisheries, Protected Resources, Habitat, International Affairs, and other NMFS offices.
- Usher regulation packages through the clearance process.
- Process notice announcements in preparation for **Federal Register** publication.

Editorial Review

Regs Services staff provide editorial services for all documents intended for publication in the **Federal Register**. We review documents for OFR formatting and GPO style requirements.

The turn-around for most documents is three days. Longer documents could take more time, but the editors will notify the document

drafter of any delays.

The clearance process

One of Regs Services staff's main tasks is to assemble the various approval and compliance documents associated with an SF rulemaking into a package for review and clearance. The clearance process is as follows. Reg Services staff:

1. Assess the completion of documentation.
2. Facilitate package clearance within headquarters.
3. Submit electronic versions into a database for Department of Commerce (DOC) and NOAA General Counsel (GC) review. (Only those rulemakings deemed controversial receive NOAA GC review, but DOC GC review all rules).
4. Forward rulemakings to the Office of Policy and Strategic Planning for final clearance. DOC GC authorizes final clearance by providing a docket number.
5. Share the docket number with the region to be inserted into the final clean document.

6. Collect a final clean document bearing the docket number from regional staff.
7. Send the package to the NMFS Assistant Administrator or Deputy Assistant Administrator for Regulatory Programs for signature.
8. Submit the rule to the OFR for publication.

Submit documents for:

Review
nmfs.edits@noaa.gov

Clearance
nmfs.clearance@noaa.gov

Examples and checklist page

Regs Services provides a compendium of guidance documents and checklists to help analysts and technical writers prepare rulemaking packages for the clearance process. The Examples and Checklists page on the SF intranet contains 34 tabs that itemize all the forms and templates required for each particular action—from Listing Documents to Withdrawal Notices. This page also includes documentation for compliance of other Federal law related to NMFS regulatory actions. Visit sites.google.com/a/noaa.gov/noaa-fisheries-intranet/offices/sustainable-fisheries/regulatory-services/examples-and-checklists.



Large swordfish on deck during longlining operation.

Office of the Federal Register

The **Federal Register** system is an official legal information service of the United States government that operates under the statutory and regulatory authority of the OFR. It is a component of the National Archives and Records Administration (NARA) and under the technical authority of the GPO.

Published every Federal working day, the **Federal Register** is the official gazette of the United States government. It provides comprehensive legal notice of:

- Federal agency regulations.
- Temporary rules and public notices.
- Executive orders.
- Proclamations.
- Other presidential documents.

The **Federal Register** site, [federalregister.gov](https://www.federalregister.gov) hosts the **Federal Register** Electronic Public Inspection Desk, which provides global access to the versions of documents scheduled to appear in the **Federal Register** the following day. This site also functions as a portal to official **Federal Register** publications and to **Federal Register** information services on [archives.gov](https://www.archives.gov).

OFR Submission Requirements

The OFR accepts documents electronically signed with the e-signature tool in Microsoft Word. Once e-signed, documents are submitted through the OFR's special web portal.

As certifying and liaison officers, Regs Services staff submit documents to the OFR. We are the final checkpoint, ensuring documents are correctly edited and formatted when they are submitted.

Timeline

Once the OFR receives a document, they review it, schedule it for publication, and send it to the GPO for review and printing. The OFR normally assigns each document to the regular publication schedule.

Normally, documents received before 2 p.m. are reviewed and scheduled in three business days. Weekends and Federal holidays do not count in this calculation, and an extra day is required for documents submitted after 2 p.m. This schedule applies unless the OFR returns documents for editing or there are submission

issues. The OFR will contact Regs Services to resolve any problems before resuming scheduling of the document. Lengthy documents take longer to review and are not subject to the normal publication schedule (see pg. 8).

Special Handling

Often, documents sent to Regs Services for OFR publication require specific filing or publication timing. The following are some of the ways Regs Services staff can request special handling.

File immediately request

Under urgent circumstances, Regs Services staff may request that the OFR file a document as soon as possible, usually the same day, but we require a strong justification from the document owner. Reasons to file a document immediately include statutory deadlines, court orders, and the need to place documents in the public domain as soon as possible. The most common use of immediate filing is for inseason actions where a fishery needs to be opened, closed, or

Received Before 2 p.m.	Filed	Published
Monday	Wednesday	Thursday
Tuesday	Thursday	Friday
Wednesday	Friday	Monday
Thursday	Monday	Tuesday
Friday	Tuesday	Wednesday

Typical submission schedule.

otherwise modified to meet management requirements.

Same-day filing means the document must arrive at the OFR before 2 p.m. in order to request a 4:15 p.m. file time. Immediate filing will get the rule filed on the same day but not published earlier. The publication schedule will continue to follow the typical three-day schedule because the document is received before 2 p.m.

Emergency publication request

The OFR does not normally permit emergency publication, and such a request requires specific justification (i.e., circumstances that threaten national health, safety, the economy, and/or general welfare). Court orders or legislative mandates are the most common situations for an emergency publication.

Documents cleared by the OFR to publish on an emergency two-day schedule must arrive at the OFR by noon. Requesting an emergency publication for rules longer than 100 pages

serves no practical purpose as it will require additional time for the OFR to review the rule, which may prevent the OFR from being able to meet your request to publish on an emergency schedule.

Deferred schedule

There are certain circumstances when Regs Services may also request a delay in publication, such as when filing and publication need to align with a specific action or statutory deadline. In some cases, documents are

placed on a deferred schedule when the length of the document requires additional review and processing time by the OFR and GPO (see pg. 8). The GPO has page limitations for each daily volume.

OFR Publication Schedule By Page Length

The timing for publication of rules in the **Federal Register** below is our best estimate of how long it has been taking to get rules published. We considered the potential for minor delays due to edits by the OFR. Note that these are business days, not calendar days. Weekends and Federal holidays do not count in this calculation. Early dismissal of the Federal government for weather or holidays may also factor into the review time.

Gloucester fishing port at sunset.



Number of business days to publish based on the document characteristics.

Double-Spaced Pages	At or under 50% Regulatory Text (business days)	Over 50% Regulatory Text (business days)
≤50	3–4	4–5
51–100	4–5	5–6
101–200	5–6	6–7
201–300	6–7	7–8
301–400	7–8	8–9

Federal Docket Management System

The FDMS is a centralized document management system that gives Federal agencies the ability to share regulatory information with other government entities and the public. Anyone can search, review, and download documents as well as submit comments about posted documents and information on [regulations.gov](https://www.regulations.gov). FDMS can be viewed at www.fdms.gov.

FDMS offers agencies the ability to facilitate their regulatory business activities with a variety of functions.

- | | |
|----------------|--|
| Create | <ul style="list-style-type: none"> • Assignment templates. • Notifications for new or updated documents and docket. • Shortcuts to documents and dockets in “My Favorites.” |
| Manage | <ul style="list-style-type: none"> • Work assignments. • Access permissions. • Document metadata. • Document additions and updates. • Comment additions. • Docket posting. |
| Perform | <ul style="list-style-type: none"> • Recently viewed documents. • Docket and document summary information at user and agency level. • Task reminders for new documents entering the system. |

Regulatory business activities supported by FDMS.

Five Steps to Publication

Step 1: Obtain a RIN

Submit a Regulatory Information Data form, listing document, and 13771 Worksheet with proof of GC clearance to NMFS.clearance@noaa.gov.

Background

A RIN is assigned by OMB to identify each regulatory action listed in the Unified Agenda.

All rulemaking documents require a RIN in order to publish in the **Federal Register**. They are obtained from the Regulatory Information Service Center/ Office of Information and Regulatory Affairs Consolidated Information System (ROCIS): www.whitehouse.gov/omb/information-regulatory-affairs.

RIN numbers help regulatory staff monitor the progress of regulatory documents in the Unified Agenda and throughout the different stages of publication. The same RIN should be used at every stage of the rulemaking proceeding.

Documents that are not subject to OMB review, and therefore do not appear in the Unified Agenda, are assigned RTIDs. RINs can be generated by Regs Services staff and individuals

with access to ROCIS.

Documents that require RTIDs include inseason actions and notices and are usually not subject to DOC review. However, they still require DOC clearance for publication. RTIDs are generated by Regs Services and other regional staff with access to the RTID tracking sheet.

Step 2: Develop Rulemaking Clearance Package

View the Examples and Checklist page at sites.google.com/a/noaa.gov/noaa-fisheries-intranet/offices/sustainable-fisheries/regulatory-services/examples-and-checklists. Tab 1 provides a general guidance sheet that describes each of the components of a rulemaking package and how they should be prepared for the clearance process.

Background

NMFS provides guidance on the preparation of documents and compliance of other applicable laws involved in the rulemaking process. Each tab on the Examples and Checklist page corresponds with a

particular action and includes checklists, memorandum, templates, and examples of relevant documents required for that action.

Step 3: Submit Documents for Editing

Submit an advance copy of your document to nmfs.edits@noaa.gov.

Background

Each document must be edited by Regs Services staff for formatting and style.

Generally, we ask that you allow three days for editing. Most documents are edited and returned within that time. Regs Services will return your document to the point of contact, who incorporates any editorial changes or corrections. Any edits resulting from the OFR requirements are not negotiable. Failure to follow OFR requirements could result in delay in publishing in the **Federal Register** until the regulation coordinator makes the changes to the document to satisfy the OFR requirements.

Step 4: Submit Documents for Clearance & Publication

Submit your entire package to nmfs.clearance@noaa.gov.

Background

Your package will be routed through SF and NMFS leadership at headquarters for review. Once this review is complete, the package is submitted to DOC GC for review and clearance. When actions are controversial, the package is concurrently submitted to NOAA GC for review. Once DOC GC completes their review, they submit it to Office of Policy and Strategic Planning for

final approval. Then, DOC GC provides a docket number, which is inserted into a clean version of the rule, and Regs Services submits the document for signature and submission to the OFR.

Step 5: Conduct Post Publication Review

Review documents published in the **Federal Register** at federalregister.gov, and report any errors found in the published **Federal Register** or the CFR to Regs Services at nmfs.regs@noaa.gov.

Background

Regs Services will immediately notify you via email when we

receive the scheduling (filing and publication) information from the OFR. It is best to review your document as soon as it is published to check for printing errors or omissions. If the OFR is responsible for the error, they will make corrections. If the error is the responsibility of the document drafter, a correction notice must be submitted to make any corrections.

Crew working on gear.



Notices

What Are Notices?

Notices are the most common documents published in the **Federal Register**. The primary purpose of a notice document is to provide information of public interest, such as meetings, notices of availability of permit applications, and requirements and guidelines for grant applications. Actions that are ancillary to the rulemaking process, such as information collection requests and a notice of intent to prepare and/or a notice of a scoping meeting for environmental impact statement documents belong to the notices category.

Notices do not contain regulatory text or a CFR part heading; they do not impose requirements with general applicability and legal effect and do not affect a rulemaking proceeding. Some notices are required by law to be published.

Documents Under This Category

The following language is appropriate in the **ACTION** line for documents that inform the public.

- Notice; public meetings.
- Notice; request for scientific

- data on critical habitat.
- Notice; modification of public display permit.
- Notice; modification of scientific research permit.
- Notice, application for permit.
- Notice; receipt of Exempted Fishing Permit application.
- Notice; issuance of permit.
- Notice; public hearing. (Of a document that does not lead to direct rulemaking.).
- Notice; survey results.
- Notice; availability of financial assistance.
- Notice; intent to prepare a supplemental environmental impact statement.
- Notice; scoping meeting.

Council Meeting Notices

Submitting Notices to SF

The Council will:

- Prepare a notice by following the document format as exemplified in the template in Appendix A.
- Continue to adhere to all established clearances and review procedures.
- Send all notices for **Federal Register** publication to nmfs.regs@noaa.gov.
- Ensure that the subject line in the email matches

- the subject heading of the attached document.
- Send the notice no later than 23 calendar days before the first day of the council meeting to allow adequate processing time.
- Monitor the **Federal Register** at federalregister.gov to verify your document was published and is error free.
- Report document printing errors to nmfs.regs@noaa.gov.

Regs Services Role

SF will sign, certify, and send your document to the OFR for publication in the **Federal Register** and notify you via email with scheduling information.

Questions about Council Meeting Notices

If you have any questions concerning the guidance, processing, and submission procedures, please send an email to nmfs.regs@noaa.gov.

Notice Structure

A document published in the notice category should include the content below. For an example of a general notice, see Appendix A.

- Billing code.
- Headings, which collectively refers to the department, agency, and subject headings.
- Preamble, which collectively refers to the **AGENCY, ACTION, SUMMARY, DATES, ADDRESSES, FOR FURTHER INFORMATION CONTACT,** and **SUPPLEMENTARY INFORMATION** sections.
- Signature date.
- Signature block.

Billing code

The GPO assigns a billing code to each agency that publishes in the **Federal Register** to enable them to bill for printing costs. Your billing code must appear on each document submitted for publication in the **Federal Register**. You can obtain your billing code from Regs Services. Type the billing code at the top right-hand side of the first page of your document, followed by a "P" to indicate it is a Word document.

Headings

Begin each document with headings that identify your agency and the subject matter of your document. Present the headings in this order:

- Department name.
- Agency name.
- RTID.
- Subject heading.

An RTID can be obtained from Regs Services staff (nmfs.clearance@noaa.gov) or appointed regional staff. It is not an action listed in the Unified Agenda of Federal Regulatory and Deregulatory Actions.

The subject heading should describe the contents of the document.

Preamble

The preamble follows the subject heading of the document. It arranges basic information on the "who, what, where, when, and why" of a document for the reader's convenience.

Preamble section titles should appear in bold and all caps.

Agency

This caption usually repeats the name of the agency as stated in the document's headings. When the name of a subagency and cabinet-level department

appear together, state the subagency name first and then the department's name.

Action

This caption identifies the type of document—in this case a notice. It does not summarize the substance of a document. Lengthy descriptions should be reserved for the **SUMMARY**.

Summary

The **SUMMARY** is used to explain the general action but should not include specific details or descriptions, use legal citations or refer to other regulations or laws, or include regulatory history or extensive background. Extended discussion belongs in the **SUPPLEMENTARY INFORMATION** section. Limit yourself to no more than 3–4 lines describing the action being taken, why it is necessary, and its intended effect. Use the following guidelines when preparing a **SUMMARY**:

- Use language a non-expert will understand.
- Do not include qualifications, exceptions, or specific details.

Example: Preamble Section Titles

AGENCY:
ACTION:
SUMMARY:
DATES:
ADDRESSES:
FOR FURTHER INFORMATION CONTACT:
SUPPLEMENTARY INFORMATION:

Example: Agency Caption

AGENCY: National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce

- Attending a public hearing or meeting.
- Examining any material available for public inspection.
- Requesting background materials/analyses.

- Be brief—it shouldn't be longer than a paragraph.

You may not use the **SUMMARY** to prove a point or argue a case. Supporting information is essential in an adequate preamble but does not belong in the **SUMMARY**.

Dates

This content can be omitted from a notice if it's not needed. If included, it should provide the dates that are essential to the document, such as meeting or hearing dates.

The OFR computes and inserts dates tied to **Federal Register** publication or OFR filing using the Table of Effective Dates and Time Periods found at www.federalregister.gov/reader-aids/using-federalregister-gov/table-of-effective-dates-time-periods. The OFR computes dates based only on OFR filing or publication in the **Federal Register**. In computing the date, the OFR counts the day after publication as the first day. When a date falls on a weekend or a Federal holiday, the OFR uses the next Federal business day.

If you want the OFR to compute and insert a date, present the date as shown in the first example below.

Addresses

The address provides the "where" of the document. Include up to four addresses that the public needs to know. You may include addresses for:

Do not include information other than addresses in the **ADDRESSES** caption. Place any discussion of how to register for a meeting, the meeting agenda, any content of material available for inspection, etc., in the **SUPPLEMENTARY INFORMATION** section.

Examples: Dates

DATES: Submit comments on or before *[insert date XX days after date of publication in the Federal Register]*.

.....

DATES: The agency must receive comments on or before October 20, 20XX. A public hearing will be held at 9 a.m., October 9, 20XX. Submit requests to present oral testimony on or before October 2, 20XX.

.....

DATES: The hearing dates are:

1. March 26, 20XX, 9:30 a.m. to 5 p.m., Philadelphia, PA.
2. April 3, 20XX, 9:30 a.m. to 5 p.m., Chicago, IL.
3. April 8, 20XX, 9:30 a.m. to 5 p.m., Atlanta, GA.

For further information contact

This is a required section that appears in all notices, proposed rules, and rules. Under the **FOR FURTHER INFORMATION CONTACT** caption, you must include the name and telephone number of a person within our agency who can answer questions about the document. Email addresses are encouraged but not necessary.

You may list two or more persons to contact.

Supplementary information

You may use the **SUPPLEMENTARY INFORMATION** section to provide additional information on the reason for the announcement as well as information required by law, agency policy, or Executive Order. The authority statement must be listed in this section.

Signature date

Use the date of actual signature. The OFR will not accept a postdated signature or change

Example: Signature Block

August 16, XXX.

Alan D. Risenhoover,

Director, Office of Sustainable Fisheries, National Marine

Fisheries Service.

[Note the punctuation. Do not include initials like Ph.D. after the name.]

a signature date. If there is a problem with a signature date, the OFR will return the document to Regs Services.

Signature block

The signature block includes the date, signature line, name, title, and line office of the signer. NMFS determines who may sign a document submitted for publication in the **Federal Register**. When someone is

designated acting on behalf of the usual signatory, include the word "acting" before the title.

The signature block should be left aligned, indented half an inch (five spaces), and double spaced. Do not place a signature block on a page by itself. Place at least three lines of preamble text above the signature block on the same page.

Examples: For Further Information Contact

FOR FURTHER INFORMATION CONTACT: John Regwriter,
(202) 000-0000. [Email addresses are optional.]

.....
FOR FURTHER INFORMATION CONTACT: Technical
information: John Regwriter, (202) 000-0000. Legal information:
Mary Regulatory, (202) 000-0001.

Proposed Rules

What Are Proposed Rules?

A proposed rule proposes new regulations or changes to NMFS' CFR regulations and requests the public to comment on the proposed changes. In addition to proposing regulatory text, a proposed rule can correct regulatory text published previously or describe a proposed subject and the issues involved.

Documents such as public hearings, notification of availability of supplemental information, and notification of intent of proposed rulemaking contain information but have no regulatory text.

Documents that request comments or provide information about an environmental impact statement are not regarded as being proposed rules because they are not part of the basic Administrative Procedure Act (APA) notice-and-comment rulemaking procedure required by 5 U.S.C. 553.

Documents Under This Category

In the **ACTION** line, the following language is

appropriate for documents that propose regulations or that directly affect other documents published in this section:

- Proposed rule; request for comments. (For all proposed regulatory amendments.)
- Proposed rule; emergency action; request for comments.
- Proposed rule; interim measures; request for comments.
- Announcement of availability of fishery management plan (FMP) amendments or availability of proposed FMP amendments. (If a plan amendment could lead to rulemaking; usually you make a statement to that effect.)
- Proposed rule; notification of intent to proposed rulemaking.
- Proposed rule; notification of availability of supplemental information. (If related to ongoing rulemaking.)
- Proposed rule; public hearing. (Affecting a rulemaking directly or resulting in one.)
- Proposed rule; petition for rulemaking; request for comments.
- Proposed rule; advance notice of proposed rulemaking.

- Proposed rule; extension of comment period. (Of a document previously published in this section.)

Proposed Rules Without Regulatory Text

A document published in the proposed rules category should include the content below. For examples of proposed rules, see Appendix B.

- Billing code.
- Headings, which collectively refers to the department, agency, and subject headings.
- Preamble, which collectively refers to the **AGENCY, ACTION, SUMMARY, DATES, ADDRESSES, FOR FURTHER INFORMATION CONTACT,** and **SUPPLEMENTARY INFORMATION** sections.
- Signature date.
- Signature block.
- Words of issuance.

Billing Code

The GPO assigns a billing code to each agency that publishes in the **Federal Register** to

enable them to bill for printing costs. Your billing code must appear on each document submitted for publication in the **Federal Register**.

Type the billing code at the top right-hand side of the first page of your document, followed by a “P” to indicate it is a Word document.

Headings

Begin each rule document with headings that identify your agency and the subject matter of your document. The headings of a rule document also identify the CFR title and part your document amends. Present the headings for a rule document in this order:

- Department name.
- Agency name.
- CFR citation.
- DOC docket number.
- RIN.
- Subject.

The department and subagency headings for a document must reflect the department and subagency names as shown in the CFR chapter the document amends. If the CFR chapter is assigned to a subagency of a cabinet-level department, the department name must still appear in the document headings.

The CFR citation heading contains the CFR title number and the number of each part the document proposes to amend. Even if the document affects only one paragraph within a

The DOC GC and FDMS Document Numbers serve purposes and go in different locations in your Federal Register document.

part, include that part number. If the document amends more than one CFR title, list them all.

The docket number heading is the internal file number that DOC GC assigns to your document when it has completed the clearance process.

The RIN is assigned by Regs Services (nmfs.clearance@noaa.gov) and identifies each regulatory action listed in the Unified Agenda of Federal Regulatory and Deregulatory Actions.

The subject heading is a title describing the contents of the document. You may use the CFR part heading if it describes the content of the document. However, use information that is more specific when the document amends several parts or when the part heading is too general.

Preamble

Each agency document published in the proposed

rules category of the **Federal Register** must contain a preamble immediately following the subject heading. The preamble explains the basis and purpose of the regulatory text but contains no regulatory text. It arranges basic information on the “who, what, where, when, and why” of a document for the reader’s convenience. Preamble captions should appear in bold and all caps.

Agency

This caption usually repeats the name of the agency as carried in the document’s headings. When the name of a subagency and cabinet-level department appear together, carry the subagency name first and then the department’s name.

Action

This caption identifies the type of document—in this case a proposed rule. It does not summarize the substance of a document. Lengthy descriptions should be reserved for the **SUPPLEMENTARY INFORMATION** section.

Example: Agency Caption

AGENCY: National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce.

Example: Preamble Section Titles

AGENCY:
ACTION:
SUMMARY:
DATES:
ADDRESSES:
FOR FURTHER INFORMATION CONTACT:

Include the following appropriate dates.

- Comment deadlines.
- Extension of comment deadlines.
- Request for a hearing or meeting deadline.
- Public hearing or meeting dates.
- Other dates the public may need to know.

Summary

The **SUMMARY** is used to explain the general action but should not include specific details or descriptions, use legal citations or refer to other regulations or laws, or include regulatory history or extensive background. You may not use the **SUMMARY** to prove a point or argue a case. Supporting information is essential in an adequate preamble but does not belong in the **SUMMARY**. Extended discussion belongs in the **SUPPLEMENTARY INFORMATION** section. Limit yourself to no more than 3–4 lines describing the action being taken, why it is necessary, and its intended effect.

Use the following guidelines when preparing a **SUMMARY**:

- Use language a non-expert will understand.
- Describe what the proposed action does not how it affects the CFR.
- Refer to an act of Congress by the popular name of the act.
- Do not use legal citations.
- State what your document does; do not include regulatory history or

extensive background.

- Do not include qualifications, exceptions, or specific details.
- Be brief—it shouldn't be longer than a paragraph.

Dates

The dates section presents the “when” of a document.

The OFR computes and inserts dates tied to **Federal Register** publication or OFR filing using the Table of Effective Dates and Time Periods found at www.federalregister.gov/reader-aids/using-federalregister-gov/table-of-effective-dates-time-periods.

Examples: Dates

DATES: Submit comments on or before [insert date XX days after date of publication in the Federal Register].

DATES: The agency must receive comments on or before October 20, XXXX. A public hearing will be held at 9 a.m.,

October 9, XXXX. Submit requests to present oral testimony on or before October 2, XXXX.

DATES: The hearing dates are:

1. March 26, XXXX, 9:30 a.m. to 5 p.m., Philadelphia, PA.
2. April 3, XXXX, 9:30 a.m. to 5 p.m., Chicago, IL.
3. April 8, XXXX, 9:30 a.m. to 5 p.m., Atlanta, GA.

In computing the date, the OFR counts the day after publication as the first day. When a date falls on a weekend or a Federal holiday, the OFR uses the next Federal business day. If you want the OFR to compute and insert a date, present the date as shown in the first example on the previous page.

Addresses

The address provides the “where” of the document. Include any address that the public needs to know. You may include addresses for:

- Mailing public comments.
- Hand-delivering public comments.
- Attending a public hearing or meeting.
- Examining any material available for public inspection.
- Requesting background materials/analyses.

Do not include information other than addresses in the **ADDRESSES** caption. Place any discussion of how to submit comments or register for a meeting, the meeting agenda, any content of material available for inspection, etc., in the **SUPPLEMENTARY INFORMATION** section. If you are accepting electronic comments through either email or into FDMS, place electronic addresses in the **ADDRESSES** section and detailed requirements in the **SUPPLEMENTARY INFORMATION** section.

Example: Addresses

ADDRESSES: You may submit comments on this document, identified by [EMAIL] OR [FDMS Docket Number], by any of the following methods:

Electronic Submission: Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to [www.regulations.gov/#!docketDetail;D=\[FDMS Docket Number\]](http://www.regulations.gov/#!docketDetail;D=[FDMS Docket Number]), click the “Comment Now!” icon, complete the required fields, and enter or attach your comments.

Mail: Submit written comments to [name, address]

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (*e.g.*, name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

For further information contact

This is a required section that appears in all notices, proposed rules, and rules. Under the **FOR FURTHER INFORMATION CONTACT** caption, you must

include the name and telephone number (email optional) of a person within our agency who can answer questions about the document. You may list two or more persons to contact concerning different

aspects of a document.

Supplementary information

You may use the **SUPPLEMENTARY INFORMATION** section to provide additional information that is required by law, agency policy, or Executive Order.

Use this section to also present the regulatory history of this rulemaking proceeding. You should present the background information and detail necessary to give adequate notice of the issues to be commented on as required by the APA. Present this information in language that the reader can easily understand, with descriptive headings to highlight and organize topics (for example, background, statutory authority, request for comments, related documents, topical headings, drafting information, and public participation). If a reference to the **Federal Register** or the CFR is necessary, use the correct citation format.

Answering some of the following questions may help you draft your **SUPPLEMENTARY INFORMATION**.

- What law or directive authorizes the rulemaking?
- What existing regulations address the problem?
- What problem does the rulemaking address?
- What issues are connected with the problem?
- What facts, surveys, or studies identify and

Examples: For Further Information Contact

FOR FURTHER INFORMATION CONTACT: John Regwriter, (202) 000-0000. [Email addresses are optional.]

.....

FOR FURTHER INFORMATION CONTACT: Technical information: John Regwriter, (202) 000-0000. Legal information: Mary Regulatory, (202) 000-0001.

- define the problem?
- How does this rulemaking attempt to solve the problem?
- Were other solutions considered?
- Why was this solution chosen?
- Is this solution cost-effective?
- How will this solution affect the regulated parties?
- Does this rulemaking contain penalties for noncompliance?
- Are penalty provisions essential?
- Can the requirements be monitored?
- Can the penalty provisions be enforced?
- Have you identified other documents in this rulemaking, and included their **Federal Register** citations?
- Did you publish an Advance Notice of Proposed Rulemaking?
- Have you announced meetings or hearings?
- Have you discussed all necessary regulatory analysis and review requirements?
- What other statutes apply to this rulemaking?
- How will public participation be handled?
- Are there special instructions for mailing public comments?
- Are there formal or informal hearings?
- Are there procedures for requesting a public hearing?
- Are there any instructions for filing comments or making oral presentations?
- Will transcripts of the hearing be made available?
- Have you used subject headings to break up a lengthy **SUPPLEMENTARY INFORMATION** section?

Classification

Information on what to include in the Classification section can be found under Tab 27 on the Examples and Checklists page: sites.google.com/a/noaa.gov/noaa-fisheries-intranet/offices/sustainable-fisheries/regulatory-services/examples-and-checklists.

Authority

List the the authority for this action located in the CFR.

Signature date

Use the date of actual signature. OFR will not accept a postdated signature or change a signature date. If there is a problem with a signature date, OFR will return the document to Regs Services.

Signature block

The signature block includes the date, signature line, name, title, and line office of the signer. NMFS determines who may sign a document submitted for publication in the **Federal Register**. When someone is designated acting on behalf of the usual signatory, include the word "acting" before the title.

The signature block should be aligned, indented half an inch (five spaces), and double spaced. Do not place a signature block on a page by itself. Place at least three lines of preamble text above the signature block on the same page.

Example: Signature Block

August 16, XXXX.

Alan D. Risenhoover,

Director, Office of Sustainable Fisheries, National Marine

Fisheries Service.

[Note the punctuation. Do not include initials like Ph.D. after the name.]

Words of Issuance

Words of issuance appear after the signature block in a rulemaking document. They provide the:

- Tie between this proposed rule and the CFR units that will be affected.
- Bridge between the preamble of this document and the regulatory changes that it proposes.

Words of issuance statements are always written in the present tense.

Example: Words of Issuance

For the reasons discussed in the preamble, NMFS

proposes to amend/amends 50 CFR part 660 as follows:

Rules

What Are Rules?

A rule is a document that has general applicability and legal effect with regulatory text codified in the CFR. However, not all rules contain regulatory text.

The rule document is composed of the following required segments:

- Headings, which collectively refers to the department, agency, and subject headings.
- Preamble, which collectively refers to the **AGENCY, ACTION, SUMMARY, DATES, ADDRESSES, FOR FURTHER INFORMATION CONTACT, and SUPPLEMENTARY INFORMATION** sections.
- Classification section.
- Authority (if it contains no regulatory text; if it contains regulatory text, the authority citation is stated in the regulatory text).
- List of Subjects.
- Signature Block.
- Words of Issuance.
- Regulatory text (if appropriate).

Types of Rules

As described below, a rule can be a final, an interim, or a temporary rule.

Permanent rule

A final rule is one that has no expiration date, is promulgated after notice of and comment on a proposed rule, and has a 30-day delay of effectiveness, unless the requirement is waived for good cause or an APA exception applies.

Interim rule

An interim rule has no expiration date. But, unlike a final rule, an interim rule is promulgated without notice of and comment on a proposed rule under a good cause waiver or other APA exception. It also has a good cause waiver for or an exception to the 30-day delay of effectiveness. When it publishes, the interim rule usually solicits public comment, after which a final rule is published in the **Federal Register**, revised or unrevised based on comments received. Interim rules should be used only for special situations.

Temporary rule

A temporary rule is effective immediately for a short or definable period. Thus, it is a rule that has an expiration date, is promulgated without a proposed rule under a good-cause waiver or other APA exception, and has a good-cause waiver for or an APA

exception to the 30-day delay of effectiveness.

The following types of actions fall under the temporary rule category:

- A rule that is promulgated under the APA without a preceding proposed rule, with an expiration date, and seeking comments. After comments are received, a final rule is published in the **Federal Register** and may be revised based on comments received on the temporary rule. The Classification section states the cause for the waiver to the public notice and comment and to the 30-day delay of effectiveness.
- A rule that is promulgated under the authority of section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) to address an emergency (i.e., unforeseen events that may have an adverse effect on a resource, industry, or communities), whether or

not an FMP exists for the fishery. The rule may be promulgated with notice and an opportunity for public comment on a proposed rule or without a proposed rule if a good-cause waiver or other APA exception applies. The rule remains effective for no more than 180 days after the publication date. It can be extended once for up to another 186 days, provided that the public is given an opportunity to comment on the rule and that, in the case of a Council recommendation for emergency regulations, the Council is actively preparing an FMP, a plan amendment, or a proposed rule to address the emergency on a permanent basis. The **ACTION** line should specify “Temporary rule; emergency action” or “Temporary rule; emergency action extended.”

- A rule that is promulgated under the authority of section 305(c) of the Magnuson-Stevens Act for interim measures needed to reduce overfishing for a fishery, whether or not an FMP exists for the fishery. The rule may be promulgated with notice and an opportunity for public comment on a proposed rule or without a proposed rule if a good cause waiver or other APA exception applies. The rule remains effective for no

more than 180 days after the publication date. It can be extended once for up to another 186 days, provided that the public is given an opportunity to comment on the rule and that, in the case of a Council recommendation for interim measures, the Council is actively preparing an FMP, a plan amendment, or a proposed rule to address the overfishing on a permanent basis. The **ACTION** line should specify “Temporary rule; interim measures” or “Temporary rule; interim measures extended.”

In temporary rules, the **DATES** section must contain a beginning and an ending time.

Documents Under This Category

In the **ACTION** line, the following language is appropriate for documents that have regulatory affect or that directly affect other previously published rules:

- Final rule.
- Final rule; effectiveness and enforcement of collection of information requirements.
- Final rule; postponement of effectiveness.
- Final rule; extension of comment periods. (Of any document previously published in this section.)
- Final rule; correcting amendment.
- Final rule; effective date of OMB control numbers.

- Interim rule; request for comments.
- Temporary rule; interim measures; request for comments.
- Temporary rule; interim measures extended.
- Temporary rule; emergency action; request for comments.
- Temporary rule; emergency action extended.
- Temporary rule; removal of expiration date.
- Temporary rule; correcting amendment.
- Temporary rule; inseason adjustment.
- Temporary rule; closure.
- Temporary rule; opening.
- Temporary rule; suspension of minimum size limit.
- Temporary rule; fishery quotas.
- Temporary rule; apportionment of reserves.

Rules Without Regulatory Text

A document published in the rules category should include the content below. For examples of rules, see Appendix C.

- Billing code.
- Headings, which collectively refers to the department, agency, and subject headings.
- Preamble, which collectively refers to the **AGENCY, ACTION, SUMMARY, DATES, ADDRESSES, FOR FURTHER INFORMATION CONTACT,** and **SUPPLEMENTARY**

INFORMATION sections.

- Signature date.
- Signature block.
- Words of issuance.

Billing Code

The GPO assigns a billing code to each agency that publishes in the **Federal Register** to enable them to bill for printing costs. Your billing code must appear on each document submitted for publication in the **Federal Register**.

You can obtain your billing code from Regs Services staff. Type the billing code at the top of the first page of your document, followed by a “P” to indicate it is a Word document.

Headings

Begin each rule document with headings that identify your agency and the subject matter of your document. The headings of a rule document also identify the CFR title and part your document amends. Present the headings for a rule document in this order:

- Department name.
- Agency name.
- CFR citation.
- DOC docket number.
- RIN.
- Subject.

The department and subagency headings for a document must reflect the department and subagency names as shown in the CFR chapter the document amends. If the CFR chapter is assigned

to a subagency of a cabinet-level department, the department name must still appear in the document headings.

The CFR citation heading contains the CFR title number and the number of each part the document proposes to amend. Even if the document affects only one paragraph within a part, include that part number. If the document amends more than one CFR title, list them all.

The docket number heading is the internal file number that DOC GC assigns to your document when it has completed the clearance process.

The RIN is assigned by Regs Services (nmfs.clearance@noaa.gov) and identifies each regulatory action listed in the Unified Agenda of Federal Regulatory and Deregulatory Actions.

The subject heading is a title describing the contents of the document. You may use the CFR part heading if it describes the content of the document. However, use information that is more specific when the document amends several parts or when the part heading is too general.

Preamble

Each agency document published in the rules category of the **Federal Register** must contain a preamble immediately following the subject heading. The preamble explains the basis and purpose of the regulatory text but contains no regulatory text. It arranges basic information on the “who, what, where, when, and why” of a document for the reader’s convenience.

Preamble captions should appear in bold and all caps.

Agency

This caption usually repeats the name of the agency as carried in the document’s headings. When the name of a subagency and cabinet-level department appear together, carry the subagency name first and then the department’s name.

Action

This caption identifies the type of document—in this case a rule. It does not summarize the substance of a document. Lengthy descriptions should be reserved for the subject line.

Summary

The **SUMMARY** is used to explain the general action but should not include specific details or descriptions, use

The DOC GC and FDMS Document Numbers serve purposes and go in different locations in your Federal Register document.

legal citations or refer to other regulations or laws, or include regulatory history or extensive background. You may not use the **SUMMARY** to prove a point or argue a case. Supporting information is essential in an adequate preamble but does not belong in the **SUMMARY**. Extended discussion belongs in the **SUPPLEMENTARY INFORMATION** section. Limit yourself to no more than 3–4 lines describing the action being taken, why it is necessary, and its intended effect.

Use the following guidelines when preparing a **SUMMARY**:

- Use language a non-expert will understand.
- Describe what the document does, not how it affects the CFR.
- Refer to an act of Congress by the popular name of the act.
- Do not use legal citations.
- State what your document does; do not include regulatory history or extensive background.
- Do not include qualifications, exceptions, or specific details.
- Be brief—it shouldn't be longer than a paragraph.

Example: Preamble Section Titles

AGENCY:
ACTION:
SUMMARY:
DATES:
ADDRESSES:
FOR FURTHER INFORMATION CONTACT:

Dates

The dates section presents the “when” of a document. Include the following appropriate dates.

- Comment deadlines.
- Extension of comment deadlines.
- Request for a hearing or meeting deadline.
- Public hearing or meeting dates.
- Other dates the public may need to know.

The OFR computes and inserts dates tied to **Federal Register** publication or OFR filing using the Table of Effective Dates and Time Periods found at www.federalregister.gov/reader-aids/using-federalregister-gov/table-of-effective-dates-time-periods.

The OFR computes dates based only on OFR filing or publication in the **Federal Register**.

In computing the date, the OFR counts the day after publication as the first day. When a date falls on a weekend or a Federal holiday, the OFR uses the next Federal business day. If you want the OFR to compute and insert a date, present the date as shown in the first example on the next page.

Example: Agency Caption

AGENCY: National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce

Addresses

The address provides the “where” of the document. Include any address that the public needs to know. You may include addresses for:

- Mailing public comments.
- Hand-delivering public comments.
- Attending a public hearing or meeting.
- Examining any material available for public inspection.
- Requesting background materials/analyses.

Do not include information other than addresses in the **ADDRESSES** caption. Place any discussion of how to submit comments or register for a meeting, the meeting agenda, any content of material available for inspection, etc., in the **SUPPLEMENTARY INFORMATION** section. If you are accepting electronic comments through either email or into FDMS, place electronic addresses in

Examples: Dates

DATES: This rule is effective [insert date XX days after date of publication in the Federal Register].

.....

DATES: Effective June 1, XXXX, except for §232.48(g), which contains information collection requirements that have not been approved by OMB. NMFS will publish a document in the **Federal Register** announcing the effective date.

.....

DATES: The Compliance Workshops are:

1. March 26, XXXX, 9:30 a.m. to 5 p.m., Philadelphia, PA.
2. April 3, XXXX, 9:30 a.m. to 5 p.m., Chicago, IL.
3. April 8, XXXX, 9:30 a.m. to 5 p.m., Atlanta, GA.

the **ADDRESSES** section and detailed requirements in the **SUPPLEMENTARY INFORMATION** section.

For further information contact

This is a required section that appears in all notices, proposed rules and rules. Under the **FOR FURTHER INFORMATION CONTACT** caption, you must include the name and telephone number of a person within our agency who can answer questions about the document. You may list two or more persons to contact concerning different aspects of a document.

Supplementary information

You may use the **SUPPLEMENTARY INFORMATION** section to provide additional information that is required by law, agency policy, or Executive Order.

Use this section to also present the regulatory history of this rulemaking proceeding. You should present the background information and detail necessary to give adequate notice of the issues to be commented on as required by the APA. Present this information in language that the reader can easily understand, with descriptive headings to highlight and organize topics (for example,

background, statutory authority, request for comments, related documents, topical headings, drafting information, and public participation). If a reference to the **Federal Register** or the CFR is necessary, use the correct format.

Answering some of the following questions may help you draft your **SUPPLEMENTARY INFORMATION**.

- What law or directive authorizes the rulemaking?
- What existing regulations address the problem?
- What problem does the rulemaking address?
- What issues are connected with the problem?
- What facts, surveys, or studies identify and define the problem?
- How does this rulemaking attempt to solve the problem?
- Were other solutions considered?
- Why was this solution chosen?
- Is this solution cost-effective?

Example: For Further Information Contact

FOR FURTHER INFORMATION CONTACT: John

Regwriter, (202) 000-0000.

[Email addresses are optional.]

Example: Addresses

ADDRESSES: Electronic copies of Amendment 13 may be obtained from the Southeast Regional Office website at <http://www.fisheries.noaa.gov/action/amendment-13-modifications>. Amendment 13 includes an environmental assessment, a fishery impact statement, a Regulatory Flexibility Act (RFA) analysis, and a regulatory impact review.

.....

ADDRESSES: Copies of the Final Regulatory Flexibility Analysis are available at NMFS West Coast Region, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 20802.

.....

ADDRESSES: Highly Migratory Species (HMS) Management Division, 1315 East-West Highway, Silver Spring, MD 20910.

.....

ADDRESSES: Scoping meetings will be held at the location below in Table 1 of **SUPPLEMENTARY INFORMATION**.

- How will this solution affect the regulated parties?
- Does this rulemaking contain penalties for noncompliance?
- Are penalty provisions essential?
- Can the requirements be monitored?
- Can the penalty provisions be enforced?
- Have you identified other documents in this rulemaking and included their **Federal Register** citations?
- Did you publish an Advance Notice of Proposed Rulemaking?
- Have you announced meetings or hearings?
- Have you discussed all necessary regulatory analysis and review requirements?
- What other statutes apply to this rulemaking?

- How will public participation be handled? Are there special instructions for mailing public comments?
- Are there formal or informal hearings?
- Are there procedures for requesting a public hearing?
- Are there any instructions for filing comments or making oral presentations?
- Will transcripts of the hearing be made available?
- Have you used subject headings to break up a lengthy **SUPPLEMENTARY INFORMATION** section?

Classification

Information on what to include in the Classification section can be found under Tab 27 on the Examples and Checklists page: sites.google.com/a/noaa.gov/noaa-fisheries-intranet/offices/sustainable-fisheries/regulatory-services/examples-and-checklists.

Authority

Provide the the authority for this action located in the CFR.

Signature date

Use the date of actual signature. OFR will not accept a postdated signature or change a signature date. If there is a problem with a signature date, OFR will return the document to Regs Services.

Signature block

The signature block includes the date, signature line, name, title, and line office of the signer. NMFS determines who may sign a document submitted

for publication in the **Federal Register**. When someone is designated acting on behalf of the usual signatory, include the word “acting” before the title.

The signature block should be aligned, indented half an inch (five spaces), and double spaced.

Do not place a signature block on a page by itself. Place at least three lines of preamble text above the signature block on the same page.

Words of Issuance

Words of issuance appear after the signature block in a rulemaking document. They provide the:

- Tie between this rule and the CFR units that will be affected.
- Bridge between the preamble of this document

and the regulatory changes that it implements.

Words of issuance statements are always written in the present tense.

Example: Words of Issuance

For the reasons discussed in the preamble, NMFS amends 50 CFR part 660 as follows:

Example: Signature Block

August 16, XXXX.

Samuel D. Rauch, III

Deputy Assistant Administrator for Regulatory Programs,

National Marine Fisheries Service.

[Note the punctuation. Do not include initials like Ph.D. after the name.]

Drafting Regulatory Text

Regulatory text is the section of your document that sets out proposed or final changes to the CFR. The regulatory text section is very structured and specifically worded. The Document Drafting Handbook is the best tool for drafting regulatory text: www.archives.gov/files/federal-register/write/handbook/ddh.pdf.

The most efficient way to draft regulatory text is to start with redline changes to current CFR text.

Code of Federal Regulations—Drafting Regulatory Text and Amendatory Instructions

The CFR is a codification of the general and permanent rules previously published in the **Federal Register**. Rulemaking documents, either proposed or final, will either amend previous CFR regulations or set out new regulatory text.

The eCFR is an updated version of the CFR because the OFR integrates changes on a daily basis. It is important to verify what regulatory text exists before drafting or changing

regulatory text. Unless you are setting out new parts or subparts, the most efficient way to draft regulatory text is making redline changes to the current text and developing amendatory instructions based on those changes.

Structure of the CFR

Generally, NMFS rulemakings amend parts and subparts. Occasionally, we will promulgate rules that set out full subparts.

Amendatory instructions on how to make those changes are described further on.

Title

A title covers broad subject areas. The CFR has 50 titles arranged according to subject matter (e.g., 50 CFR is titled “Wildlife and Fisheries”).

Chapter

A chapter is usually assigned to a single agency and is followed by a roman numeral (e.g., I, II, III) .

Part

A part contains regulations applying to a single function of an agency (e.g. one fishery, such as PART 648--FISHERIES OF THE NORTHEASTERN UNITED

STATES) and is followed by an Arabic number (e.g., 1, 2, 3).

Subpart

A subpart divides the part into related sections and is followed by a capital letter.

Section

A section consists of the section symbol, the part number, a period, and the number of the section (e.g., §648.1).

Paragraph

A paragraph is a text division below the section level. There is no term “subparagraph.” Each division below a section is called a paragraph.

Authority Citation

You must cite the authority that authorizes your agency to change the CFR. Give the authority citation in the shortest form.

Placement of the authority citation depends on what unit of the CFR you are amending.

There are different types of authority:

- Statutory.
- Public law.
- United States Code.
- Nonstatutory.
- Presidential Executive Order.
- Presidential Administrative Order.
- Presidential Memorandum.
- Agency delegation, policy, or directive.
- Office of Management and Budget circular.
- CFR regulation.

Our agency is responsible for maintaining accurate and current authority citations. Present the authority citation at one of two central places: part level or subpart level. You may give authority citations for particular subparts and sections within the central authority citation.

Paragraph Structure of a Section

If you have more than one paragraph, designate each one as shown in the example below. Indent each designated paragraph within a section. The paragraph structure within a section allows six levels of designation. **The OFR strongly recommends you do not use more than four paragraph levels.** Use of more than four paragraph levels makes your rule hard to read and use. Use more sections as a drafting technique to avoid using excessive paragraph levels (see the paragraph

structure chart example). Sections consisting of a single paragraph or the introductory text of a section do not require a designation. However, OFR no longer permits an undesignated concluding paragraph.

In CFR codification, there cannot be a level with only one paragraph designation. So if a section has a paragraph (a), there must be a paragraph (b), even if it's reserved. If a section has a paragraph (a)(1), there must be a paragraph (a)(2), even if it's reserved. And if a section has a paragraph (a)(4) (i), there must be a paragraph (a)(4)(ii), even if it's reserved.

Amendatory Language

The amendatory language uses standard terms to give specific instructions on how to change the CFR. Do not include in the amendatory language a discussion of why the changes are made. This belongs in the **SUPPLEMENTARY INFORMATION** section.

Before you begin drafting amendatory language, consult the eCFR (www.ecfr.gov) and the published **Federal Register** rules that are not currently in effect. This gives you insight into of the CFR regulations you are changing. Follow these steps to base amendatory language on the current text of a rule:

1. Identify the specific CFR unit being changed.
2. Place amendments in

Example: Paragraph Structure

level 1 (a), (b), (c), etc.
level 2 (1), (2), (3), etc.
level 3 (i), (ii), (iii), etc.
level 4 (A), (B), (C), etc.
level 5 (1), (2), (3), etc.
level 6 (i), (ii), (iii), etc.

- CFR numbering order.
3. Use one of the standard amendatory terms to describe the change (see below).
 4. Address all regulatory text set out in your document.

For extensive changes, revise the text in full rather than preparing fragmentary amendments. The reader will then have the complete text of the amended unit.

Use of "Amend"

"Amend" means that an existing CFR unit is changed. Because it is an introductory term, it cannot stand alone. Use it with one of the specific amendatory terms to precisely describe the change to the CFR unit. See the next section for amendatory terms.

The amended heading, which is the section number followed by "Amended" in brackets, should be used if regulatory text is changed with in a section or paragraphs but does not need to be set out to "read as follows." Don't use amend if the text should be laid out "to read as follows."

Specific Amendatory Terms

Each amendatory term is a precise instruction to change a CFR unit. Use the following standard terms:

- Add.
- Redesignate.
- Remove.
- Republish.
- Reserve.
- Revise.
- Withdraw.

In temporary rules (any rule with an end date), do not say “remove.” Use “suspend” instead. Do not use “revise” in this context either. Use “add.”

Add

“Add” means that a new CFR unit is inserted in the CFR.

Redesignate

“Redesignate” means that a CFR unit is transferred to a vacant position and assigned a new designation; do not use the term “renumbered.” If the newly redesignated unit is also revised, this must be stated in the amendatory language.

Remove

“Remove” means that an existing CFR unit is being taken out of the CFR.

Republish

“Republish” means that an unchanged CFR unit is set out for the convenience of the

reader, often to provide the context for an amendment. Therefore, you must present the republished text accurately.

Reserve

“Reserve” is a term used to fill in gaps in CFR numbering. Removing a subpart or a paragraph may leave a gap, which could confuse the reader.

To avoid confusion in your amendatory language, you should remove and reserve the subpart or paragraph.

You may also use “reserve” when adding or revising a CFR unit to indicate where future text will be added.

Examples: Use of “Amend”

§ 622.103 [Amended]

3. Amend § 622.103 by removing the year 2018 and inserting, in its place the year 2019:

.....

8. Amend § 660.72 as follows:

- a. Redesignate paragraphs (k)(15) through (31) as (k)(17) through (33), respectively; and
- b. Add new paragraphs (k)(15) and (16).

The additions read as follows:

§ 660.72 Latitude/longitude coordinates defining the 50 fm (91 m) through 75 fm (137 m) depth contours.

* * * * *

(k) * * *

(15) 33°57.77' N. lat., 119°33.49' W. long.;

(16) 33°57.64' N. lat., 119°35.78' W. long.;

* * * * *

Revise

“Revise” means that an existing CFR unit is replaced in its entirety. It is important that you specifically identify the CFR unit being revised.

Withdraw

“Withdraw” indicates that regulatory text within a previously published proposed rule will not be issued as a final rule and will not become effective or enforceable.

Revising a Table

See the example on the next page for more information.

Addition or Revision of a Part or Subpart

Parts

If you add or revise a part, use these elements in the order shown:

1. Amendatory language.
2. Part heading.
3. Table of contents.

4. Authority citation.
5. Regulatory text.

Subparts

If you want to add or revise a subpart in a part with a single authority citation at the end of the table of contents, use these elements in the order shown:

1. Part heading.
2. Authority citation for the part.
3. Amendatory language.
4. Subpart heading.
5. Table of contents.
6. Regulatory text.

To add or revise a subpart with its own authority citation, use these elements in this order:

1. Part heading.
2. Amendatory language.
3. Subpart heading and table of contents.
4. Subpart heading.
5. Authority citation for the subpart.
6. Regulatory text.

Term	Example Use
Add	Add part 200 to read as follows:
Redesignate	In § 200.6, redesignate paragraphs (n) and (o) as paragraphs (o) and (p), respectively, and add new paragraph (n) to read as follows:
Remove	Remove § 200.12.
Republish	In § 2.1, the introductory text of paragraph (a) is republished and paragraphs (a)(1) and (a)(3) are revised to read as follows:
Reserve	Remove and reserve subpart Q, consisting of §§ 103.10 through 103.25.
Revise	In § 223.4, revise paragraph (b) and the introductory text of paragraph (f)(2) to read as follows:

Examples of how to use amendatory terms.

Example: Revising a Table

1. In § 223.102, amend the table in paragraph (e) by adding a new entry for “Sturgeon, green (Southern DPS)” underneath the “Fishes” table subheading to read as follows:

§ 223.102 Enumeration of threatened marine and anadromous species.

* * * * *

(e) * * *

Species ¹			Citation(s) for listing determination(s)	Critical habitat	ESA rules
Common name	Scientific name	Description of listed entity			
* * * * *					
Fishes					
* * * * *					
Sturgeon, green (Southern DPS)	<i>Acipenser medirostris</i>	Green sturgeon originating from the Sacramento River basin and from coastal rivers south of the Eel River (exclusive)	71 FR 17757, Apr. 7, 2006; 71 FR 19241, Apr. 13, 2006	226.219	223.210.
* * * * *					

¹Species includes taxonomic species, subspecies, distinct population segments (DPSs) (for a policy statement, see 61 FR 4722, February 7, 1996), and evolutionarily significant units (ESUs) (for a policy statement, see 56 FR 58612, November 20, 1991).

* * * * *

Example: Adding Entire CFR Part

For the reasons set out in the preamble, NMFS amends 50 CFR Chapter VI by adding part 635 to read as follows:

PART 635 – ATLANTIC HIGHLY MIGRATORY SPECIES

Subpart A—General

- § 635.1 Purpose and scope.
- § 635.2 Definitions.
- § 635.3 Relation to other laws.
- § 635.4 Permits and fees.
- § 635.5 Recordkeeping and reporting.
- § 635.6 Vessel and gear identification.
- § 635.7 At-sea observer coverage.
- § 635.8 Workshops.
- § 635.9 Electronic monitoring.

Subpart B—Individual Vessel Measures

- § 635.14 Performance metrics.
- § 635.15 Individual bluefin tuna quotas.
- § 635.16 [Reserved]

Subpart C—Management Measures

- § 635.19 Authorized gears.
- § 635.20 Size limits.
- § 635.21 Gear operation and deployment restrictions.
- § 635.22 Recreational retention limits.
- § 635.23 Retention limits for bluefin tuna.
- § 635.24 Commercial retention limits for sharks, swordfish, and BAYS tunas.
- § 635.25 Fishing areas.
- § 635.26 Catch and release.
- § 635.27 Quotas.
- § 635.28 Fishery closures.
- § 635.29 Transfer at sea and transshipment.
- § 635.30 Possession at sea and landing.
- § 635.31 Restrictions on sale and purchase.
- § 635.32 Specifically authorized activities.
- § 635.33 Archival tags.
- § 635.34 Adjustment of management measures.

(continued on next page)

Subpart D—Restrictions on Imports

- § 635.40 Restrictions to enhance conservation.
- § 635.41 Products denied entry.

Subpart E—International Port Inspection

- § 635.50 Basis and purpose.
- § 635.51 Authorized officer.
- § 635.52 Vessels subject to inspection.
- § 635.53 Prior notification.
- § 635.54 Reports.

Subpart F—Enforcement

- § 635.69 Vessel monitoring systems.
- § 635.70 Penalties.
- § 635.71 Prohibitions.

Amendment to a Section

If you amend a section, use these elements in the order shown:

1. Part heading.
2. Authority citation.
3. Amendatory language.
4. Section heading.
5. Regulatory text.

If you add or revise a section, use the format shown below. If you add a section to a part that contains subparts, identify the subpart or undesignated center heading, which will contain the new section.

Multiple Amendments

There are several ways to make multiple amendments

to sections. How these amendments are set out depends on whether changes can be listed or have to be set out as full text. If changes can be listed, use the amended heading (see previous section). Don't use the section and amended heading if text should be laid out "to read as follows."

For multiple changes to one section, use a list format. When there are changes to several sections, use separate numbered instructions for each section and display the changed text for each section after the instruction. Group all amendments to the same CFR unit together in one instruction.

Without Own Authority Citation	With Own Authority Citation
Part heading: <ul style="list-style-type: none"> • Authority citation for part • Amendatory language 	Part heading: <ul style="list-style-type: none"> • Amendatory language
Subpart heading	Subpart heading
Table of contents	Table of contents Subpart heading: <ul style="list-style-type: none"> • Authority citation for subpart
Regulatory text	Regulatory text

Steps for adding or revising a subpart.

Examples: Revising a Part

1. Revise part 3 to read as follows:

PART 3--SERVICES TO THE PUBLIC

Sec.

3.1 Information services.

3.2 Public inspection of documents.

3.3 Reproduction and certification of copies of acts and documents.

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

§ 3.1 Information services.

(a) The Office of the Federal Register (OFR) provides information on:

- (1) Publications in § 2.5 of this chapter;
- (2) Original acts and documents filed with OFR.

(b) OFR cannot provide excessive information or do extensive research.

(c) The staff may not summarize or interpret substantive text of any act or document.

Examples: Grouping Amendments

Revise paragraphs (a), (d), (e), and (n) of § 150.5 to read as follows:

Remove and reserve §§ 33.1, 33.5 and 33.10.

Example: Revising Entire Subpart Without Own Authority Citation

For reasons set forth in the preamble, 50 CFR part 218 is amended as follows:

PART 218—REGULATIONS GOVERNING THE TAKING AND IMPORTING OF MARINE MAMMALS

1. The authority citation for part 218 continues to read as follows:

Authority: 16 U.S.C. 1361 *et seq.*, unless otherwise noted.

2. Revise subpart I of part 218 to read as follows:

Subpart I – Taking and Importing Marine Mammals; U.S. Navy’s Atlantic Fleet Training and Testing (AFTT)

§ 218.80 Specified activity and specified geographical region.

§ 218.81 Effective dates.

§ 218.82 Permissible methods of taking.

§ 218.83 Prohibitions.

§ 218.84 Mitigation requirements.

§ 218.85 Requirements for monitoring and reporting.

§ 218.86 Letters of Authorization.

§ 218.87 Renewals and modifications of Letters of Authorization.

§§ 218.88-218.89 [Reserved]

Subpart I – Taking and Importing Marine Mammals; U.S. Navy’s Atlantic Fleet Training and

Testing (AFTT)

[Note: Include the rest of your regulatory text here.]

Example: Amendment to a Section

PART 133--TOLLS FOR USE OF CANAL

1. The authority citation for part 133 is revised to read as follows:

Authority: 22 U.S.C. 3791; E.O. 12215, 45 FR 36043, 3 CFR, 1980 Comp., p. 257.

2. Section 133.34 is revised to read as follows:

§ 133.34 What are the tolls for vessels in ballast?

In order for a vessel to secure the reduced rate of toll for vessels in ballast, it may not carry any passengers or cargo nor any fuel for its own consumption in a quantity which exceeds:

- (a) 125 percent of the volume of its engine room as measured and as shown on its Panama Canal tonnage certificate; or
- (b) The spaces on the vessel which are available for the carriage of fuel.

Example: Multiple Changes to One Section

§ 941.103 [Amended]

3. Amend § 941.103 as follows:

- a. Remove the definitions of “Allocation area”, “Application”, “Central city allocation area”, “Community”, “Field Office”, “Housing Assistance Plan”, “Household type”, and “Housing type”;
- b. Remove the parenthetical phrase “(in the form prescribed by HUD)” from the definition “Construction Contract” and “Contract of sale”; and
- c. Remove from the definition of “Total development cost (TDC)” the term “The Field Office” and add in its place the term “HUD”, and remove from that definition the parenthetical sentence at the end.

Example: Changes to Multiple Sections

PART 1258--FEES

1. The authority citation for part 1258 continues to read as follows:

Authority: 44 U.S.C. 2116(c).

2. Amend § 1258.2 by revising paragraphs (a) and (c)(3) to read as follows:

§ 1258.2 Applicability.

(a) Except as stated in this section, fees for the reproduction of NARA administrative records, archival records, donated historical materials, and records filed with the Office of the Federal Register are in § 1258.12.

* * * * *

(c) * * *

(3) Motion picture, sound, and video recording materials are among the holdings of the National Archives and Records Administration. Obtain prices for reproduction of these materials from the Motion Picture and Sound and Video Branch, National Archives and Records Administration, Washington, DC 20408.

* * * * *

3. Amend § 1258.4 by revising paragraph (b) to read as follows:

§ 1258.4 Exclusions.

* * * * *

(b) When NARA wishes to disseminate information about its activities to the general public through press, radio, television, and newsreel representatives;

* * * * *

4. Amend § 1258.10 by revising paragraph (a) to read as follows:

(continued on next page)

§ 1258.10 Mail orders.

(a) The agency charges a minimum fee of \$6.00 per order for reproductions it mails to the customer.

* * * * *

Revising Introductory Text

If you revise the introductory text of a section or a paragraph but not the whole section or paragraph, specify that you only intend to change that introductory text.

Asterisks

If you add or revise only certain units of a section, the amendatory language must state exactly which units are added or revised, and only those units are printed. Use asterisks to represent text which is not changed.

Use of five asterisks

Use five asterisks to show that a whole paragraph, including its subordinate paragraphs, is unchanged. In the example on the next page, the asterisks before revised paragraph (d) show that paragraphs (a), (b), and (c) remain unchanged. The five asterisks that follow revised paragraph (d) show that the remaining text in the section is also unchanged.

Use of three asterisks

Use three asterisks when you change text at a subordinate

level. This shows that the higher level paragraphs remain unchanged.

In the example on the next page, the five asterisks before paragraph (b) show that paragraph (a) remains unchanged. The three asterisks following (b) show that (b)(1) through (b)(4) remain unchanged, and the three

asterisks following (5) show that the introductory text of (b)(5) is unchanged.

The five asterisks that follow revised paragraph (b)(5)(i) show that the remaining text in the section is unchanged.

Use of seven asterisks

Use seven asterisks when you change text in tables.

Examples: Revising Introductory Text

In § 1020.3, revise paragraph (a) introductory text, paragraphs (a)(1) and (a)(4) to read as follows:

§ 1020.3 What are the qualifications and duties of the Small Business Ombudsman?

(a) The Chairman will appoint a senior, full-time Commission employee as Small Business Ombudsman. The Ombudsman must:

(1) Know the Commission's statutes and regulations;

* * * * *

(4) Perform the Ombudsman duties in addition to, and consistently with, other Commission responsibilities.

* * * * *

Examples: Use of Five Astricks

In § 166.15, revise paragraph (d) to read as follows:

§ 166.15 State status.

* * * * *

(d) The following States issue licenses under cooperative agreements with the Animal and Plant Health Inspection Service, but do not have primary enforcement responsibility under the Act: Kentucky, Maryland, Puerto Rico, Texas, and Washington.

* * * * *

consensus standards in a subject matter area.

- The reference is to the departmental level from a subagency.

When cross-referencing, you must identify the CFR unit being cited by the proper CFR unit designation in each reference. Do not use a nonspecific reference such as "herein," "above," or "below."

Definitions

In a definition section, the definitions do not need to be numbered or otherwise designated if they are listed in alphabetical order. If a certain definition needs to be further divided, the subparagraphs are designated (1), (2), (3), etc.

Cross-References

OFR permits you to cross-reference our own or another agency's rules in limited situations. If you are applying the referenced rules to current or future situations, you may only reference rules that are currently in effect. If you must modify the referenced rules, you cannot use a cross-reference. You must publish the modified rules in full.

You may cross-reference the

rules of another agency only if the reference meets any of the following conditions specified in 1 CFR 21.21:

- The reference is required by court order, statute, executive order, or reorganization plan.
- The reference is to rules promulgated by an agency with exclusive legal authority to regulate in a subject matter area, but the referencing agency needs to apply those rules in its own programs.
- The reference is informational or improves clarity rather than being regulatory.
- The reference is to test methods or consensus standards produced by a Federal agency that have replaced or preempted private or voluntary test methods or

Examples: Use of Three Astricks

Example:

Revise § 202.3(b)(5)(i) to read as follows:

§ 202.3 Registration of copyright.

* * * * *

(b) * * *

(5) * * *

(i) The Library of Congress receives two complimentary copies promptly after publication of each issue of the serial.

* * * * *

Examples: Cross References

§ 218.82 Permissible methods of taking.

(a) Under LOAs issued pursuant to § 216.106 of this chapter and § 218.86, the Holder of the LOAs (hereinafter “Navy”) may incidentally, but not intentionally, take marine mammals within the area described in § 218.80(b) by Level A harassment and Level B harassment associated with the use of active sonar and other acoustic sources and explosives as well as serious injury or mortality associated with ship shock trials and vessel strikes provided the activity is in compliance with all terms, conditions, and requirements of these regulations in this subpart and the applicable LOAs.

Document Drafting Guidance – Style and Formatting

Drafting documents for the OFR can be a challenging task, but as with any effort, the more you practice the better your documents will become.

This chapter introduces the required style and format elements for all documents destined for OFR publication. The OFR returns documents not properly formatted for revision and resubmission.

Regs Services provides editorial support for all style and formatting matters. Our editors will review documents and return them within three days of receipt.

There are a number of resources available to make the process easier and more successful. Some of the most useful resources at your disposal are listed on the right.

Useful Resources

Office of the Federal Register Document
Drafting Handbook

www.archives.gov/files/federal-register/write/handbook/ddh.pdf

.....

Government Publishing Office
Style Manual

www.govinfo.gov/content/pkg/GPO-STYLEMANUAL-2016/pdf/GPO-STYLEMANUAL-2016.pdf

.....

Federal Plain Language Guidelines
plainlanguage.gov

.....

Sustainable Fisheries Examples and
Checklists Page

sites.google.com/a/noaa.gov/noaa-fisheries-intranet/offices/sustainable-fisheries/regulatory-services/examples-and-checklists

Submit documents for editing

nmfs.edits@noaa.gov

Style Requirements

Basic formatting

1. Create your **Federal Register** document using Microsoft Word.
2. Use Times New Roman or Courier New 12 pt. and be consistent throughout. Any text or tables imported from other documents must be changed to one of the two required fonts.
3. Set margins to Top = 1 in, Right = 1 in, Bottom = 1 in, Left = 1.5 in.
4. Set line spacing to double; remove additional before and after spacing in Word's Paragraph Settings.
5. Insert page numbers centered in the document footer.
6. Indent each new paragraph.
7. Insert the Billing Code in the top right-hand corner of the document (use the right align feature rather than tabs or indents). Billing Codes for NOAA Line Offices are listed at the end of this guide.
8. Make sure at least three lines of text appear above the signature block.
9. Insert two double spaces between "Dated:" and the signature line.
10. Write out the word "percent." Don't use the "%" symbol unless it appears in a table or a formula.
11. Spell out all abbreviations and acronyms upon first use in document. Only create abbreviations if they are used twice in the document.
12. Insert a space between longitude or latitude degree (°) and the direction, (i.e., 14° N or 110° E).

Working on deck.



Alphabetical Run-Down of Style & Formatting

Abbreviations and acronyms

Spell out an abbreviation or acronym once where it first appears in a document. After that, the word must be abbreviated unless used in a direct quote, regulatory text, or a table. Do not introduce an acronym if you use the term only once in the document.

If you abbreviate a word in regulatory text, make sure the full word appears earlier in the part being changed. It often helps to examine regulatory text in the eCFR (www.ecfr.gov) to determine whether words have been previously abbreviated earlier in a part or section.

Abbreviations of repeated words or phrases are acceptable, but it is important to be consistent throughout the document. Refer to the GPO Style Manual for abbreviation guidance.

Common abbreviations include:

- Federal Register: FR. Do not use Fed. Reg. or F.R.
- Code of Federal Regulations: CFR, not C.F.R.
- United States Code: U.S.C. Use periods. Do not use the § symbol in U.S.C. citations
- Public Law: Pub. L.
- Morning/Afternoon: a.m. or p.m., not A.M. or P.M.
- Executive order: E.O.
- Proclamation: Proc.
- Section: §

See pg. 45 for abbreviations for weights and measurements.

Capitalization

Type the following in all capital letters:

- The name of the agency or cabinet-level department (but not the name of the subagency) in the heading of a document.
- "FEDERAL REGISTER" when used in the parenthetical for dates that the OFR is to compute.

Copies

Most submissions to the OFR are electronic. However the document owner should always keep a signed paper copy for the administrative record.

Cross-reference

Use the correct style for cross-references. See the Rules chapter for more information.

Date line

At the end of the preamble, insert two double spaces between "Dated:" and the signature line.

Double spacing

Documents should be double-spaced, with some exceptions (see g. 46).

Font

Use only Times New Roman or Courier New 12 pt. Be consistent.

Headings

Preamble headings should be aligned left with no punctuation. The first letter of each word should be capitalized.

Headings outside the preamble should follow the styles below:

- Heading 1: Bold, flush with the left margin.
- Heading 2: Italicized, flush with the left margin.
- Heading 3: Normal font, flush with the left margin.

Hours

Do not spell whole hours with ":00." For example, "5 p.m.," not "5:00 p.m."

Italics

Use italics for:

- Definitions.
- Scientific terms; names of species.
- Court cases, except for "v."
- Web and email addresses.
- Level 2 headings.
- Paragraph headings.

Do not use italics for:

- Emphasis.
- Book names.
- Foreign phrases.

Lowercase

References to rulemaking documents should be in lower case (e.g., "final rule," "notice of proposed rulemaking," or "section 7 consultation.>").

Length

- Inches (in)
- Centimeters (cm)
- Feet (ft)
- Meters (m)
- Yards (yd)
- Fathoms (fm)
- Statute miles (mi)
- Kilometers (km)
- Nautical miles (nmi)

Volume

- Cubic millimeters (mm³)
- Cubic inches (in³)
- Cubic centimeters (cm³)
- Liters (l), quarts (qt), or pints (pt)
- Cubic meters (m³)
- Cubic yards (yd³)
- Cubic feet (ft³)
- Cubic kilometers (km³)
- Cubic miles (mi³)

Mass (weight)

- Milligrams (mg)
- Ounces (oz)
- Grams (g)
- Kilograms (kg)
- Pounds (lb)
- Metric tons (mt)

Speed

- Miles per hour (mph)
- Kilometers per hour (kph)
- Knots (kn)

Area

- Square millimeters (mm²)
- Square inches (in²)
- Square centimeters (cm²)
- Square meters (m²)
- Square feet (ft²)
- Square yards (yd²)
- Hectares (ha)
- Acres (ac)
- Square kilometers (km²)
- Square miles (mi²)

Liquid measure

- Milliliters (ml)
- Fluid ounces (oz)
- Liters (l)
- Gallons (U.S.) (gal)

Temperature

- Degrees Celsius (C°)
- Degrees Fahrenheit (F°)

Geographic

- Degrees (°)
- Minutes (')
- Seconds (")

Common measurement abbreviations.

Margins

Set top, bottom, and right margins to 1 inch. Set left margins to 1 ½ inch.

Metric system

Include metric equivalents. Go to www.metric-conversions.org for help converting numbers.

Notice

Avoid using the word “notice” to refer to rulemaking documents published in the **Federal Register**. Instead use the words “document” or “notification.”

Numbers

Spell out numbers one through nine unless they appear with a number larger than 10. Use commas with numbers over 1,000 (e.g., 2,495 lbs).

Page numbers

Insert page numbers at the bottom center of a page.

Paper

Documents should be formatted to fit on 8x11-inch white paper.

Paragraph indentation

Indent the first line of each paragraph in the **SUPPLEMENTARY INFORMATION** section.

Percent

Use the word “percent,” not “%.”

Preamble captions

Preamble captions should appear as shown below:

- **AGENCY:**
- **ACTION:**
- **SUMMARY:**
- **DATES:**
- **ADDRESSES:**
- **FOR FURTHER INFORMATION CONTACT:**
- **SUPPLEMENTARY INFORMATION:**

Quotation marks

Use quotation marks for names of books, journals, articles, and similar items. Use quotation marks (") instead of two apostrophes (').

Quoted material

Do not directly quote Federal law or regulation at length in document preambles. This is not permitted by the OFR.

If you have quoted material no longer than two paragraphs, it should be single-spaced, centered-block style and without quotation marks. However, quoted material more than two paragraphs long should be double-spaced—and the beginning paragraph is the only paragraph that should be indented.

References

If your document relates to a previously published **Federal Register** document, you must cite the earlier document. A reference in a document to a previously published **Federal Register** document must identify the volume number, page number, and date of the issue in which the document appeared.

§ [section] symbol

Use "§" only for a CFR section and "§§" only for multiple sections. Do not use "§" to begin a sentence. Do not use "§" or the word "section" when the reference follows a title number and CFR, as in 50 CFR 679.1.

Signature line

At the end of the preamble, insert two double spaces between "Dated:" and the signature line. Insert at least three lines of preamble text on the signature page.

Signature block

The signature block should be aligned, indented half an inch (five spaces), and double spaced.

Single spacing

Type the following single-spaced:

- Quoted material.
- Footnotes.
- Tables of contents.
- Examples.
- Tables.
- Notes to tables.
- Notes.
- Formulas.
- Authority citations.

Spell check

Run a spell check before submitting your document to Regs Services for review.

Style

Use the GPO Style Manual as a guide for punctuation, capitalization, spelling, compounding, and other style matters. You may access the manual online at www.govinfo.gov/content/pkg/GPO-STYLEMANUAL-2016/pdf/GPO-STYLEMANUAL-2016.pdf.

Tables and figures

All tables and figures must be numbered in numerical order and titled. Be sure that all references to tables in the preamble text point to the relevant table. Sometimes as tables are added, the numbering and placement becomes out of line, so do a final table check on your final proofread.

Tables and figures in the preamble need to be placed as close as possible to where they are first mentioned. Do not insert a table or an illustration in the middle of a sentence. Do not place tables and illustrations after the signature block. OFR will not allow this and will ask us to correct improperly placed or mislabeled tables and illustrations to where they belong.

Tables are usually recreated at the GPO unless they contain formulas or other complex type, which means they should be camera ready and treated as a figure.

A figure (camera-ready text, maps, and illustrations) should be placed on a page by itself, with its corresponding figure title and number flush left below the image.

Do not use any type of shading where there is text. Words and lines must be legible and be clear. If the table or the illustration is to be photographed, it must be of camera-ready quality when

submitted. Also, figures, maps, illustrations, etc., should be submitted in black and white, or grayscale. There are some cases where OFR can adjust the color to black and white, but it's not always feasible.

Word Version

Create **Federal Register** documents in the Microsoft Word version that creates .docx documents. Older versions don't work for e-signatures.

Word use

The table to the right shows the correct word use for common mistakes.

Table of useful style references.

Correct	Incorrect
Outside	Outside of
To refer, to cite, or to make a reference	To reference
Unusually sized material	Unusually-sized material
Data are	Data is
Three to nine rooms	3 to 9 rooms
3 to 15 rooms	Three to 15 rooms
A three-room house	A 3-room house
One-fourth of a farm	¼ of a farm
3 ½ pages	3 and one-half pages
Under- and over-harvests	Under and overharvests
Landing limits	Landings limits
At 11 a.m.	At 11:00 a.m.
The shore-based season in most of the Eureka area is between 40° and 42° N lat.	The shore-based season in most of the Eureka area is between 40 degree-42 degree N. lat.
This change will satisfy the annual 979-lb (444-kg) quota for pink coral. The fish harvested were 979 pounds.	This change will satisfy the annual 979-lbs (444-kg) quota for pink coral. The fish harvest was 979 lbs.
NMFS's Biological Review Team (BRT) comprises scientists from Northwest and Southwest Science Centers.	NMFS's BRT (Biological Review Team) is comprised of scientists from Northwest and Southwest Science Centers.
Harmful Algal Blooms (HAB)... with the expansion of the HAB problem.	Harmful Algal Blooms (HABs)... with the expansion of the HABs problems.
We use software licensed only by NOAA.	We only use software licensed by NOAA.
This is an error; this is an inadvertency.	This is an inadvertent error.
This is unnecessary; this is redundant.	This is an unnecessary redundancy.

Correcting Documents

Regs Services provides as much assistance as possible to make sure documents submitted to the OFR are correct. Despite this, documents sometimes contain errors. There are four ways that Regs Services staff manage errors that can be missed in the document editing and review stages.

1. Corrections from OFR Editors

After submitting to the OFR, Regs Services staff sometimes receive corrections from OFR editors with corrections. If the corrections are simple, Regs Services staff usually accept the edits and the OFR moves forward with the scheduling. However, in certain cases, Regs Services staff will forward the document onto the drafter to address OFR's changes. Regs Services staff liaise with the OFR during this process.

2. Corrections Before the Document Files in the Federal Register

Occasionally, document drafters will find small, last-minute errors in a document that can be fixed if the document has not been filed with the **Federal Register**.

Regs Services will issue a correction letter to fix mistakes, such as a word, phrase, or number that was either inadvertently written in or inadvertently omitted from a **Federal Register** document.

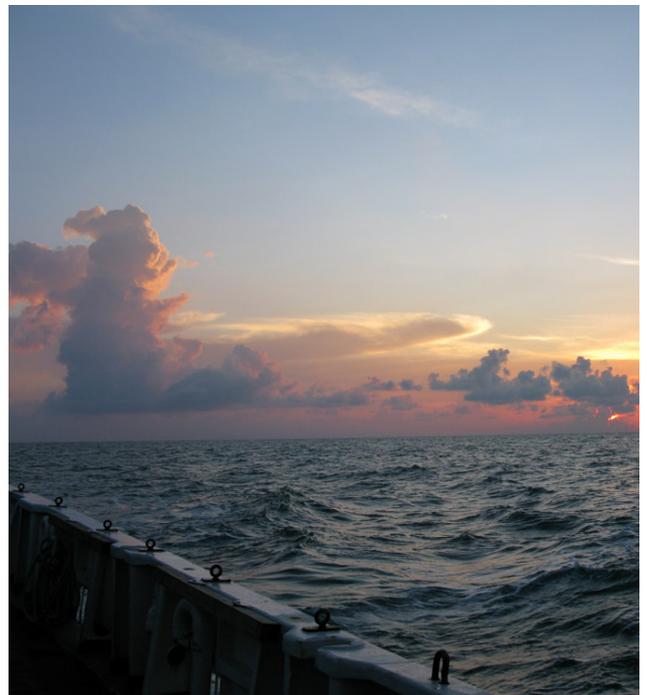
3. Correction Notice

A correction notice is used for making changes to a document that has been published in the **Federal Register** before the document has become effective. The notice will correct errors in the preamble and regulatory text.

4. Correcting Amendment

A correcting amendment is used for changing the text of the eCFR (www.ecfr.gov) after a document has become effective. This action should only be used if it is non-controversial, seeks to make non-substantive changes and does not change operating practices in the fishery. Correcting amendment guidance can be found on the

Examples and Checklists page: sites.google.com/a/noaa.gov/noaa-fisheries-intranet/offices/sustainable-fisheries/regulatory-services/examples-and-checklists.



Ocean sunset.

Appendix A: Notice Template

Generic notice document

BILLING CODE (*Use "P" for Word doc.*)

DEPARTMENT OF COMMERCE (Department's name in all uppercase, no end punctuation)

National Oceanic and Atmospheric Administration (Subagency's name in uppercase initials, no end punctuation)

X-RIN XXXX-XXXX (Regulation Identifier Number)

Marine Mammals; File No. XXX-XXXX (Subject heading. Uppercase all initial letters, except for prepositions with fewer than four letters; use a semicolon to separate the subject components; and use no end punctuation.)

AGENCY: (Identifies the agency issuing the document. Present the organizational units in ascending order, and end the caption with a period.)

ACTION: (Identifies the type of document. Uppercase the initial letter of the first word only; use a semicolon between action components; and end the caption with a period.)

SUMMARY: (States the type of information it announces; the reason this action is necessary; and the intended effect of this action. Note: Summaries must be brief and shouldn't be longer than one paragraph.)

DATES: (In notices, this caption can be omitted if not needed.)

* Under **DATES**, do not list more than four meetings or hearings. If you have more than four dates, tell the reader to look for specific dates and times under Schedule for Hearings, or Schedule for Meetings, or Schedule for Hearings and Meetings (whatever the case may be) in the **SUPPLEMENTARY INFORMATION** section.

ADDRESSES: (In notices, this caption can be omitted if not needed.)

* Under **ADDRESSES**, do not list more than four meetings or hearings. If you have more than five addresses, tell the reader to look for specific locations under Schedule for Hearings, or under Schedule for Meetings, or under schedule for Hearings and Meetings (whatever the case may be) in the **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT: (States the name and telephone number of a person who is authorized to answer questions about the document.)

* If you have several e-mail addresses, tell the reader that a listing of e-mail addresses can be found in the **SUPPLEMENTARY INFORMATION** section under a heading, such as Electronic Access.

SUPPLEMENTARY INFORMATION: (States the reason for the announcement in an organized arrangement, under topical headings.)

Authority: (The authority statement can be stated either in here or in a separate line in the **SUPPLEMENTARY INFORMATION**. However, all notices must contain an authority statement.)

Dated: November 15, XXXX. (Use the same punctuation. The date and the signature constitute the "signature block," which should appear with at least two lines of text.)

_____ (Two double spaces. Signed by the authorized official.

The person who signs must be the same person whose title and office follow the signature.)

Alan D. Risenhoover, (Type the name of the above signer and follow it with a comma.

Do not include such initials as Ph.D. after the name.)

Director, Office of Sustainable Fisheries, (Title of the above signer, followed by a
comma)

National Marine Fisheries Service. (Line office, followed by a period.)

Appendix B: Proposed Rule Templates

Proposed rule without regulatory text

BILLING CODE 3510-22-P (*Use "P" for Word Doc.*)

DEPARTMENT OF COMMERCE (Department's name in all uppercase, no end punctuation)

National Oceanic and Atmospheric Administration (Subagency's name in uppercase initials, no end punctuation)

50 CFR Part XXX (CFR citation. All rules and proposed rules must have a CFR part designation.)

[Docket No. XXXXXXXXXXXX.XXXX.XX] (NMFS' docket number issued by DOC General Counsel)

RIN XXXX-XXXX (Regulation Identifier Number)

Fisheries of the Exclusive Economic Zone Off Alaska; Revisions to Recordkeeping and Reporting Requirements (Subject heading. Uppercase all initial letters, except for prepositions with fewer than four letters; use a semicolon to separate the subject components; and use no end punctuation.)

AGENCY: (Identifies the agency issuing the document. Present the organizational units in ascending order, and end the caption with a period.)

ACTION: (Identifies the type of document. Uppercase the initial letter of the first word only; use a semicolon between action components; and end the caption with a period.)

SUMMARY: (States, first, the action that is proposed to be taken; second, the reason this action is necessary; and, third, the intended effect of this action. Note: Summaries must be brief and shouldn't be longer than one paragraph.)

DATES: (States the date that public comments are due. Remember that you cannot use a specific time of the day, such as 5 p.m., as comments will already be accepted up until 11:59 p.m. of the last day of the comment period.)

ADDRESSES: (States nothing but addresses. If requesting comments, remember to use the new language. The new language includes a hot link in the Electronic Submission bullet point so that the public may more easily submit comments.)

FOR FURTHER INFORMATION CONTACT: (States the name and telephone number of a person who is authorized to answer questions about the document.)

SUPPLEMENTARY INFORMATION: (Mentions the law or directives that authorize the rulemaking; under background information, states the history of the rulemaking; under appropriate headings, (1) states the basic provisions of the proposed rule and specific details that support and explain the need for the final rule, (2) sets forth the manner in which it handles public participation, (3) gives adequate notice of the issues for which comments are requested according to the APA 5 U.S.C. 553, (4) speaks of other related documents, and (5) develops options according to statutes, executive orders, and regulations.

Classification (Includes (1) summaries of required analyses, such as Major Economic Analysis: Regulatory Planning and Review (E.O. 12866), Economic Impact Analysis, Regulatory Flexibility Act, Paperwork Reduction Act and other analyses, such as National Environmental Policy Act, Takings of Private Property, or Federalism analysis and (2) findings and facts to support any good cause waiver of or exception to the APA's notice and comment and to the 30-day delay in effectiveness requirements. Consult with a regional or GCF attorney regarding

whether good cause waivers or exceptions are applicable or whether further rulemaking is necessary.)

Authority: (Identifies the authority that empowers the proposed action in the document.

Indent the Authority line.

Dated: November 15, XXXX. (Use the same punctuation. The date and the signature constitute the "signature block," which should appear with at least two lines of text.)

_____ (Two double spaces. Signed by the authorized official. The person who signs must be the same person whose title and office follow the signature.)

Samuel D. Rauch, III, (Type the name of the above signer and follow it with a comma. Do not include such initials as Ph.D. after the name.)

Deputy Assistant Administrator for Regulatory Programs, (Title of the above signer, followed by a comma)

National Marine Fisheries Service. (Line office, followed by a period)

Proposed rule with regulatory text

BILLING CODE (*Use "P" for Word Doc.*)

DEPARTMENT OF COMMERCE (Department's name in all uppercase, no end punctuation)

National Oceanic and Atmospheric Administration (Subagency's name in uppercase initials, no end punctuation)

50 CFR Part XXX (CFR citation. All rules and proposed rules must have a CFR part designation.)

[Docket No. XXXXXXXXXXXX.XXXX.XX] (NMFS' docket number issued by DOC General Counsel)

RIN XXXX-XXXX (Regulation Identifier Number)

Fisheries of the Exclusive Economic Zone Off Alaska; Revisions to Recordkeeping and Reporting Requirements (Subject heading. Uppercase all initial letters, except for prepositions with fewer than four letters; use a semicolon to separate the subject components; and use no end punctuation.)

AGENCY: (Identifies the agency issuing the document. Present the organizational units in ascending order, and end the caption with a period.)

ACTION: (Identifies the type of document. Uppercase the initial letter of the first word only; use a semicolon between action components; and end the caption with a period.)

SUMMARY: (States, first, the action that is proposed to be taken; second, the reason this action is necessary; and, third, the intended effect of this action. Note: Summaries must be brief and shouldn't be longer than one paragraph.)

DATES: (States the date that public comments are due. Remember that you cannot use a specific time of the day, such as 5 p.m., as comments will already be accepted up until 11:59 p.m. of the last day of the comment period.)

ADDRESSES: (States nothing but addresses. If requesting comments, remember to use the new language. The new language includes a hot link in the Electronic Submission bullet point so that the public may more easily submit comments.)

FOR FURTHER INFORMATION CONTACT: (States the name and telephone number of a person who is authorized to answer questions about the document.)

SUPPLEMENTARY INFORMATION: (Mentions the law or directives that authorize the rulemaking; under background information, states the history of the rulemaking; under appropriate headings, (1) states the basic provisions of the proposed rule and specific details that support and explain the need for the final rule, (2) sets forth the manner in which it handles public participation, (3) gives adequate notice of the issues for which comments are requested according to the APA 5 U.S.C. 553, (4) speaks of other related documents, and (5) develops options according to statutes, executive orders, and regulations.)

Classification (Includes (1) summaries of required analyses, such as Major Economic Analysis: Regulatory Planning and Review (E.O. 12866), Economic Impact Analysis, Regulatory Flexibility Act, Paperwork Reduction Act and other analyses, such as National Environmental Policy Act, Takings of Private Property, or Federalism analysis and (2) findings and facts to support any good cause waiver of or exception to the APA's notice and comment and to the 30-day delay in effectiveness requirements. Consult with a regional or GCF attorney regarding whether good cause waivers or exceptions are applicable or whether further rulemaking is necessary.)

List of Subjects in 50 CFR Part XXX (Identifies a list of index terms for each CFR part cited in the heading of the document. Underline the heading List of Subjects and the CFR part; alphabetize the terms under a certain CFR part; and follow them with a period. If more than one part, present the parts in an ascending order; if different chapters or titles, present them on a separate line.)

Dated: November 15, 2010. (Use the same punctuation. The date and the signature constitute the "signature block," which should appear with at least two lines of text.)

_____ (Two double spaces. Signed by the authorized official.

The person who signs must be the same person whose title and office follow the signature.)

Samuel D. Rauch, III, (Type the name of the above signer and follow it with a comma.

Do not include such initials as Ph.D. after the name.)

Deputy Assistant Administrator for Regulatory Programs, (Title of the above signer, followed by a comma.)

National Marine Fisheries Service. (Line office, followed by a period.)

For the reason set out in the preamble, NMFS proposes to amend 50 CFR part XXX as follows:

PART XXX- (The title of the part in all caps)

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

Authority: XX U.S.C. XXXX *et seq.*

2. In § XXX.XX, revise paragraphs (a) and (c)(2) to read as follows:

§ XXX.XX (The title of the section in lower case, underlined and followed by period.)

(a) (Display text.)

* * * * * (Signifying paragraphs omitted within a section; in here, for instance paragraph (b))

(c) * * * (Signifying text omitted within a paragraph)

(2) (Display text.)

* * * * * (Signifying paragraphs omitted within a section; in here, for instance paragraph (d))

Appendix C: Rule Templates

Rule without regulatory text

BILLING CODE (*Use "P" for Word Doc.*)

DEPARTMENT OF COMMERCE (Department's name in all uppercase, no end punctuation)

National Oceanic and Atmospheric Administration (Subagency's name in uppercase initials, no end punctuation)

50 CFR Part XXX (CFR citation. All rules and proposed rules must have a CFR part designation.)

[Docket No. XXXXXXXXXXXX.XXXX.XX] (NMFS' docket number)

RIN XXXX-XXXX (Regulation Identifier Number)

Fisheries of the Exclusive Economic Zone Off Alaska; Revisions to Recordkeeping and Reporting Requirements (Subject heading. Uppercase all initial letters, except for prepositions with fewer than four letters; use a semicolon to separate the subject components; and use no end punctuation.)

AGENCY: (Identifies the agency issuing the document. Present the organizational units in ascending order, and end the caption with a period.)

ACTION: (Identifies the type of document. Uppercase the initial letter of the first word only; use a semicolon between action components; and end the caption with a period.)

SUMMARY: (States, first, the amended action that is being taken; second, the reason this action is necessary; and, third, the intended effect of this action. Note: Summaries must be brief and shouldn't be longer than one paragraph.)

DATES: (States the date that the action will be effective. If requesting comments, remember that we cannot request that the comments be received by a specific time of the day – *e.g.*, 5 p.m.)

ADDRESSES: (States nothing but addresses. If requesting comments, use the updated language mentioned earlier in this chapter.)

FOR FURTHER INFORMATION CONTACT: (States the name and telephone number of a person who is authorized to answer questions about the document.)

SUPPLEMENTARY INFORMATION: (States briefly the rule's background; summarizes related documents; discusses the proposed rule and public's participation; under topical headings, summarizes all key provisions; under comment and response headings, summarizes the agency's response to the comments (if it follows a proposed or interim rule); and states the changes from the proposed rule.)

Classification (Includes (1) summaries of the final required or revised analyses and statements, (2) if necessary, a nonapplicability statement for each statute, executive order, or regulation that presents an issue, see Examples package, (3) if there are OMB concerns, a statement that the final information collection requirements (ICR) have been submitted to the OMB for review and approval and that OMB's approval will be published in a future **Federal Register**, and (4) findings and facts to support any good cause waiver of or exception to the APA's notice and comment and to the 30-day delay in effectiveness requirements. Consult with a regional or GCF attorney regarding whether good cause waivers or exceptions are applicable or whether further rulemaking is necessary.)

Authority: (Identifies the authority that empowers the rule action in the document.)

Dated: November 15, XXXX. (Use the same punctuation. The date and the signature constitute the "signature block," which should appear with at least three lines of text.)

_____ (Two double spaces. Signed by the authorized official.

The person who signs must be the same person whose title and office follow the signature.)

Samuel D. Rauch, III, (Type the name of the above signer and follow it with a comma.

Do not include such initials as Ph.D. after the name.)

Deputy Assistant Administrator for Regulatory Programs, (Title of the above signer,
followed by a comma.)

National Marine Fisheries Service. (Line Office, followed by a period.)

Rule with regulatory text

BILLING CODE (Use "P" for Word Doc.)

DEPARTMENT OF COMMERCE (Department's name in all uppercase, no end punctuation)

National Oceanic and Atmospheric Administration (Subagency's name in uppercase initials, no end punctuation)

50 CFR Part XXX (CFR citation. All rules and proposed rules must have a CFR part designation.)

[**Docket No. XXXXXXXXXXXX.XXXX.XX**] (NMFS' docket number)

RIN XXXX-XXXX (Regulation Identifier Number)

Fisheries of the Exclusive Economic Zone Off Alaska; Revisions to Recordkeeping and Reporting Requirements (Subject heading. Uppercase all initial letters, except for prepositions with fewer than four letters; use a semicolon to separate the subject components; and use no end punctuation.)

AGENCY: (Identifies the agency issuing the document. Present the organizational units in ascending order, and end the caption with a period.)

ACTION: (Identifies the type of document. Uppercase the initial letter of the first word only; use a semicolon between action components; and end the caption with a period.)

SUMMARY: (States, first, the amended action that is being taken; second, the reason this action is necessary; and, third, the intended effect of this action. It shouldn't be longer than one paragraph.)

DATES: (States the date that the action will be effective. If requesting comments, remember that we cannot request that the comments be received by a specific time of the day – *e.g.*, 5 p.m.)

ADDRESSES: (States nothing but addresses. If requesting comments, use the updated language mentioned earlier in this chapter.)

FOR FURTHER INFORMATION CONTACT: (States the name and telephone number of a person who is authorized to answer questions about the document.)

SUPPLEMENTARY INFORMATION: (States briefly the rule's background; summarizes related documents; discusses the proposed rule and public's participation; under topical headings, summarizes all key provisions; under comment and response headings, summarizes the agency's response to the comments (if it follows a proposed or interim rule); and states the changes from the proposed rule.)

Classification (Includes (1) summaries of the final required or revised analyses and statements, (2) if necessary, a nonapplicability statement for each statute, executive order, or regulation that presents an issue, see Examples package, (3) if there are OMB concerns, a statement that the final information collection requirements (ICR) have been submitted to the OMB for review and approval and that OMB's approval will be published in a future **Federal Register**, and (4) findings and facts to support any good cause waiver of or exception to the APA's notice and comment and to the 30-day delay in effectiveness requirements. Consult with a regional or GCF attorney regarding whether good cause waivers or exceptions are applicable or whether further rulemaking is necessary.)

List of Subjects in 50 CFR Part XXX (Documents having no regulatory text, or presenting only nomenclature changes, or correcting the **Federal Register** issue, as opposed to the e-CFR, need not have a list of subjects. Underline the heading List of Subjects and the CFR part; alphabetize the terms under a certain CFR part; and follow them with a period. If more than one

part, present the parts in an ascending order; if different chapters or titles, present them on a separate line.)

Dated: November 15, XXXX. (Use the same punctuation. The date and the signature constitute the "signature block," which should appear with at least three lines of text.)

_____ (Two double spaces. Signed by the authorized official.

The person who signs must be the same person whose title and office follow the signature.)

Samuel D. Rauch, III, (Type the name of the above signer and follow it with a comma.

Do not include such initials as Ph.D. after the name.)

Deputy Assistant Administrator for Regulatory Programs, (Title of the above signer, followed by a comma.)

National Marine Fisheries Service. (Line office, followed by a period.)

For the reason set out in the preamble, NMFS amends 50 CFR part XXX as follows:

PART XXX- (The title of the part in all caps)

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

Authority: XX U.S.C. XXXX *et seq.*

2. In § XXX.XX, revise paragraphs (a) and (c)(2) to read as follows:

§ XXX.XX (The title of the section in lower case, underlined and followed by period.)

(a) (Display text.)

* * * * * (Signifying paragraphs omitted within a section; in here, for instance paragraph (b)

Temporary rule without regulatory text

BILLING CODE (*Use "P" for Word Doc.*)

DEPARTMENT OF COMMERCE (*Department's name in all uppercase, no end punctuation*)

National Oceanic and Atmospheric Administration (*Subagency's name in uppercase initials, no end punctuation*)

50 CFR Part XXX (*CFR citation. All rules and proposed rules must have a CFR part designation.*)

[Docket No. XXXXXXXXXXXX.XXXX.XX] (*NMFS' docket number*)

RIN XXXX-XXXX (*Regulation Identifier Number*)

Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish and Pelagic Shelf Rockfish for Trawl Catcher Vessels Participating in the Entry Level Rockfish Fishery in the Central Regulatory Area of the Gulf of Alaska

(Subject heading. Uppercase all initial letters, except for prepositions with fewer than four letters; use a semicolon to separate the subject components; and use no end punctuation.)

AGENCY: (*Identifies the agency issuing the document. Present the organizational units in ascending order, and end the caption with a period.*)

ACTION: (*Identifies the type of document. Uppercase the initial letter of the first word only; use a semicolon between action components; and end the caption with a period.*)

SUMMARY: (*States, first, the amended action that is being taken; second, the reason this action is necessary; and, third, the intended effect of this action. It shouldn't be longer than one paragraph.*)

DATES: *(States the date that the action will be effective and when it will end. If requesting comments, remember that we cannot request that the comments be received by a specific time of the day – e.g., 5 p.m.)* Effective 1200 hrs, Alaska local time (A.l.t.), July 1, XXXX, through 1200 hrs, A.l.t., September 1, XXXX.

ADDRESSES: *(States nothing but addresses. If requesting comments, use the updated language mentioned earlier in this chapter.)*

FOR FURTHER INFORMATION CONTACT: *(States the name and telephone number of a person who is authorized to answer questions about the document.)*

SUPPLEMENTARY INFORMATION: *(States briefly the rule's background; summarizes related documents; discusses the proposed rule and public's participation; under topical headings, summarizes all key provisions; under comment and response headings, summarizes the agency's response to the comments (if it follows a proposed or interim rule); and states the changes from the proposed rule.*

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA) finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553 (b)(B) as such requirement is impracticable and contrary to the public interest. Notice and comment is unnecessary because there is no available fish for an allocation and therefore the Regional Administrator has no discretion for any action other than to prohibit directed fishing.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

This action is required by § 679.20 and § 679.83 and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: July X, XXXX.

_____ (Two double spaces. Signed by the authorized official.)

The person who signs must be the same person whose title and office follow the signature.)

Alan D. Risenhoover, (Type the name of the above signer and follow it with a comma.

Do not include such initials as Ph.D. after the name.)

Director, Office of Sustainable Fisheries, (Title of the above signer, followed by a comma.)

National Marine Fisheries Service. (Line Office, followed by a period.)