



202 FW 7

Clearance Procedures for Federal Register Notices

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[PDF Version](#)

7.1 What is the purpose of this chapter? This chapter describes the procedures that program offices should follow once they have finished writing a notice for publication in the Federal Register (FR).

7.2 What does a program office do with an FR notice when they are finished writing it? You must clear your notice and submit it for signature as described below.

A. Routine notices. Routine notices include documents that announce such information as upcoming public meetings or the availability of certain documents. For example, we may use a routine notice in the FR to announce the receipt of permit applications to carry out activities that will affect endangered species or marine mammals. (See [section 7.2B](#) for information about notices with policy implications.)

(1) Clearance of the draft. You must get any clearances that are necessary within your program area. Required clearances vary by program area. The Division of Policy and Directives Management (PDM) does not determine the clearance process for FR documents within program areas.

(2) Signature. Routine notices are generally signed at the lowest appropriate level in the Service. You may need to consult with managers within your program area to determine who is an appropriate signing official for your document. Some programs allow field office managers to prepare and sign routine FR notices. Other programs require the Assistant Director, Regional Director, or Assistant Regional Director to sign notices. Routine notices require no solicitor surname or accompanying documents for clearance (see [Exhibit 1](#)).

(3) After signature.

(a) After the appropriate official signs your notice and the Regional or Headquarters Solicitor has surnamed it (if required), send a copy to PDM. You must send PDM PDF copies of those pages showing surnames and signatures. Do not send hard copies to PDM by mail or courier.

(i) Send documents to PDM using the Document Tracking System (DTS). Follow the DTS steps specified that PDM provides on its [Web site](#). If your office does not have access to DTS, ask your Regional office to upload and submit the materials for you. (To get DTS training, contact the Correspondence Control Unit (CCU) in Headquarters.)

(ii) In an emergency, you may e-mail or fax your materials to the FR liaison in PDM. Visit PDM's [Web site for the e-mail address and fax number](#).

(b) PDM coordinates clearance of your notice with the Director's office and the Department. When the notice clears the Director's office and the Department, PDM will notify you that

you can send the document to the Office of the Federal Register (OFR) for publication.

(c) PDM regularly sends out a clearance log of FR notices. If you would like to be added to this email address list, contact PDM.

(d) Certain notices are exempt from Director's Office and Department review. You must still send them to PDM. See [Exhibit 1](#).

B. Notices that announce the availability of documents with policy implications.

If your notice announces the availability to the public of a document, such as an Environmental Impact Statement or Comprehensive Conservation Plan, that has implications on policy, you must also provide the following supporting documents as your notice moves through the Departmental clearance process. ([Exhibit 1](#) also lists particular types of documents and whether they require each of these supporting documents.)

(1) Cover sheet listing high-level reviewers in the originating Region. List the name, title, and office of each high-level Regional reviewer who reviewed the document to which your notice refers (i.e., not the notice itself). Include all Federal agency reviewers in your Region (not just in the Service or the Department). No surnames or signatures are required on this list, and you must include the reviewers' titles. For a template and examples of this cover sheet, see [Exhibit 2](#).

(2) Information Memorandum. The Information Memorandum briefly summarizes the issue the notice covers and explains whether public controversy could be expected upon the notice's publication. Information Memoranda should not raise issues for decision, and can be no longer than one page. For a template and examples of this memorandum, see [Exhibit 3](#). The required format is different from the format for briefing papers found on the Service intranet site.

(3) Solicitor surname. The Solicitor surname may be as simple as the Solicitor signing or surnaming in the top righthand corner of the first page of a notice or preparing a memorandum stating that he/she surnamed the notice. If the surname is not legible, please clearly type or write out the Solicitor's name under or beside the surname. Solicitor surnames from the field, Region, or Headquarters are acceptable.

C. Nonroutine notices. We treat notices that are other than routine much like rulemaking documents. For example, a notice that the Federal Assistance program publishes on how they will conduct State audits is a notice that has implications on policy. We treat any notices with policy implications or that establish new programs, such as a grant program, like rules.

(1) Clearance of the draft. For clearance of nonroutine notices, follow the procedures for clearance of rulemaking documents described in [202 FW 4](#). A Regional or Headquarters Solicitor must surname your nonroutine notice.

(2) Signature. Either the Director or the Assistant Secretary for Fish and Wildlife and Parks signs notices with policy implications. Consult PDM about the appropriate signature level for your nonroutine notices.

(3) After signature. The instructions for post-signature clearance of nonroutine notices are the same as those in [202 FW 4](#).

7.3 How do I submit my FR notice to OFR?

A. After your FR notice has been cleared for publication, put the following items in an envelope:

(1) Three original signed copies of your FR document or one original signed document and two certified copies. To certify copies, PDM ensures that copies of the original documents and any disks submitted for publication are true and accurate copies. A PDM employee then hand-writes and signs the following statement at the bottom of the signature page on each copy: "Certified to be a true copy of the original." (It is also acceptable for the same person who writes the letter of disk verification to do this.)

(2) A 3.5" disk or CD-ROM with an electronic file of the document.

(3) A letter of disk verification (see [202 FW 4, Exhibit 1](#) for a template). This letter certifies that the disk file matches the three hard copies of the document. The person who signed your FR document can sign this letter. If your document needs to publish sooner than the normal 3-day turnaround generally offered by OFR, see [202 FW 4, Exhibit 2](#) for a model letter to request expedited publication. Be sure to tell PDM of the need to expedite the process, and reserve requests for expedited publication for emergency situations.

B. Send documents to OFR by courier or delivery service and not by regular U.S. mail. To get the correct address and phone number, visit [PDM's Contact Information Web site](#).

7.4 Can I do anything to lower my program's FR publication costs? OFR offers a discount on publication costs for documents we submit with embedded coding that causes the document to print in the three-column format used in the daily FR. To submit your document with this coding (called XML tagging), contact PDM. At this time, we only use this option if you do not have a quick deadline for publication. PDM will try to arrange coding of your document.

7.5 When will my document publish? In most cases, your document will publish within 3-5 days of delivery to OFR (if OFR receives your document by noon the first day). Especially long or complicated documents (e.g., those with many graphics) are likely to take longer. A few days before publication, OFR notifies PDM of the dates the document is scheduled to go on public display and the date of publication (these dates are normally consecutive). PDM notifies the programs of these dates. If you want to check on your scheduled date yourself, you may add an icon for the OFR notification e-mailbox to your computer desktop. Contact PDM to do this.

For information on the content of this chapter, contact the Division of Policy and Directives Management.

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