



U.S. Geological Survey Manual

431.8 – Federal Register Documents

Date:

OPR: Office of Enterprise Information

Instruction: Supersedes Survey Manual (SM) Chapter 431.8, Federal Register Documents, dated July 14, 1997.

1. **Purpose and Scope.** This chapter describes the U.S. Geological Survey (USGS) requirements governing the preparation and publication of Federal Register Notices (FRN).
2. **Authorities.**
 - A. The Federal Register (FR) and documents published in the FR are governed by Title 1, Parts 5 and 22, of the Code of Federal Regulations.
 - B. The Plain Writing Act of 2010 (Public Law 111-274) requires that all non-regulatory documents written for a public audience be written in plain language.
 - C. Departmental Regulations, 318 DM 1-10, supplement the above provisions and require the USGS to designate a FR Liaison Officer and alternate who will be the primary contacts for all matters pertaining to Federal Register documents and issuances and related functions (318 DM 1.4B).
3. **Definitions.**
 - A. *Federal Register Notice (FRN)* is a document published for the public to review, comment, and or be notified. Typical notices include: Announcements of public hearings and meetings; availability of reports, final decisions, environmental impact statements or other documents; and delegation of authority, when considered to have a direct impact on the public. FRN are submitted to Office of Federal Register (OFR).
 - B. *Federal Advisory Committees (FAC)* are chartered committees composed of Subject Matter Experts from Federal, Local Governments, Academics, and Private individuals. Committees are given specific area to research and prepare opinion papers for Executive Office action.
 - C. *Paperwork Reduction Act (PRA)* is a law created to control the growth of Federal surveys and questionnaires imposed upon the public.
 - D. *Personal Identity Verification (PIV) card* is an identification card given to Federal employees that contains a microchip with encoded information used to verify and validate the card holder.
4. **Policy.** The objectives of USGS FR notices (published) include:

- A. *Publication of non-regulatory items of public interest.* This includes notice of publication of scientific reports of public interest on natural hazards, best practices, and new information documents.
- B. *Requests for public comment.* When information is collected from the public or local governments, there is an obligation to ask for and address public comments on the information collected.
- C. *Timely notice of important events of public interest.* FACs are required to provide 15 days advance notice to the public of meetings and their locations to encourage participation. Other events involving crowdsourcing or citizen science can have broader reach when notices are published.

5. Responsibilities.

- A. *Associate Directors, Office Chiefs, and Center Directors* are responsible for ensuring their staff post accurate and timely FRNs to solicit feedback and notify the public of bureau activities in accordance with procedures provided by the Federal Register Liaison Officer.
- B. *Federal Register Liaison Officer* is responsible for submitting FRNs who has responsibility for the following:
 - (1) Reviewing all Federal Register documents (notices, proposed regulations and final regulations) prior to signature, and
 - (2) Providing advice and technical assistance for preparation and clearance of Federal Register documents.
- C. *Office of the Executive Secretariat (OES) and Office of Information and Regulatory Affairs (OIRA)* are responsible for reviewing all notices listed in Section 6 below.
- D. *Office of Federal Register (OFR) in the National Archives and Records Administration (NARA)* is responsible for publishing agency rules, proposed rules, notices, or presidential documents for the Federal Government. OFR establishes the format for the FRN submissions.
- E. Employees are responsible for preparing notices in accordance with requirements for complying with regulations, soliciting feedback on program activities, and Paperwork Reduction Act (refer to SMC 431.10 Information Collection Requirements).

6. Signatory Authority. In the interest of efficient administration, FRN should be signed by the Associate Director, Regional Director, or other USGS Executive Leadership.

- A. *Office of Executive Secretariat's approval required.* After signature, the originating office must submit each notice to DOI OES for approval by the Secretariats' Office, including the following:
 - (1) Notices of public meetings, including advisory committee and subcommittee meetings,
 - (2) Requests for comments on information collections under the Paperwork Reduction Act, and
 - (3) Other notices as required by OES.
- B. *Digital Signatures.* After obtaining approval from OES and the USGS Director, the notice author will coordinate with the Federal Register Liaison to submit the notice to the OFR imprinted with the digital signature utilizing government issued PIV card. A copy of the notice may be downloaded from OFR after publication.

7. **Exception.** The USGS may prepare a written exemption request justifying to OES why it is unnecessary for the DOI Office of the Solicitor to review the legal sufficiency of FRNs concerning patent licenses. For such requests, the DOI Office of the Solicitor, the USGS Director, and the Assistant Secretary for Water and Science, must approve the request.
8. **Expiration Date.** This policy must be informally reviewed biennially, or more frequently as needed to maintain current information.



James G. Anderson
Acting Associate Director for Administration

12/21/18
Date