

DEPARTMENT OF THE INTERIOR
MINERALS MANAGEMENT SERVICE MANUAL

TRANSMITTAL SHEET

Release No. 11

August 15, 1983

SUBJECT: Administrative Series
Part 318 Federal Register Documents
Chapter 1 Responsibilities and General Instructions

EXPLANATION OF MATERIAL TRANSMITTED:

This chapter provides guidelines, references, and general instructions on the preparation of material to be published in the Federal Register.

Gay Bennett

Acting Director

FILING INSTRUCTIONS

REMOVE:

None

INSERT:

<u>Part</u>	<u>Chapter</u>	<u>Pages</u>	<u>Release</u>
318	1	1-8	11

OPR: Management Analysis Branch
Information Resources Management Division
Office of Administration

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DEPARTMENT OF THE INTERIOR
MINERALS MANAGEMENT SERVICE MANUAL

Administrative Series Part 318 Federal Register Documents

Chapter 1 Responsibilities and General Instructions 318.1.1

1. Purpose. This chapter provides guidelines, references, and general instructions on the preparation of material to be published in the Federal Register. The material is usually published as a notice or as a proposed or final rule. This chapter does not provide instructions on preparing "Notices to Lessees (NTL's)." Instructions on NTL's are in the Offshore Program Series.

2. Objectives. The objectives of this chapter are to establish procedures for the preparation of Federal Register documents and to provide an efficient method of tracking, handling, and reporting.

3. Authority.
 - A. Departmental Manual (318 DM Federal Register Documents)
 - B. Administrative Procedure Act
 - C. Freedom of Information Act
 - D. Executive Order 12291

4. Reference. The Code of Federal Regulations, Title 1, as supplemented by the Federal Register Document Drafting Handbook provides further guidance with respect to the types of documents which must be published in the Federal Register and to the preparation and filing of such documents.

5. Signature Authority.
 - A. Proposed and Final Rules. The Director, Minerals Management Service (MMS), is authorized to sign proposed or final rules for codification in the Code of Federal Regulations, upon approval of the Assistant Secretary--Energy and Minerals (318 DM 3.3).

 - B. Notices. Associate/Assistant Directors may publish notices in the Federal Register that pertain to matters within their program authority. Notices affecting more than one program area must be jointly signed by the appropriate Associate/Assistant Directors. Authority to sign notices may be redelegated.

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6. Definitions. For the purposes of this chapter, the following definitions apply:

A. A "regulation" or "rule" is an Agency statement of general applicability and future effect designed to implement, interpret, or prescribe law or policy or to describe the organization, procedure, or practice requirements of an Agency (E.O. 12291, February 17, 1981, and 318 DM 6.2).

B. A "notice" advises the public of information or an event that may be of general interest. Material that is not regulatory or procedural and does not set requirements to be followed may be published as notices. Examples are: notices of hearings and meetings; notices of the availability of reports, environmental impact statements or other documents; and delegations of authority when they are considered to have a direct effect on the public (318 DM 8.2).

7. Policy. The MMS will follow the policy established by the Department as set forth in 318 DM 1. Federal Agencies are required to publish in the Federal Register:

A. Descriptions and locations of organizations at which to obtain information and to make submittals or requests.

B. Statements of functions performed and procedures used.

C. Rules of procedure, descriptions of forms available, locations where forms may be obtained, and instructions concerning reports and examinations.

D. Rules adopted as authorized by law and statements of policy or interpretations used.

8. Responsibilities.

A. The Associate/Assistant Director will:

(1) Designate a Federal Register Coordinator to serve as a primary contact for the Federal Register Liaison Officer (FRL0).

(2) Ensure that documents prepared for publication in the Federal Register are developed in accordance with the requirements of this chapter. This responsibility is carried out through the Federal Register Coordinator.

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B. The Federal Register Coordinator will:

(1) Assist writers in developing Federal Register documents.

(2) Review documents prepared for publication in the Federal Register before they are forwarded to the FRL0 to ensure that they are:

(a) consistent with current policy, and

(b) prepared in accordance with the requirements of this chapter.

(3) Notify all persons who prepare such documents of changes in procedures or policies.

C. The Originating Office will:

(1) Prepare and format the document according to departmental requirements as outlined in 318 DM 1-10 and ensure that the document reflects current policy.

(2) Ensure that documents to be published in the Federal Register are submitted for review to the Federal Register Coordinator before they are forwarded to the FRL0.

(3) Send a copy of the document to the FRL0 for preliminary review at the same time it is sent for internal review.

(4) Notify the FRL0 of requirements for printing separate parts or overruns and prepare the required SF-1, "Printing and Binding Requisition."

(5) Prepare an SF-83, "Request for OMB Review," for transmittal with the final package, when appropriate.

(6) Prepare a DI-228, "Clearance Record" (Illustration 3), to accompany the final package.

D. The FRL0 and Alternate are located in the Office of Administration. They will:

(1) Serve as a final source of expertise on Federal Register submissions and formats.

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(2) Provide instruction and advice to employees of the MMS who become involved in preparing a document for publication in the Federal Register.

(3) Review the Federal Register daily and clip and maintain a file of all MMS documents published. From this information they will calculate appropriate publication costs. (See paragraph 9C.)

(4) Keep a log showing status of each document.

(5) Review documents to ensure proper language relating to whether a rule is major, will have a significant economic effect on a substantial number of small entities, requires information collection, or has significant environmental effects.

(6) Act as the contact for the Department regarding the need for expeditious review and approval, outside coordination, notification of Office of Management and Budget approval, and publication.

(7) Arrange for delivery of the approved package to the Office of the Federal Register and notify that office and the Department's Division of Printing and Publication of requirements for printing separate parts, overruns, or photoprints (See 318 DM 4.5B).

(8) Coordinate the semiannual agenda and the review of existing rules.

(9) Review material to be published in the Code of Emergency Federal Regulations.

(10) Act as an alternate MMS Certifying Officer.

E. The Certifying Officer and an alternate are located in the Director's Office. The FRL0 will serve as an alternate in the Herndon/Reston area. They will:

(1) Affix a statement to the copies of the document which certifies that they are true copies of the original.

(2) Ensure that the name and title of the signing official are typed on the original and two certified copies.

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9. Procedures.

A. The MMS will follow the procedures as set forth in 318 DM 1-10. Illustrations 1 and 2 are flow charts depicting the rulemaking and notice processes for MMS.

B. Notices prepared at the headquarters level are to be forwarded through the Federal Register Coordinator to the FRL0 for final review prior to signature. Notices signed at the regional level may be filed directly with the Office of the Federal Register; a copy of the approved notice must be mailed to the FRL0, Mail Stop 631, 12203 Sunrise Valley Drive, Reston, Virginia 22091.

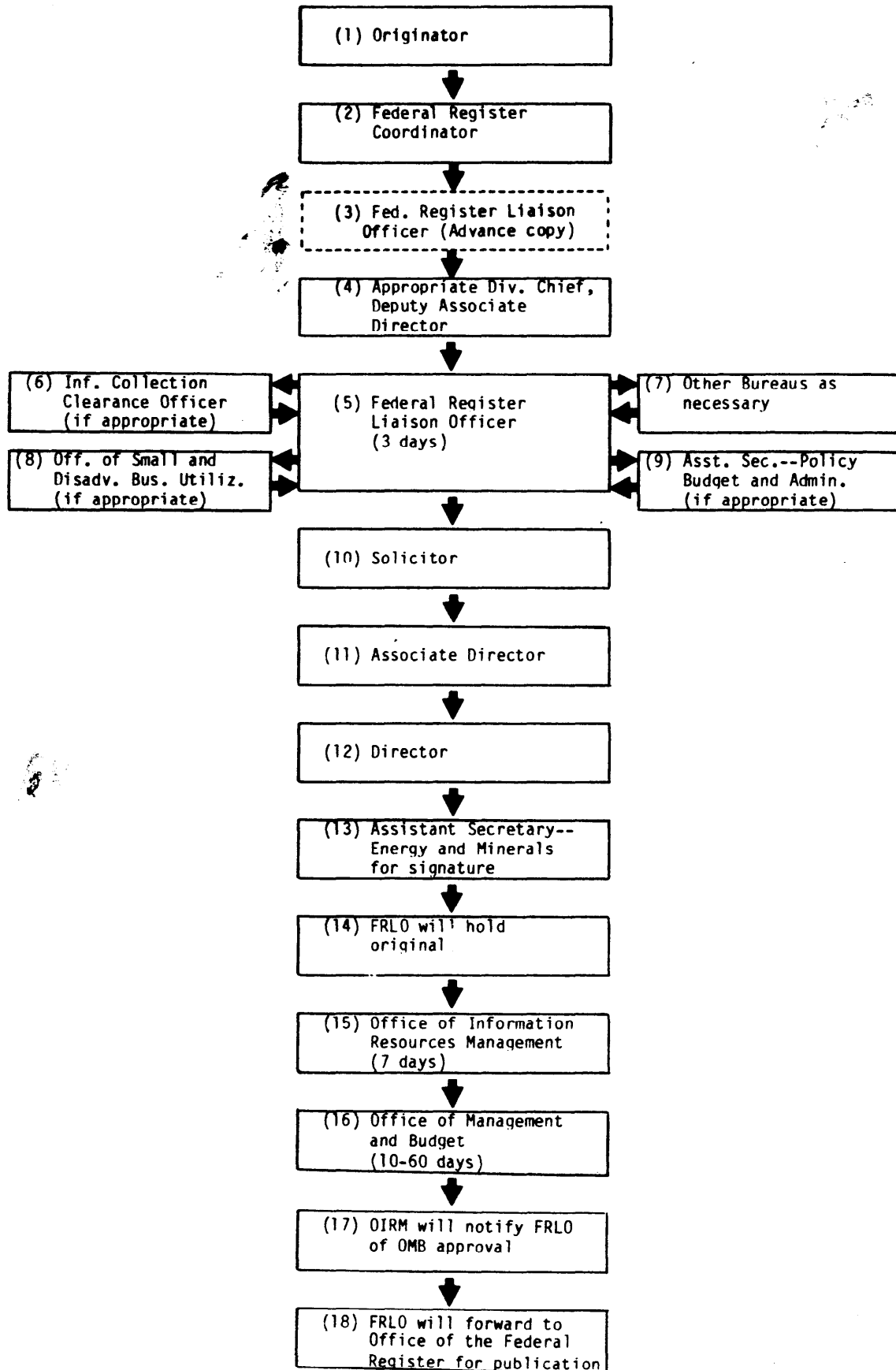
C. Cost Determination. The costs of publication will be allocated in the following manner:

(1) The FRL0 or alternate will review the Federal Register each day and clip all documents published by the MMS. The documents will be separated by program function (Offshore, Royalty, etc.).

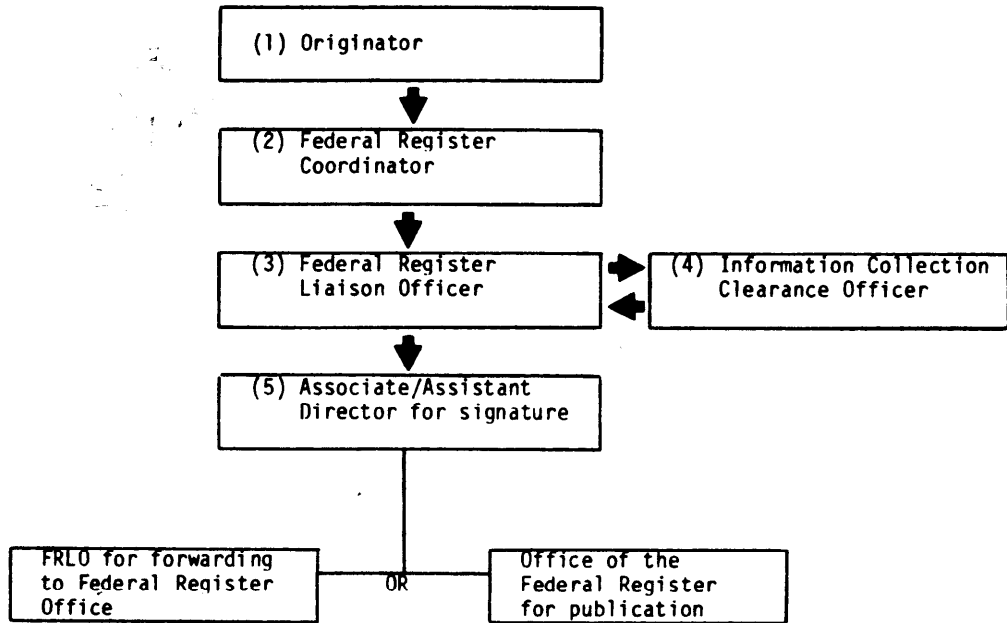
(2) Costs will be determined by adding total pages published by each program during the billing period and multiplying that figure by the current rate per page charged by the Government Printing Office.

(3) The FRL0 will show the breakdown of charges by program account number and will forward these figures to the Financial Management Division with a copy to the appropriate program office.

CLEARANCE FLOW CHART
FOR RULEMAKING DOCUMENTS



CLEARANCE FLOW CHART
FOR NOTICES
SIGNED AT HEADQUARTERS



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SAMPLE CLEARANCE RECORD

CLEARANCE RECORD <small>(SEE INSTRUCTIONS ON REVERSE)</small>		1. TYPE OF DOCUMENT Notice of Interim Final Rulemaking	2. IDENTIFICATION NUMBER (if any) 30 CFR 250.45		
3. SUBJECT/TITLE Accidents and Malfunctions					
4. SUMMARY OF DOCUMENT CONTENTS (if a revision, give rationale for change) This Interim Final Rule will eliminate duplicative reporting to the Department of the Interior and the U.S. Coast Guard concerning incidents involving deaths or injuries on the OCS. The Coast Guard has the lead responsibility in this area pursuant to a Memorandum of Understanding between the two Agencies.					
5. ORIGINATOR					
ORGANIZATION Offshore Minerals Management Minerals Management Service		NAME AND TITLE Jane A. Roberts, Leg. & Reg. Specialist	TELEPHONE NUMBER 860-7916	DATE 7/19/83	
6. CLEARANCES					
ROUTING SYMBOL CODE	ORGANIZATION AND TITLE	SIGNATURE	DATE	INTERNAL CLEARANCE	
				SURNAME	DATE
646	Chief, Branch of Rules, Orders and Standards				
646	Chief, Branch of Lease Exploration				
646	Chief, Rules and Operations Division				
642	Deputy Associate Director for Offshore Operations				
631	Federal Register Liaison Officer, MMS				
	Associate Solicitor for Energy and Resources				
640	Associate Director for Offshore Minerals Management				
610	Director, Minerals Management Service				
	Assistant Secretary for Energy and Minerals				
631	Federal Register Liaison Officer, MMS				
7. SIGNATURE INFORMATION					
NOTE: INDICATE BY STAMP THE NAME OF SIGNING OFFICIAL AND DATE SIGNED.		SIGNED BY	DATE SIGNED		
8. FOR USE OF FINAL ACTION OFFICE					
AFTER SIGNATURE, RETURN TO FRLO, Office of Administration, MS 631			ISSUANCE NUMBER ASSIGNED		

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