
Federal Register Document Drafting Handbook

October 1998 Revision

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

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

Correcting a Document Before Publication

4.1 Correcting a document before submission.

If you find an error before you submit your document to the OFR, you or your agency’s Federal Register Liaison Officer may make a legible ink change to the document. Write your initials and the date in the right-hand margin where you made the change.

4.2 Correcting a document after submission but before publication.

If you find a substantive error in a document that you have submitted to us that is not yet published, immediately contact your agency’s Federal Register Liaison Officer.

Before filing. If we have not yet filed the document for public inspection, your Liaison Officer may make simple corrections by telephoning the OFR or by submitting corrected pages, a corrected disk, and a verification/certification letter.

After filing. If we have filed the document for public inspection, your Liaison Officer may correct it **only** by submitting a letter detailing the change. (See Appendix A for a model letter.)

An official with authority to sign *Federal Register* documents or the Liaison Officer must sign this letter. It must reach the OFR **before 12 noon** of the workday before the document's scheduled publication date. The Liaison Officer must also telephone us as soon as possible to confirm that the letter has been sent.

When we receive your letter, we time-stamp it and place it on public inspection with the document it corrects. The document and letter remain on inspection until the end of the day the corrected document appears in the *Federal Register*. The OFR retains both the original document and the letter of correction.

Extensive changes are difficult to make in the final production stages. If you need to make extensive changes, we may withdraw the document from publication.

4.3 Withdrawing a document from publication.

If necessary, you may completely withdraw a document from publication. If we have not placed the document on file for public inspection, we will return it to you. If we have already placed the document on file for public inspection, we will withdraw it from publication, but the document remains on file through the originally scheduled publication date, and we cannot return it to you.

Before filing. If we have not yet filed the document for public inspection, your Liaison Officer may telephone the OFR during regular office hours (8:45 a.m. to 5:15 p.m. ET) to request that we withdraw the document from publication.

The Liaison Officer must follow up immediately with a letter requesting the withdrawal and telling us how to return the document to you. (See Appendix A for a model letter.) An official with authority to sign Federal Register documents or the Liaison Officer must sign this letter.

We will not withdraw the document until we receive your letter.

After filing. If we have filed the document for public inspection, your Liaison Officer may withdraw it from publication only by submitting a letter requesting the withdrawal. (See Appendix A for a model letter.) An official with authority to sign Federal Register documents or the Liaison Officer must sign this letter. The Liaison Officer must also telephone us as soon as possible to confirm that the letter has been sent.

The letter must reach the OFR during regular office hours (8:45 a.m. to 5:15 p.m. ET) **before noon** on the workday **before** the document's scheduled publication date. We will not withdraw the document until we receive your letter.

When we receive your letter, we time-stamp it and place it on public inspection with the document it withdraws. The document and letter remain on inspection until the end of the day on which the document was originally scheduled to publish. The OFR retains both the original document and the letter of withdrawal.

If you decide to publish the document on a later date, you must submit a new document for publication (original and certified copies or duplicate originals).

Correcting a Document After Publication

4.4 OFR corrections to a published document.

As soon as possible after publication, proofread the published document against a copy of the document that you submitted.

If you find a significant printing error, your Liaison Officer must call us to arrange for a correction. We will prepare and publish a correction that conforms to your original document. We use a unique correction format and place our corrections in a separate section of the *Federal Register* to reduce confusion. **Do not use the OFR format to prepare your agency's corrections.**

4.5 Agency corrections to a published document.

As soon as possible after publication, proofread the published document against a copy of the document that you submitted.

If you find an error in your original document, you must issue a signed document correcting the error. Use the format appropriate for the section of the *Federal Register* where the original document appeared. **Do not use the OFR format to prepare your agency's corrections.**

4.6 Corrections to a rule.

Nonsubstantive errors. If you discover obvious misspellings or other **nonsubstantive** errors in CFR text as set out in a rule document, your Liaison Officer should contact our Code of Federal Regulations unit. We sometimes make these corrections in the next edition of the CFR without requiring a *Federal Register* correction.

Substantive errors. You must publish a document in the *Federal Register* to correct substantive errors in your original document. A document that corrects a previously published rule must:

- Repeat the agency headings of the document being corrected.
- Carry a CFR heading for only the CFR parts affected by the correction (list all CFR parts if the preamble is corrected).
- Repeat the subject heading of the document being corrected with a semicolon and the word "Correction" added at the end.
- Follow the preamble requirements for a rule. The effective date for a rule correction may not be earlier than the effective date of the rule you are correcting.
- Cite the *Federal Register* date, page, column, CFR section, paragraph, and line or sentence in the correcting instruction.
- Present a correction to an entire sentence or larger unit of CFR text as an amendment. Use the amendatory term “correct,” set out the section heading, and use asterisks. See sections 2.13, Amendatory Language, and 2.14, Asterisks, of this handbook.

There are two different formats for correcting regulatory text in a rule document. Both require signed documents. The format used depends on whether the revision date of the CFR volume affected has occurred since the original rule document was published.

If the revision date of the CFR volume has not occurred since the original rule was published, use the format for corrections to the *Federal Register*.

Example 1: Corrections to the *Federal Register*.

The revision date of CFR Title 40, containing EPA Regulations, occurs on July 1. Suppose that on July 15 EPA discovers it must correct the regulatory text in a final rule that it published in the July 3 *Federal Register*. Because the CFR revision date will not occur until next July 1, the amendments made by the July 3 rule are not printed in the latest revision of 40 CFR . Therefore, EPA publishes a correction to the *Federal Register*, and uses the format in this Example 1.

6560-50

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 799

[OPPTS-00173A; FRL-5379-5]

Technical Amendments to TSCA Regulations to Update Addresses; Correction

AGENCY: Environmental Protection Agency.

ACTION: Final rule; correction.

SUMMARY: The Environmental Protection Agency published in the Federal Register of July 3, 199x, a document concerning updating addresses in the Toxic Substances Control Act (TSCA) regulations. Inadvertently §799.1285 was amended. This document removes that amendment.

DATES: Effective on [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

FOR FURTHER INFORMATION CONTACT: Susan Regulatory, 202-000-0000; TDD: 202-000-0001; E-mail: TSCA_Hotline@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: The EPA published a document in the Federal Register of June 19, 199x, (xx FR 31924) removing §799.1285. In FR Doc. 9x-16287, published in the Federal Register of July 3, 199x, (xx FR 34462), §799.1285 was inadvertently amended. This correction removes the amendment published on July 3, 199x.

In rule FR Doc. 9x-16287 published on July 3, 199x, (xx FR 34462) make the following correction. On page 34467, in the first column, remove amendatory instruction c. and the amendment to §799.1285.

Dated: June 14, 199x.

[SIGN]

Type name,
Title.

If the revision date of the CFR volume has occurred since the original rule was published, use the format for correcting amendments to the CFR (sometimes called "technical amendments").

Example 2: Correcting amendment to the CFR.

The revision date of CFR Title 26, containing IRS Regulations, occurs on April 1. Suppose that on April 15 IRS discovers it must correct the regulatory text in a final rule that it published in the March 26 *Federal Register*. Because the April 1 revision date has already occurred, the amendments made by the March 26 rule are already printed in the latest revision of 26 CFR. Therefore, IRS publishes correcting amendments to the CFR and uses the format in this Example 2.

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[T.D. 8323]

RIN 1545-AL06

Information Reporting on Real Estate Transactions; Correction

AGENCY: Internal Revenue Service, Treasury.

ACTION: Correcting amendments.

SUMMARY: This document contains corrections to the final regulations (T.D. 12345), which were published in the Federal Register of Thursday, March 26, 199x, (xx FR 12345). The regulations related to the information reporting requirements for real estate transactions contained in section 6045(e) of the Internal Revenue Code.

DATES: Effective on January 1, 199x.

FOR FURTHER INFORMATION CONTACT: Arthur E. Tax, 202-000-0000 (not a toll-free call).

SUPPLEMENTARY INFORMATION:

Background

The final regulations that are the subject of these corrections superseded §1.6045-3T on the effective date and affect persons required to make returns of information under section 6045(e) of the Internal Revenue Code. Section 6045(e) was added to the Internal Revenue Code by section 1521 of the Tax Reform Act of 1986 (Public Law 99-514, 100 Stat. 2746). Section 6045(e) was amended by section 1015(e) of the Technical and Miscellaneous Revenue Act of 1988 (Public Law 100-647, 102 Stat. 3342).

Need for Correction

As published, the final regulations contain errors which may prove to be misleading and need to be clarified.

List of Subjects in 26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

Accordingly, 26 CFR part 1 is corrected by making the following correcting amendments:

PART 1--INCOME TAXES

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

Authority: 26 U.S.C. 7805.

2. Revise paragraph (b)(2)(ii) of §1.6045-2 to read as follows:

§1.6045-2 Furnishing statement required with respect to certain substitute payments.

* * * * *

(b) * * *

(2)* * *

(ii) Determination of whether a person is described in paragraph (b)(2)(i) of this section. The determination of whether a person is described in paragraph (b)(2)(i) of this section shall be made in the manner provided in Sec. 5f.6045-1(c)(3)(i)(B) of the Temporary Income Tax Regulations under the Tax Equity and Fiscal Responsibility Act of 1982.

* * * * *

3. Revise paragraph (a)(4)(vii) of §1.6045-2 to read as follows:

§1.6045-2 Furnishing statement required with respect to certain substitute payments.

(a) * * *

(4) * * *

(vii) The term exempt-interest dividend means an exempt-interest dividend as defined in section 852(b)(5)(A).

* * * * *

§1.6045-4 [Corrected]

4. In §1.6045-4, paragraph (r), example (4)(i), in the first sentence, remove the figure "\$20,000" and add, in its place, "\$10,000".

Dated: December 14, 199x

[SIGN]

Type name,
Title.

4.7 Corrections to a proposed rule.

A document that corrects a previously published proposed rule must:

- Repeat the agency headings of the document being corrected.
- Carry a CFR heading for only the CFR parts affected by the correction (list all CFR parts if the preamble is corrected).
- Repeat the subject heading of the document being corrected, followed by a semicolon and the word "Correction."
- Follow the preamble requirements for a proposed rule.
- Cite the *Federal Register* date, page, column, CFR section, paragraph, and line or sentence in the correcting instruction.
- Present a correction to an entire sentence or larger unit of CFR text as an amendment. Use the amendatory term "correct," set out the section heading, and use asterisks. See sections 1.13, Amendatory Language, and 1.14, Asterisks, of this handbook.

Example 3: Proposed rule correction.

4310-02

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Part 290

RIN 1076-AD14

Tribal Revenue Allocation Plans; Correction

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Proposed rule; correction.

SUMMARY: This document corrects the preamble to a proposed rule published in the Federal Register of June 7, 199x, regarding Tribal Revenue Allocation Plans. This correction clarifies that the proposed rule applies prospectively to plans submitted for approval from the effective date of the final rule.

FOR FURTHER INFORMATION CONTACT: Nancy Jones, 202-000-0000.

Correction

In proposed rule FR Doc. 9x-14061, beginning on page 12345 in the issue of June 7, 199x, make the following correction, in the Supplementary Information section. On page 12346 in the 3rd column, add at the end of the second paragraph the following:

"This rule applies to Tribal Revenue Allocation Plans submitted and approved after the effective date of the final rule. You need not resubmit previously approved Tribal Revenue Allocation Plans for review and approval by the BIA. The previously approved plans remain in effect. However, submit amendments to approved Tribal Revenue Allocation Plans to the BIA for approval under the proposed regulation."

Dated: July 1, 199x.

[SIGN]

Type name,
Title.

4.8 Corrections to a notice.

A correction to a notice document must:

- Repeat the agency and subject headings of the document being corrected with a semicolon and the word "Correction" at the end of the subject heading.
- Cite the *Federal Register* date, page, column, and location (paragraph, sentence, or line) in the correction instruction.

Example 4: Notice correction.

7710-12

POSTAL SERVICE

Specification for Postal Security Devices and Indicia (Postmarks);
Correction

AGENCY: Postal Service.

ACTION: Notice; correction.

SUMMARY: The Postal Service published a document in the Federal Register of July 2, 199x, concerning request for comments on specifications for postal security devices and indicia (postmarks). The document contained incorrect dates.

FOR FURTHER INFORMATION CONTACT: John Stamp, 202-000-0000.

Correction

In the Federal Register of July 2, 199x, in FR Doc. 9x-12345, on page 23456, in the second column, correct the "Dates" caption to read:

DATES: Submit comments on the two specifications on or before September 30, 199x. Submit comments addressing intellectual property issues on or before August 15, 199x. A general meeting on this subject is planned for July 19, 199x, in Washington, DC. Interested parties may submit questions by July 17, 199x.

Dated: July 5, 199x.

[SIGN]

Type name,
Title.