ROCIS How to Guide for Agency Users of the E.O. 12866 Module (Regulatory Review)

September 8, 2017

Regulatory Information Service Center (RISC)

TABLE OF CONTENTS

1. LOGGING IN/OUT 3
2. YOUR USER PROFILE 7
3. USER/CONTACT SEARCH 9
4. USER RECERTIFICATION 10
5. AGENCY INBOX AND THE NAVIGATION TOOLBAR 12
6. CREATING A REGULATORY REVIEW REQUEST 16
7. LOCATING AN EXISTING REGULATORY REVIEW PACKAGE 22
8. ADDING AN EO CONTACT 24
9. UPLOADING REGULATORY REVIEW DOCUMENTS 30
10. ENTERING ECONOMIC DATA 38
11. SUBMITTING A REGULATORY REVIEW REQUEST 40
12. THE REVIEW PROCESS AND OPEN FOR AMENDMENT 46
14. THE CONCLUSION PROCESS 50
14. ENTERING THE FR PUBLICATION DATE 51
APPENDIX A: EO REG REVIEW USER ROLES 55

1. Logging In/Out

Point your browser to the ROCIS website (www.rocis.gov) to login to the system. Read the For Official Use Only message and click the button to proceed.

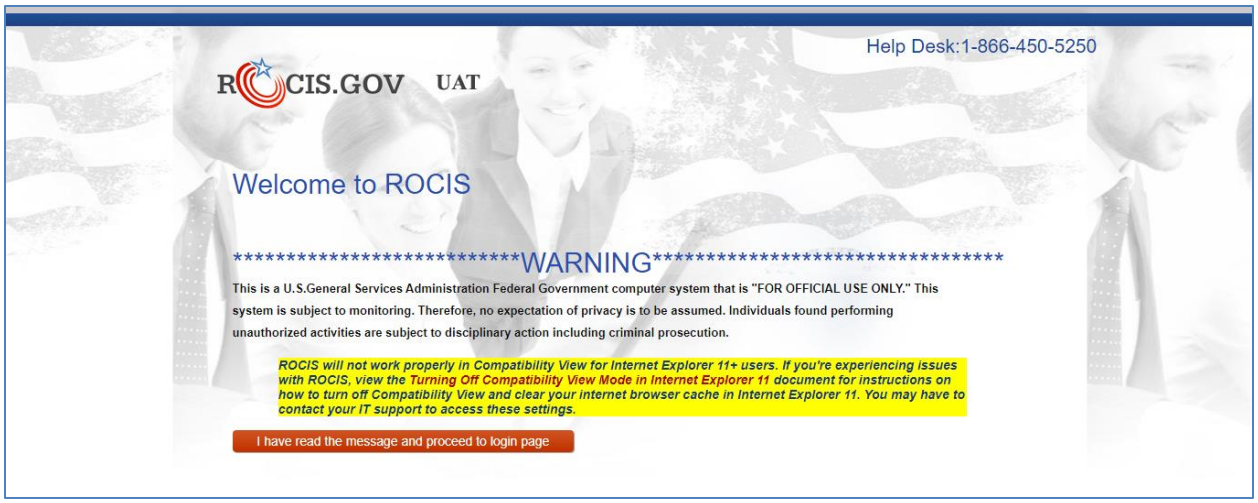


Figure 1.1: For Official Use Only Warning Screen

MAX.gov provides user identity authentication services to ROCIS including ID/password validation, 2-factor authentication and PIV/CAC card access. All ROCIS users will need a MAX.gov account to access ROCIS. If you do not have a MAX.gov account, please register at the MAX.gov website (https://portal.max.gov/portal/home).

Click the Login button on the next screen to verify your identity with MAX.gov.

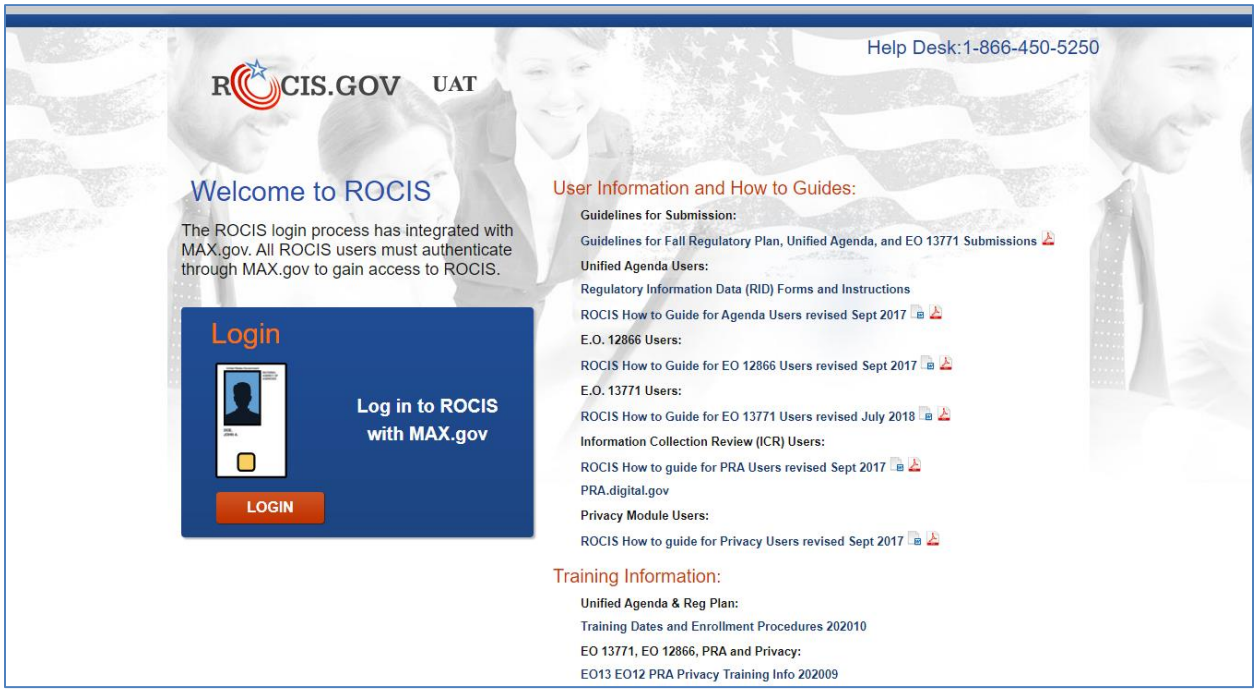


Figure 1.2: Login Screen

Logging in to MAX.gov with your PIV/CAC card satisfies the ROCIS multi-factor authentication requirement. If you login to MAX.gov with your user ID and password, you will be required to provide a second authentication factor, either using an authenticator app or via text message on your mobile device.

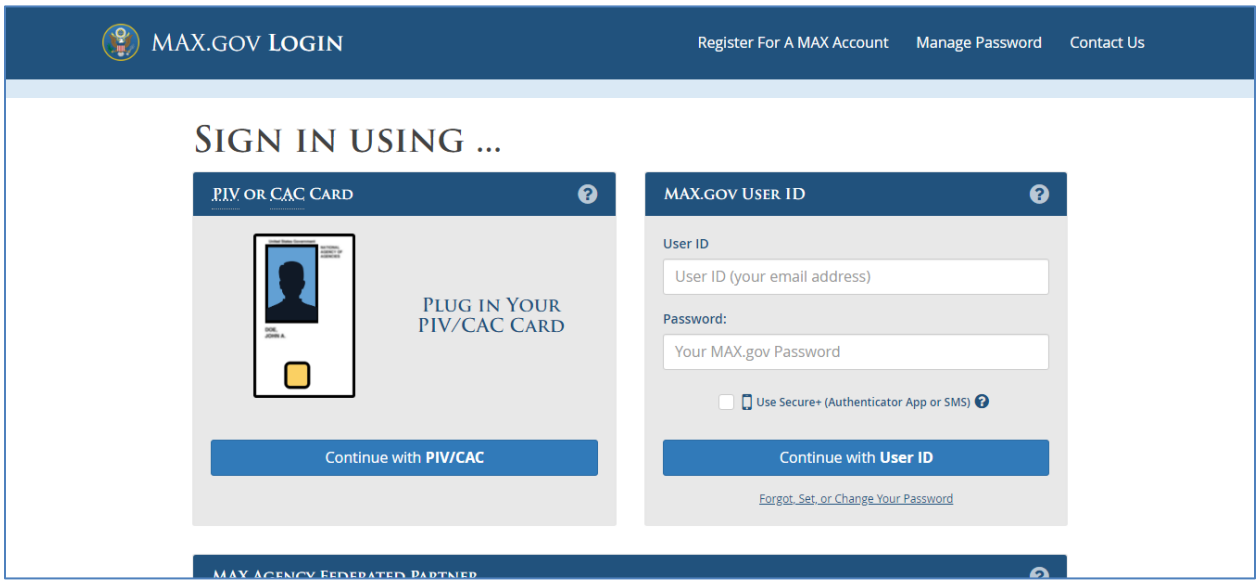


Figure 1.3: MAX.gov Login Screen

After successfully logging in to MAX.gov, you will be redirected to ROCIS.

The EO 12866 Regulatory Review functionality is part of the Agenda/Regs module of ROCIS. Click the arrow for 'Agenda/Regs' to continue.

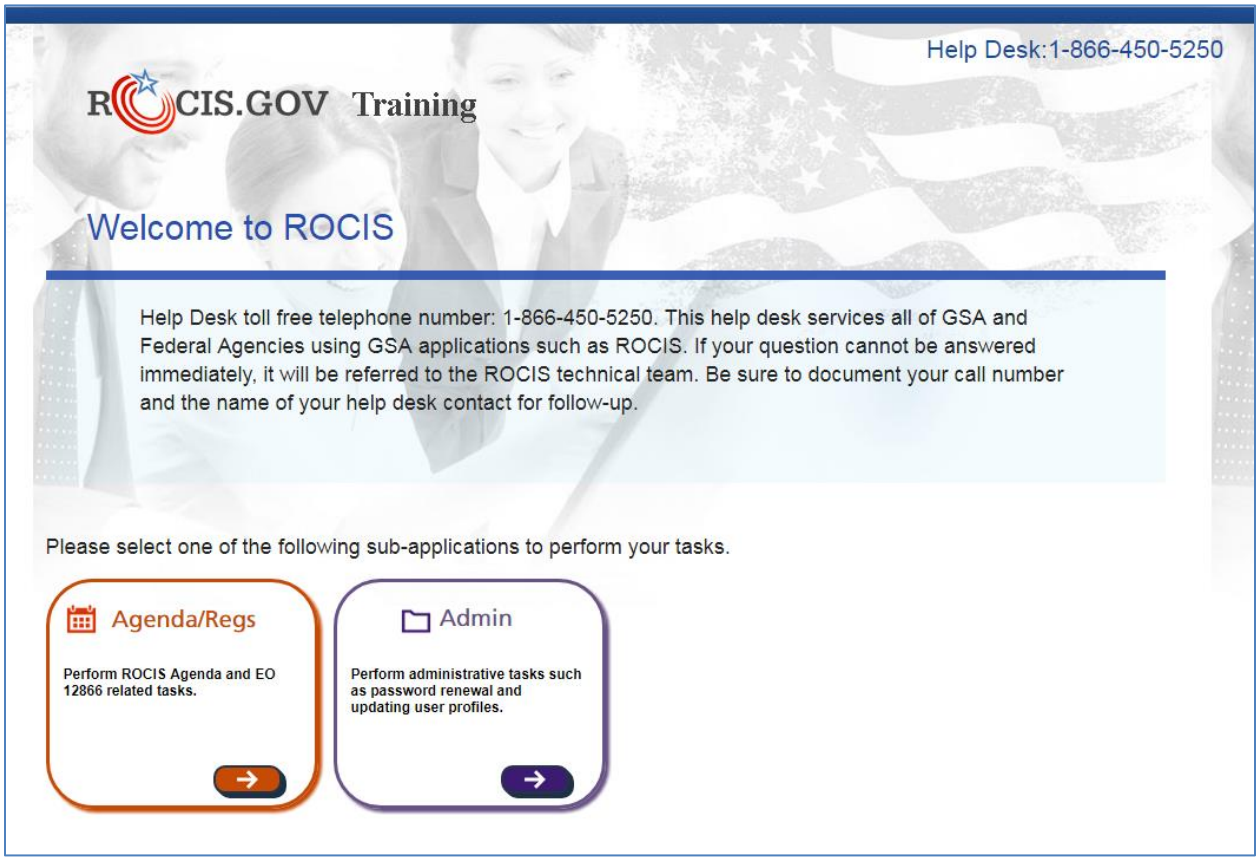


Figure 1.4: ROCIS Landing Page

Click the Logout link at the top, right corner of any ROCIS page to logout of ROCIS.

Figure 1.5: Logout Link

Logging out of ROCIS does not automatically log you out of MAX.gov. You MAX.gov session may still be active which means that you can log back in to ROCIS without having to re-verify your identify in MAX.gov. To protect your privacy, close all browser windows when you are finished, especially if you are using a public computer. By taking these steps, you ensure the security and privacy of your agency's data in ROCIS.

On the next screen, click the MAX Logout button to log out of MAX.gov. This will require you to log back in to MAX.gov before the next time you access ROCIS. Click the ROCIS Login button to log back in to ROCIS.

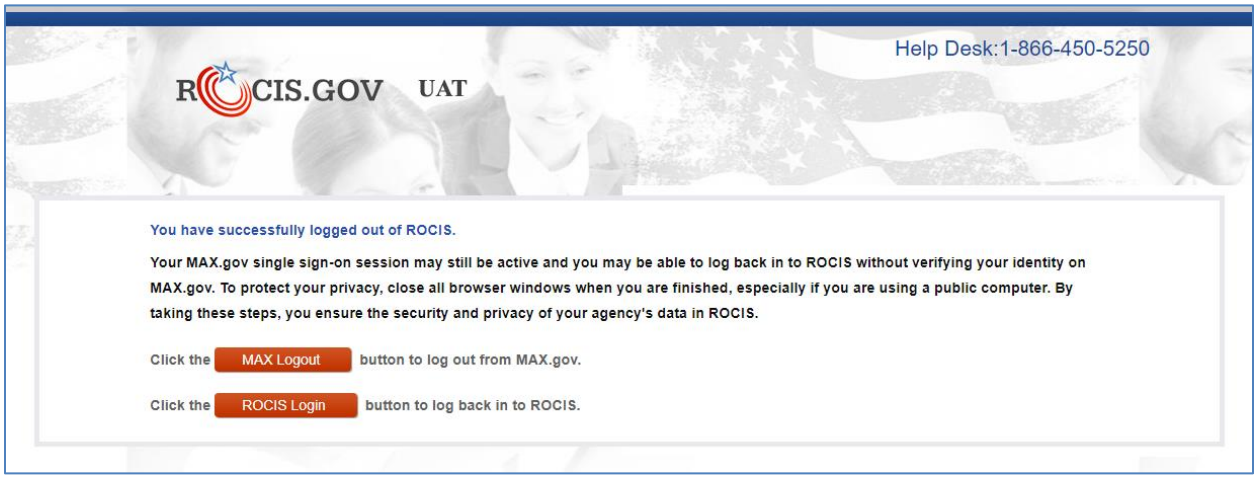


Figure 1.6: Logout Screen

2. YOUR USER PROFILE

Take a moment to review your user profile. Click the Administration tab. Then click the User Profile icon in the Administration toolbar. The User Profile page provides you a place to view and update your user information.

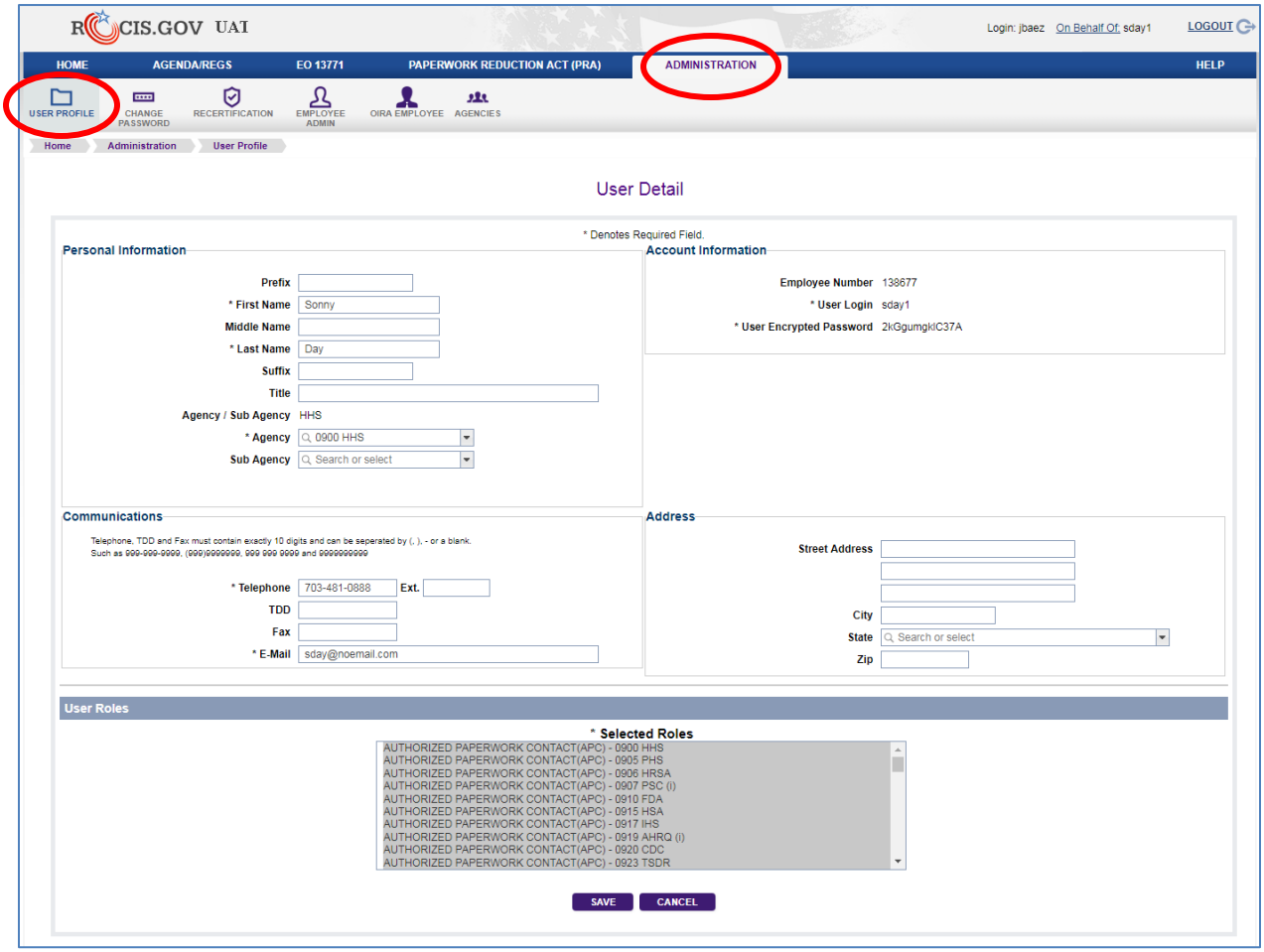


Figure 2.1: User Profile Icon and User Detail Screen

Please verify and make appropriate changes to any information, paying particular attention to your telephone number and email. Save your information. The 'Save' button is located at the bottom of the screen.

Remember to the User Profile to modify your personal information, such as your phone number or e-mail address, whenever changes occur.

Your profile will also display the role(s) that have been assigned to your user id. A list of the agency EO Reg Review roles can be found in Appendix A.

To leave the User Profile page, scroll to the bottom and click 'Save' (if you changed anything) or 'Cancel'. This will take you back to the ROCIS Employee Administration screen.

3. User/Contact Search

The purpose of the Employee Administration screen is to allow ROCIS users to find other ROCIS users via the search capability. For instance, if you would like to send another ROCIS user an e-mail, you are able to search by the user's agency, role and/or name.

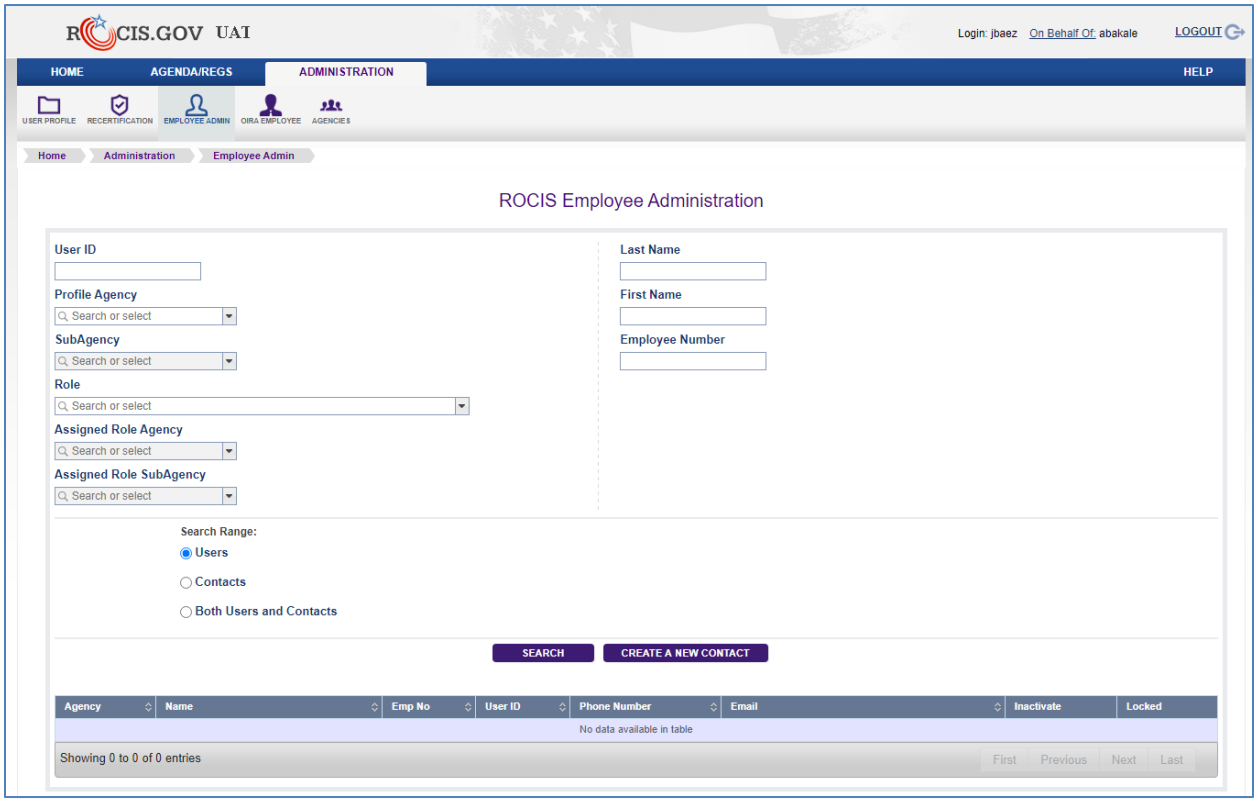


Figure 3.1: Employee Administration Screen

If you are the Primary Unified Agenda POC for your agency, it is a good idea to periodically check the authorized users for your agency. Simply choose the desired role (RRP, EORC and/or RPDU) and your Assigned Role Agency and click the Search button. If there are people who have left your agency and still have active accounts, please contact the Help Desk so that the accounts can be inactivated and locked.

When you have satisfied your ROCIS administrative functions, click on the Agenda/Regs tab to return to the EO 12866 module.

4. User Recertification

Any user acquiring a ROCIS production account must sign a security agreement provided by RISC. The ROCIS system requires that users recertify the terms of the security agreement every year.

Two weeks before your security agreement anniversary date, ROCIS will begin to remind you that you will need to recertify. The Recertification icon can be found under the Administration tab.

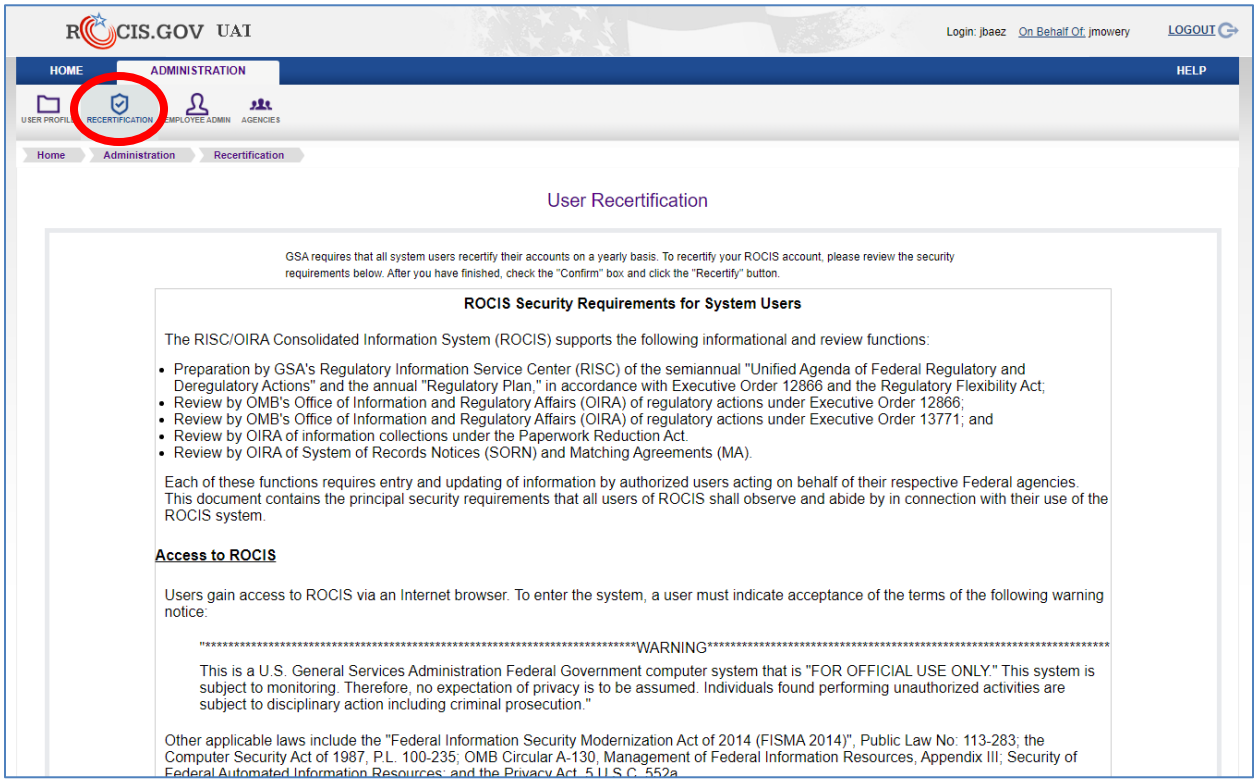
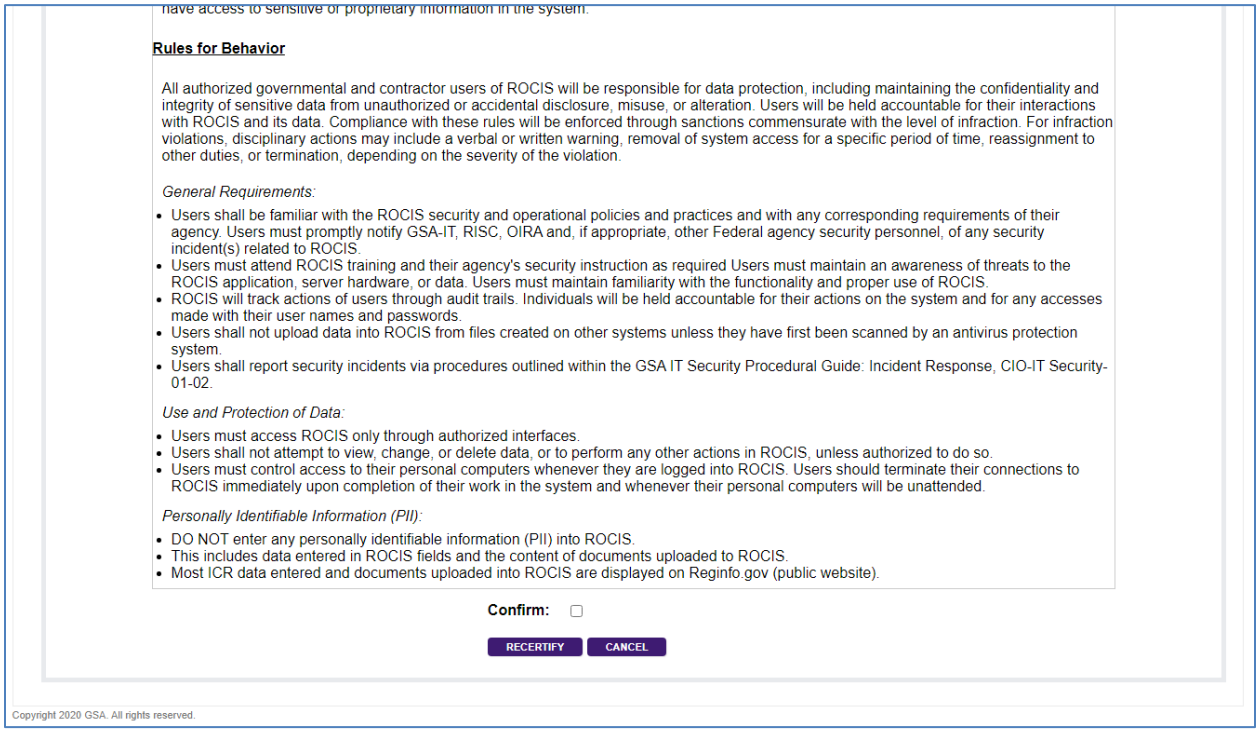


Figure 4.1: Recertification Icon in Administration Toolbar

The latest version of the ROCIS Security Agreement is displayed on the Recertification screen. After reviewing the page, check the 'Confirm' box and click the Recertify button. After successfully logging in to MAX.gov, your recertification anniversary date will be updated in ROCIS.



have access to sensitive or proprietary information in the system.

Rules for Behavior

All authorized governmental and contractor users of ROCIS will be responsible for data protection, including maintaining the confidentiality and integrity of sensitive data from unauthorized or accidental disclosure, misuse, or alteration. Users will be held accountable for their interactions with ROCIS and its data. Compliance with these rules will be enforced through sanctions commensurate with the level of infraction. For infraction violations, disciplinary actions may include a verbal or written warning, removal of system access for a specific period of time, reassignment to other duties, or termination, depending on the severity of the violation.

General Requirements:

- Users shall be familiar with the ROCIS security and operational policies and practices and with any corresponding requirements of their agency. Users must promptly notify GSA-IT, RISC, OIRA and, if appropriate, other Federal agency security personnel, of any security incident(s) related to ROCIS.
- Users must attend ROCIS training and their agency's security instruction as required Users must maintain an awareness of threats to the ROCIS application, server hardware, or data. Users must maintain familiarity with the functionality and proper use of ROCIS.
- ROCIS will track actions of users through audit trails. Individuals will be held accountable for their actions on the system and for any accesses made with their user names and passwords.
- Users shall not upload data into ROCIS from files created on other systems unless they have first been scanned by an antivirus protection system.
- Users shall report security incidents via procedures outlined within the GSA IT Security Procedural Guide: Incident Response, CIO-IT Security-01-02.

Use and Protection of Data:

- Users must access ROCIS only through authorized interfaces.
- Users shall not attempt to view, change, or delete data, or to perform any other actions in ROCIS, unless authorized to do so.
- Users must control access to their personal computers whenever they are logged into ROCIS. Users should terminate their connections to ROCIS immediately upon completion of their work in the system and whenever their personal computers will be unattended.

Personally Identifiable Information (PII):

- DO NOT enter any personally identifiable information (PII) into ROCIS.
- This includes data entered in ROCIS fields and the content of documents uploaded to ROCIS.
- Most ICR data entered and documents uploaded into ROCIS are displayed on Reginfo.gov (public website).

Confirm: ☐

RECERTIFY CANCEL

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Figure 4.2: User Recertification Screen (Bottom)

If you do not recertify through the process above BEFORE your anniversary date, ROCIS will automatically send you to the 'User Recertification' screen the next time you log in. If you do not recertify, you will be logged out. This process will be repeated until you complete the Recertification process.

When you have satisfied your ROCIS administrative functions, click on the Agenda/Regs tab to return to the EO 12866 module.

5. AGENCY INBOX AND THE NAVIGATION TOOLBAR

At the top of the screen is a tab for each of the ROCIS modules you have access to. Each module has its own set of tabs/icons that work like drop-down menus. Wave your mouse cursor over a tab or icon to view menu options. If no options appear, click the tab/icon to navigate to that location. These rows of tabs/icons are referred to as the Navigation Toolbar.

ROCIS provides all users with an Inbox menu for tracking the progress EO 12866 requests. The menu includes different lists, each of which is discussed below. Wave your mouse cursor over the Inbox icon in the navigation toolbar to access the various sections:

1. Unsubmitted EO List – Includes requests that have been created in ROCIS, but have not been submitted to OIRA for review. It also includes requests that were submitted and then unsubmitted in ROCIS. These requests may also be deleted from ROCIS (not reversible, cannot be recovered).

2. Submitted EO List – Includes requests that have been submitted to OIRA for review, but have not been accepted by OIRA in ROCIS. These requests may be unsubmitted which moves them back to the Unsubmitted EO List.

   Submissions will normally remain in the Submitted EO List for two business days. If OIRA does not intervene, they are automatically received by ROCIS. OIRA has the ability to override this process by delaying the request or accepting the submission sooner.

3. Received EO List – Includes requests received by OIRA in ROCIS. The review starts when the request is received by OIRA. It also includes requests that have been opened for amendment by OIRA.

   When the submission is received, it will appear on the Reginfo.gov website (www.reginfo.gov) as a pending review.

4. Concluded EO List – Includes requests for which OIRA has completed their review. Displays last 30 days of conclusions, by default.

5. Unpublished EO List – Includes approved requests that do not have the FR Publication Date entered in ROCIS.

   Once OIRA approves the review, your Agency can publish the associated rulemaking document(s) in the Federal Register. Users with access to update the FR Publication Date for concluded EO packages (EORC and RRP users) have access to the 'Unpublished' list. This list will include approved, but not published, EO packages for RINs that have been, or will be, published in the Unified Agenda.

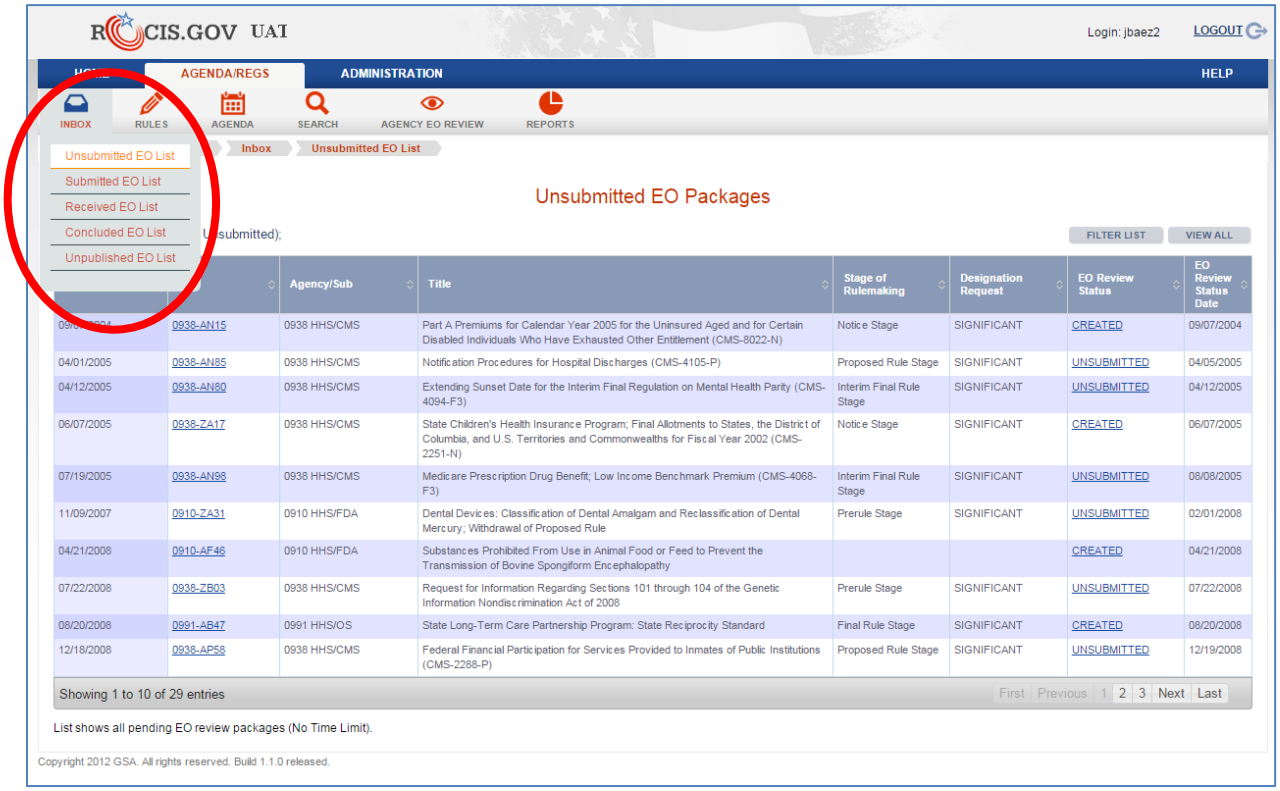

Figure 5.1: Unsubmitted EO Packages List with Inbox Menu

You can sort any list by any of the columns. The first time a user clicks on the column heading, the column data is sorted. Click it again to reverse the sort order.

Each of the lists in your Inbox has a Filter List page. Click the Filter List button on any list to view the fields that you can filter that list on. For example, you can use the Concluded EO Package Filter page to expand the Concluded EO List and display requests concluded more than 30 days ago.

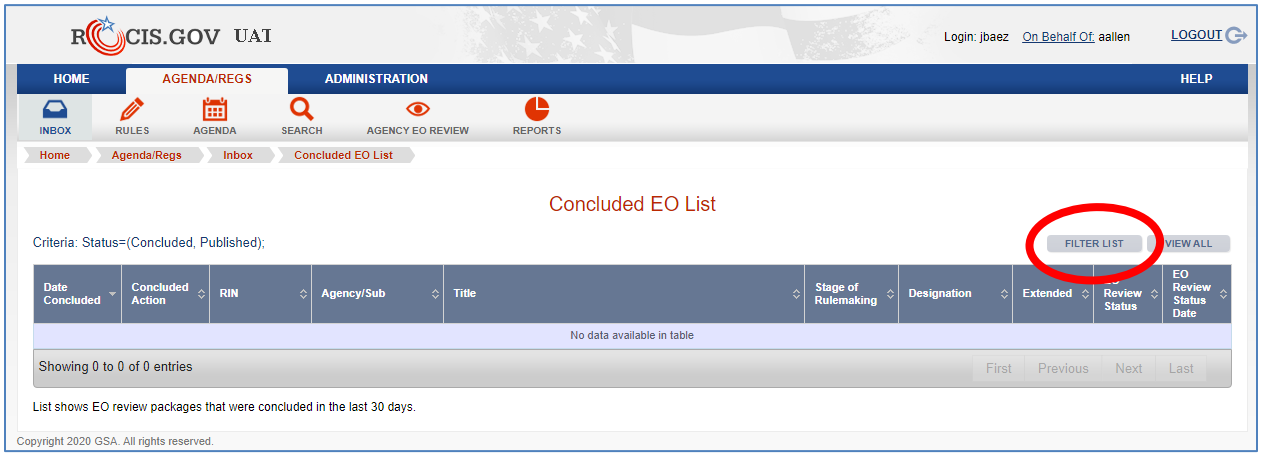

Figure 5.2: Concluded EO List with Filter List Button

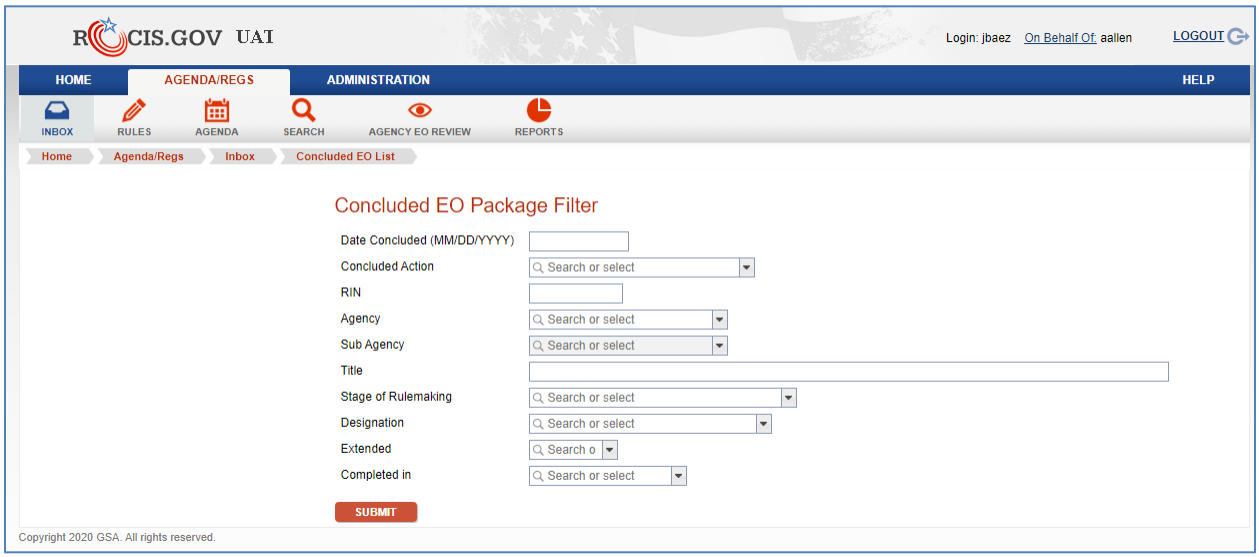

Figure 5.3: Concluded EO Package Filter Screen

Each list is display in pages with 10 requests per page, by default. Click the View All button on any list to view all of the requests in that list on one page.

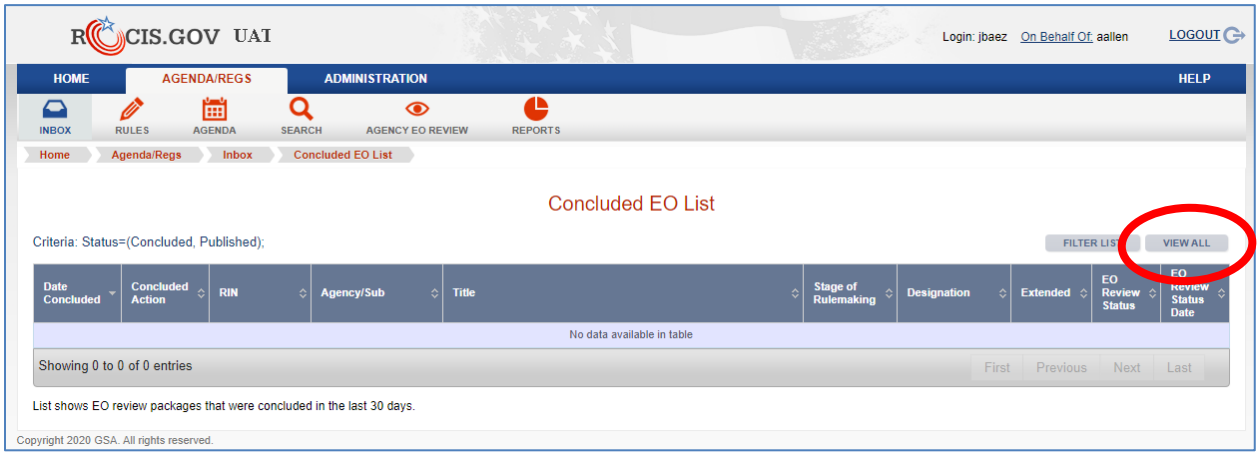

Figure 5.4: Concluded EO List with View All Button

6. Creating a Regulatory Review Request

To create an EO Regulatory Review package for a rule, the rule must already be in the Unified Agenda, which is another module within the ROCIS system. You can search the rules in the agenda by selecting the 'Search' icon and then choosing the 'Rule Search'.

There are many different ways to search for the rule. If you already know the Regulatory Identifying Number (RIN), simply enter it in the appropriate box. In this example, the user has selected his agency (0900) and associated sub agency (0905), so all rules in the current agenda for that sub agency will be returned in the search result.

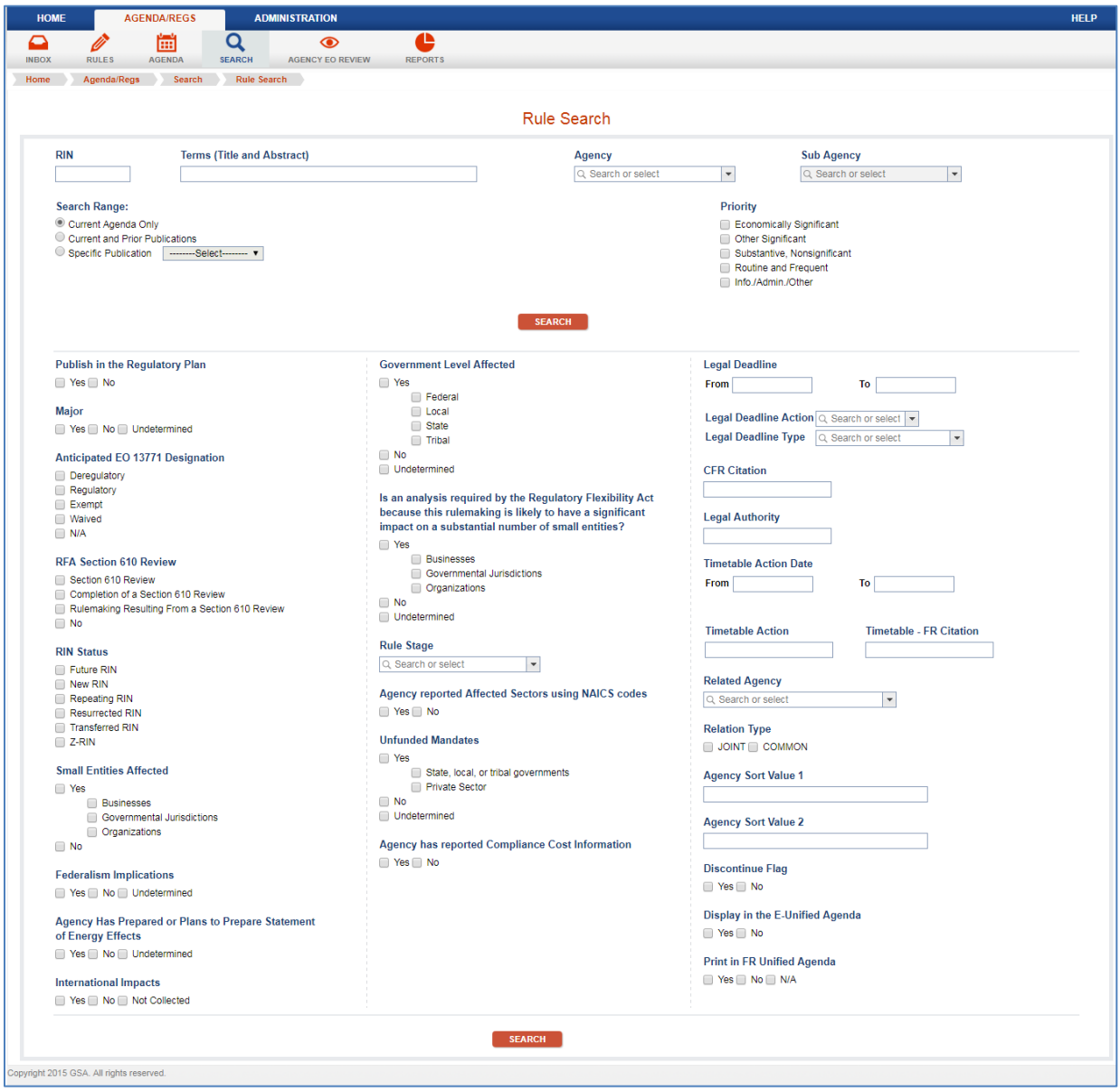

Figure 6.1: Rule Search Screen

The first column on the resultant screen is a link to the rule in the most recent agenda it appears in. Click on the link to review the rule information from the agenda.

NOTE: Whenever a column heading is underlined (like RIN, Agency or Rule Title in this screen shot) it can be used as a sort key. The RINs will come up in order by agency code. If you want to change the sort order, click on the column heading and the output will be reversed. Click on it again, and the sort order will be reversed again.

Normally, ROCIS displays 10 items per page. In this example, there are two pages of results. If you want to see all of the results without pagination, click 'View All' and ROCIS will create one long list with all of the items.

To select a rule, click on the RIN link.

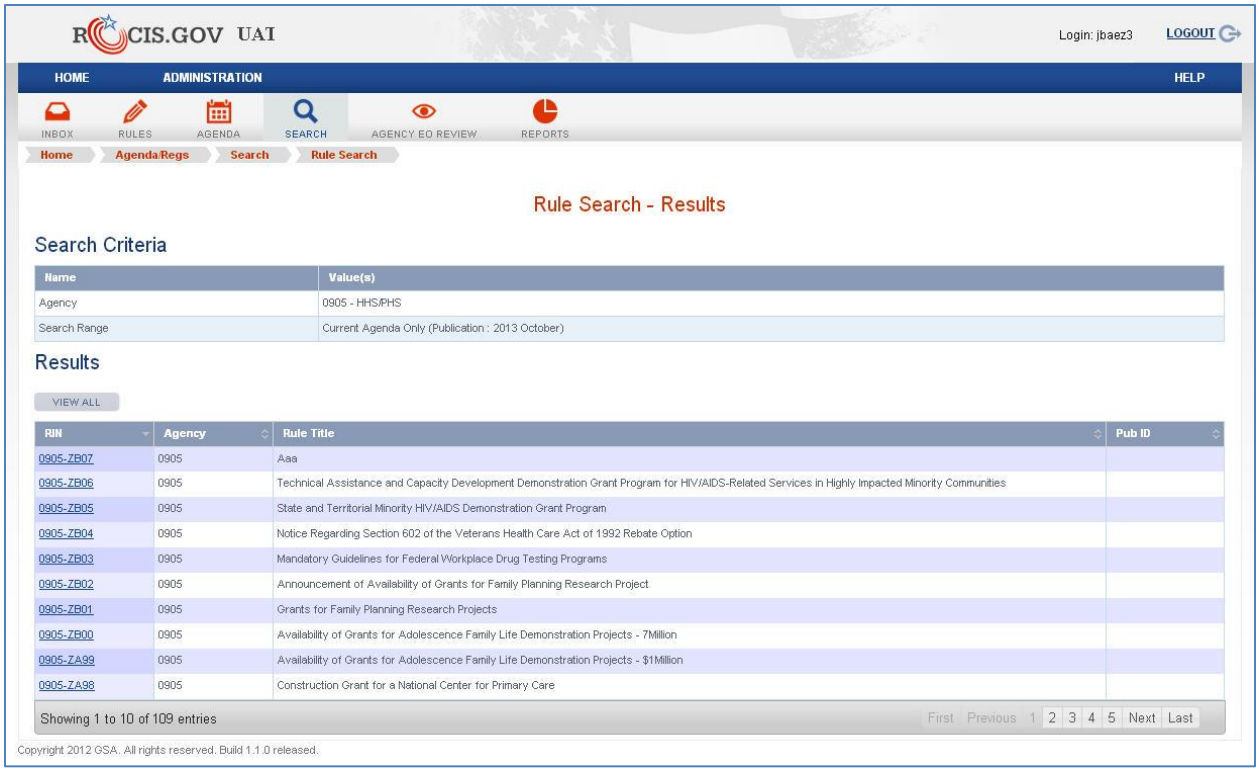

Figure 6.2: Rule Search Results

When you select a rule, ROCIS will display the 'View Rule' screen. This screen reflects information about the rule that has been generated by ROCIS (like RIN Created Date) or entered by a user.

To begin an EO Reg Review package, choose the EO Package link from the Rules menu.

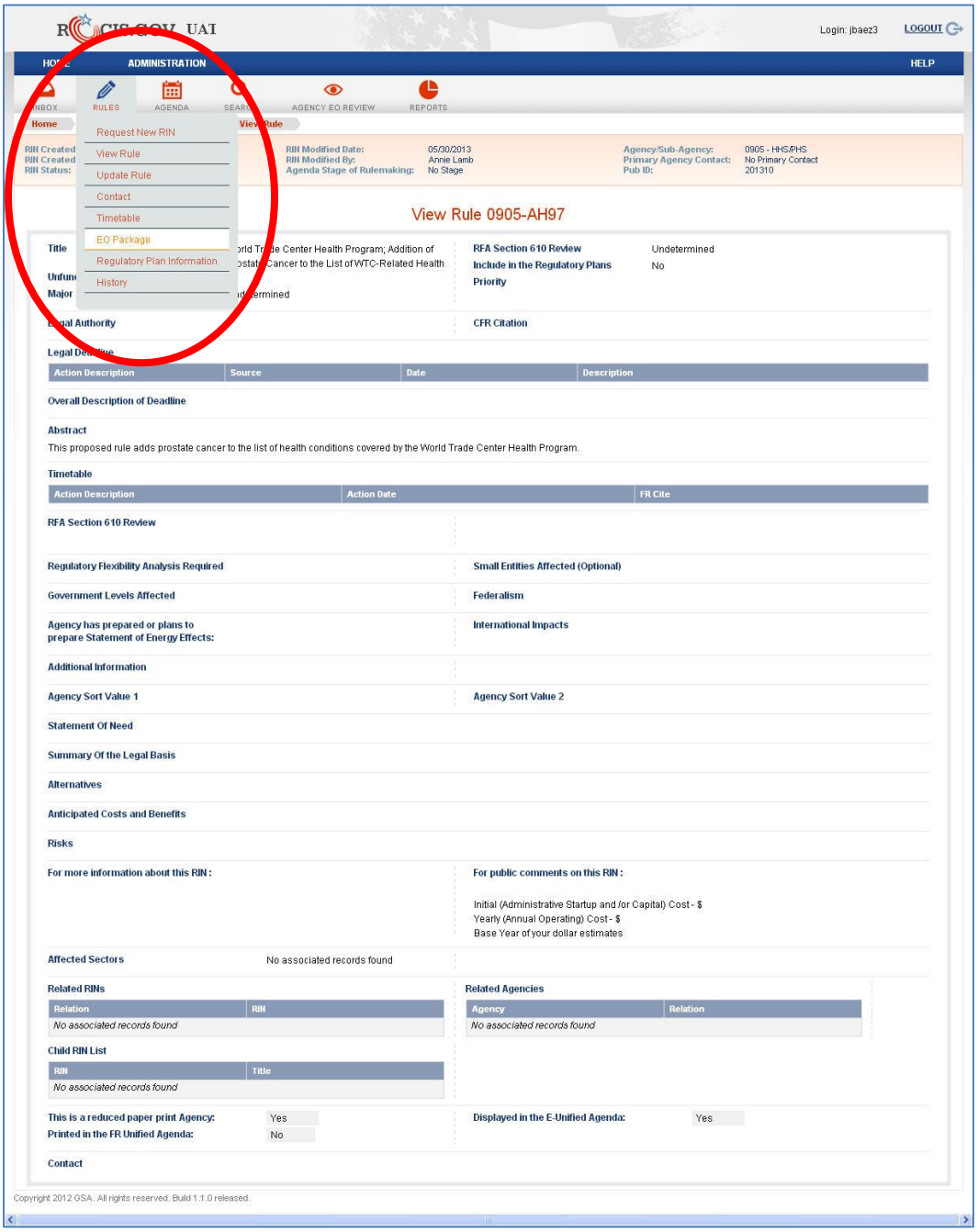

Figure 6.3: View Rule Screen

ROCIS will navigate to the EO Review Packages screen for the rule that was selected.

There may have been other packages for this rule that were submitted to OIRA previously, and the review already concluded. These would be displayed on this screen and would have a conclusion date. If there are previously reviewed packages, you can continue.

ROCIS may also reflect an EO package here that has been submitted but is not yet concluded—it is still pending at OIRA. In that case, you should not create a new package. ROCIS will only allow one EO Review package per RIN to be pending at any given time.

In this example, there are no other packages, so the process can be continued by clicking on the 'Create EO Review Package' button.

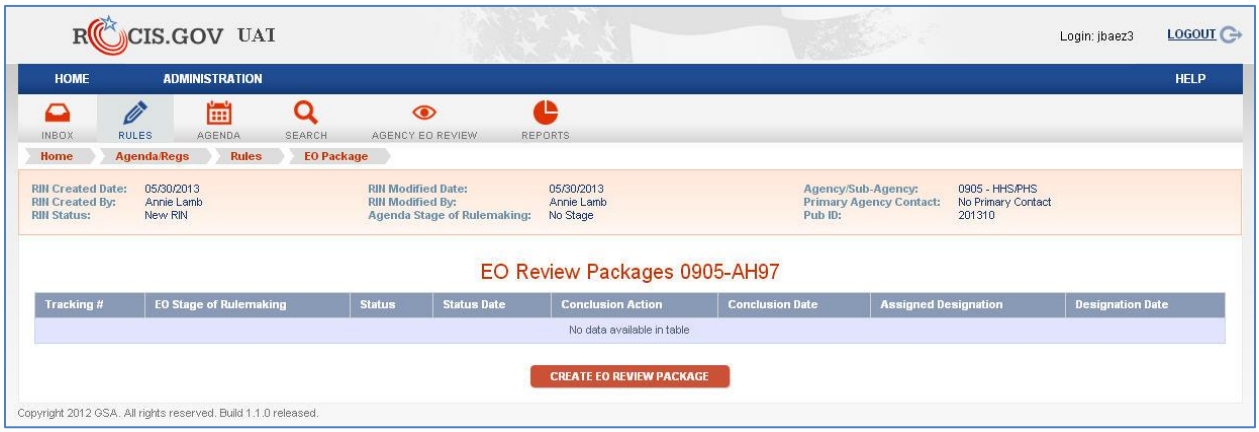

Figure 6.4: EO Review Packages Screen with 'Create' Button

Once you click on 'Create EO Package', you will be presented with the EO Package screen for the rule that you selected. Most of the information needed for the package is copied from the Agenda and displayed to you in this screen.

ROCIS will save the EO package, and give you a confirmation message.

HOME | AGENDA/REGS | EO 13771 | PAPERWORK REDUCTION ACT (PRA) | PRIVACY | ADMINISTRATION | HELP

INBOX | OIRA INBOX | RULES | AGENDA | SEARCH | RIN UTILITIES | AGENCY EO REVIEW | OIRA EO REVIEW | REPORTS

Home > Agenda/Regs > Agency EO Review > EO Package

RIN: 0348-AB77 (201810)
Stage of Rulemaking:
Title: Revision of Freedom of Information Act Regulations
Agency/Sub Agency: 0348 OMB
Submitted By:
Tracking #:
Submitted Date:

EO Review Package was successfully created at 08/30/2018 14:56:40 PM.

EO Review Package 0348-AB77

Unfunded Mandates

No

Major

Undetermined

Priority

Substantive, Nonsignificant

Legal Authority

5 U.S.C. 552(a)(4)(A) ; 5 U.S.C. 552(a)(6)(A)(ii) ; 5 U.S.C. 552(a)(6)(B)(iv) ; 5 U.S.C. 552(a)(6)(D) ; 5 U.S.C. 552(a)(6)(E)

CFR Citation

5 CFR 1303

Legal Deadline

Action	Source	Date	Description
Final	Statutory	12/30/2016	Pub. L. 114-185, Sec 3

Overall Description of Deadline

Pub. L. 114-185, signed into law on June 30, 2016, states at Sec. 3, "(a) IN GENERAL.-Not later than 180 days after the date of enactment of this Act, the head of each agency (as defined in section 551 of the United States Code) shall review the regulations of such agency and shall issue regulations on procedures for the disclosure of records under section 552 of title 5, United States Code, in accordance with the amendments made by section 2.[…]"

Abstract

This proposed rule would revise OMB's regulations found in title 5 of the Code of Federal Regulations (CFR) implementing the Freedom of Information Act (FOIA). These revisions are being proposed to implement the FOIA and incorporate the provisions of the OPEN Government Act of 2007, public law 11081 and the FOIA Improvement Act of 2016 public law 104231, as well as to streamline OMB's FOIA regulations by structuring the text of the regulation in an order more similar to that of the Department of Justice's (DOJ) FOIA regulation and the DOJ Office of Information Policy's Guidance for Agency FOIA Regulations, thus promoting uniformity of FOIA regulations across agencies. Additionally, the regulations would be updated to reflect developments in the case law.

Next Timetable Action

Action Description	Action Date	FR Cite
NPRM		
NPRM Comment Period End		
Final Action		
Final Action Effective		

Regulatory Flexibility Analysis Required

Undetermined

Small Entities Affected

Businesses / Organizations

Government Levels Affected

None

Federalism

No

Agency has prepared or plans to prepare Statement of Energy Effects:

No

Designation Status

Agency Tracking Number

*** EO Stage Of Rulemaking**

OIRA Designation

*** Designation Request**

*** Is this action related to the Tax Cuts and Jobs Act [Pub. L. 115-97][1]?** Yes No

1. *Formally known as "An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018."*

*** Is this action related to the Affordable Care Act [PPACA, P.L. 111-148 & 111-152]?** Yes No

*** Is this action related to the Dodd-Frank Act [Dodd-Frank Wall Street Reform and Consumer Protection Act, P.L. 111-203]?** Yes No

*** Does this rule require, authorize, or affect the creation, collection, use, processing, storage, maintenance, dissemination, disclosure, or disposal, by any entity, of personally identifiable information (see** OMB Circular No. A-130 **for an explanation of this term)?** Yes No

*** International Impacts?** Yes No

Primary Documents	Date Uploaded	Uploaded By
No associated records found		

Regulatory Impact Analysis Documents	Date Uploaded	Uploaded By
No associated records found		

Paperwork Reduction Act

*** Does the rule contain ICRs?** Yes No

New OMB Control Number Will Be Requested:

Existing OMB Numbers ADD

* Denotes Required Field

SAVE | DELETE | SUBMIT | CANCEL

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Figure 6.5: EO Review Package Screen

Your package now exists, and is available for updates at any time. You can continue to work on it now, or you can log off of ROCIS and come back later.

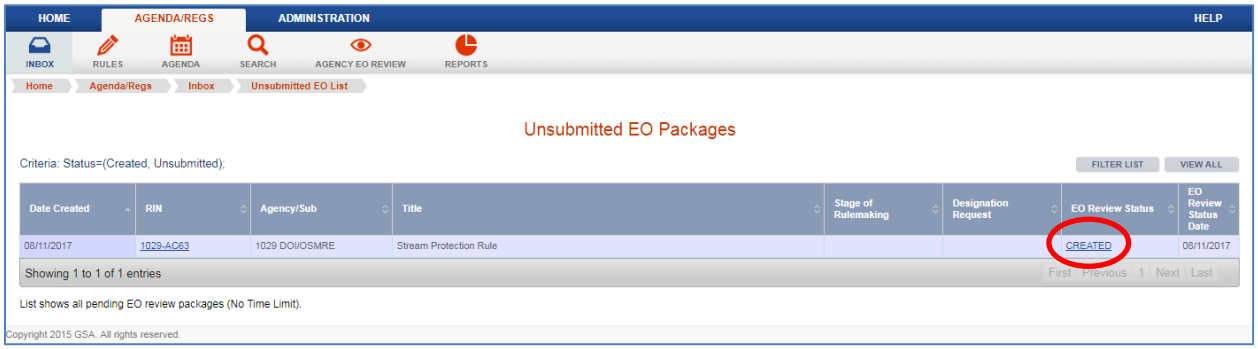

Figure 6.6: Unsubmitted EO Packages List (with New EO Package)

7. Locating an Existing Regulatory Review Package

We discussed how to create an EO Review package, your inbox and how to see a list of all unsubmitted packages. For this example, we will use the unsubmitted list to access the EO Reg Review package to be updated. To bring up the package for edit, click on the 'CREATED' in the EO Review status column. NOTE: If you click on the RIN, you will be transferred to the 'View Rule' screen.

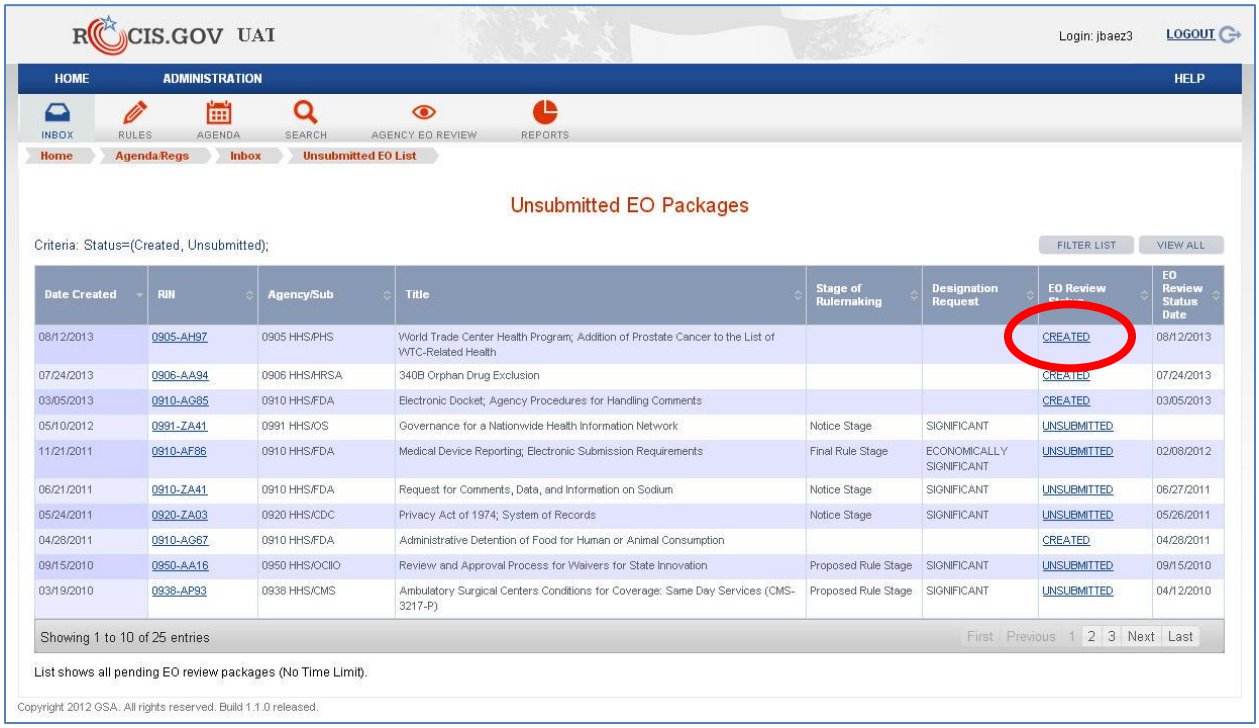

Figure 7.1: Unsubmitted EO List Inbox

ROCIS will display the update screen for the EO package that was selected. Since most of the information was copied from the agenda, there is no data that needs to be added to this view of the package. However, the first two items below "EO Package" in the Agency EO Review menu indicate tasks that must be accomplished for all EO review packages, and the third is required if the rule is designated economically significant.

Click on the first of these items, the one labeled 'Contact'.

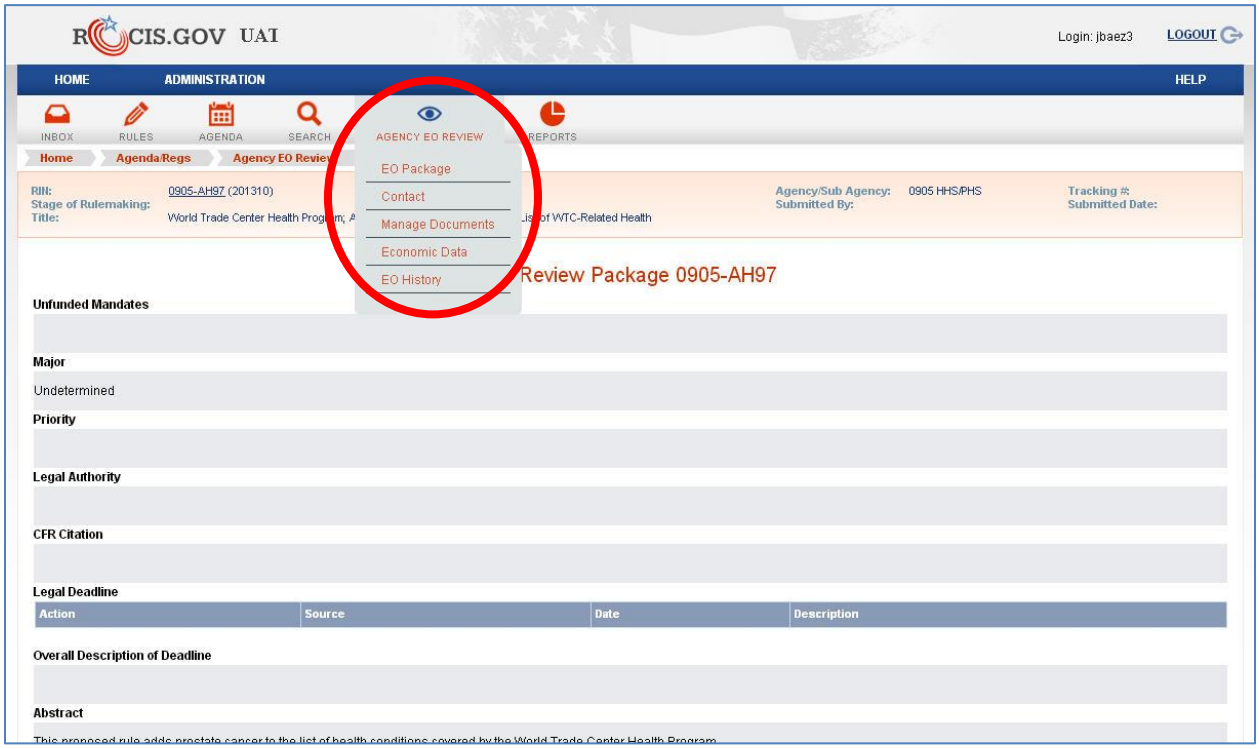

Figure 7.2: EO Review Package Screen and Agency EO Review Menu

8. ADDING AN EO CONTACT

The contact screen is displayed below. The contact that is identified for the EO Review package should be a subject matter expert who could answer any questions that the OIRA desk officer may have about the proposed rule.

Whenever ROCIS has a drop down list of values from which to choose, there is a small arrow at the end of the input box. For the list of contacts, ROCIS will display the values that the user is authorized to select from. To display the list, click on the downward arrow to the right of the contact box.

A list of contacts or users that can be selected will be displayed for you. If the name of the person that you wish to select is in the list, scroll to that name, and click the 'Add Existing Contact' button.

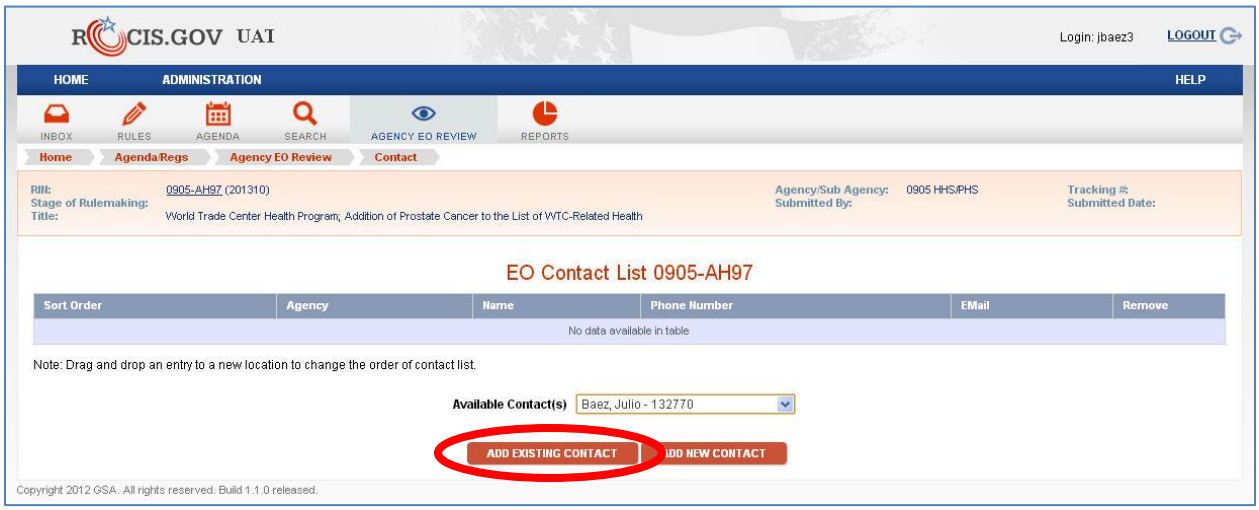

Figure 8.1: EO Contact List Screen

If the name of the person you want to reference is not in the list, you will need to add the individual as a contact. To do that, select the 'Add New Contact' button.

In an effort to reduce or eliminate duplicate entries, ROCIS will force a search through the administrative task 'ROCIS Contact Administration' for the name you want to add. Enter some portion of the name that you want to use, and then click on the 'Search' button (hitting enter does not cause a search to occur).

The search results will be displayed at the bottom of the screen. The persons located through this search are not limited to EO Reg Review contacts. They represent all types of ROCIS

contacts for your agency/sub agency, including those for the agenda module, the PRA module and the SORN module.

If you see the name that you want to add as a contact, click on the name in the search result portion of the page.

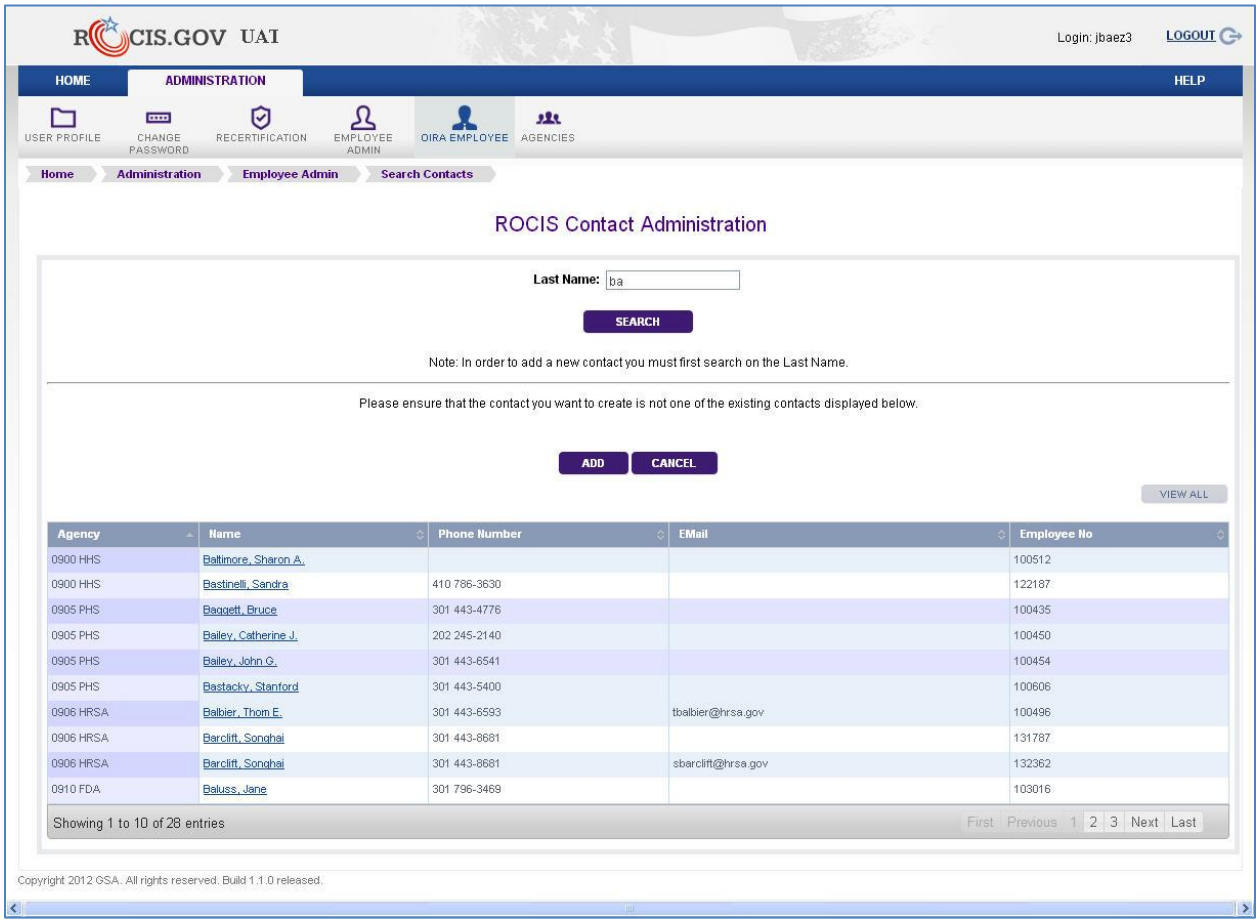

Figure 8.2: Contact Administration Screen with Search Results

In this example, Julio Baez was selected. Julio is in ROCIS as a contact for the agenda module. That can be determined by noting the arrow next to 'RIN Contact'. The arrow and active status are not highlighted because your role does not allow you to change agenda contacts. However,

you can make Julio a contact for the EO Reg Review process by clicking on the box next to 'EO Contact'.

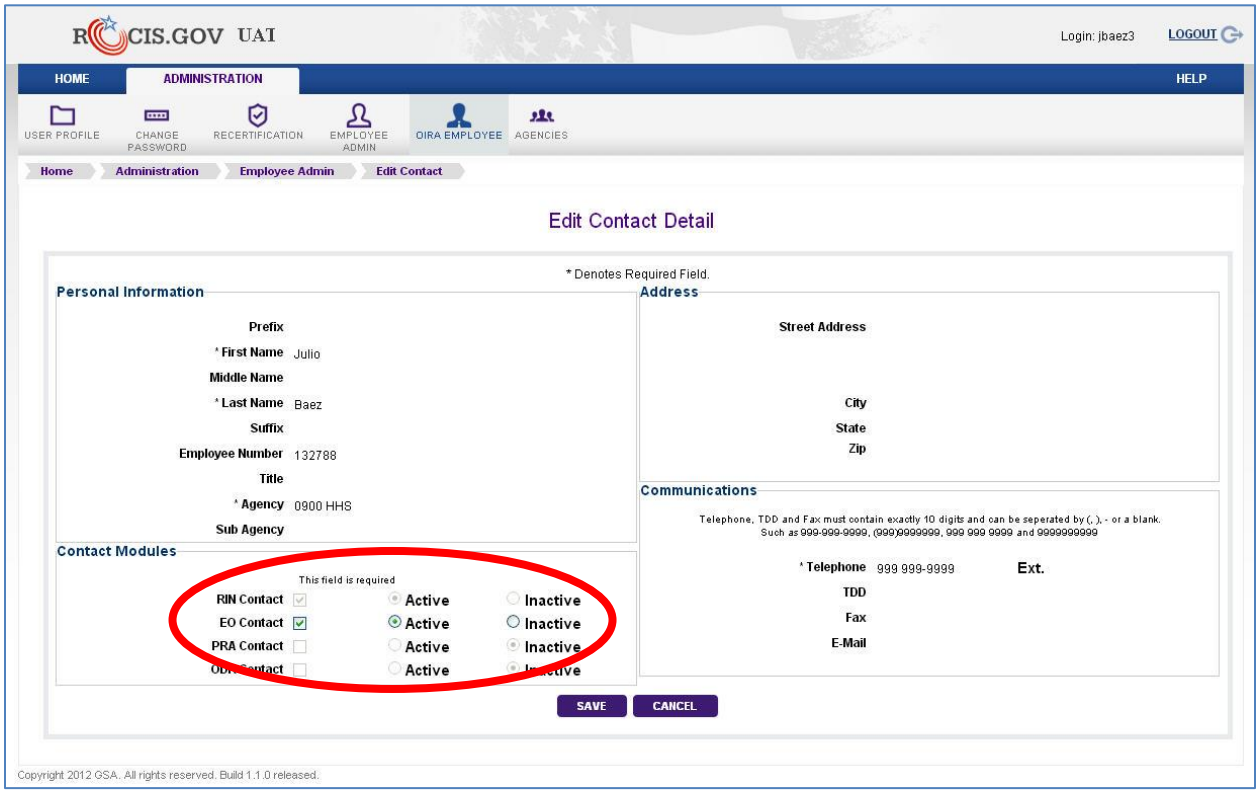

Figure 8.3: Edit Contact Detail Screen for Existing Contact

To make the change, scroll down to the bottom of the screen and click on the 'Save' button. After the information is saved, you will be returned to the EO Contact screen.

If the contact you wish to add is not found in the search of all existing contacts, click on the 'Add' button.

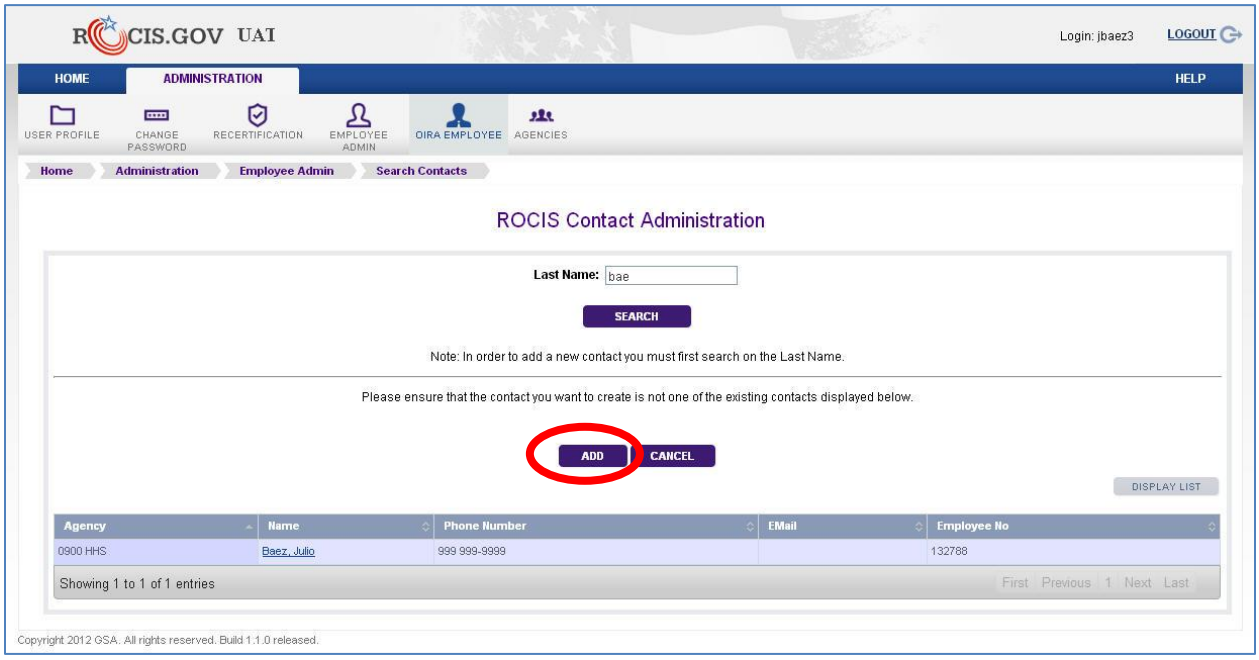

Figure 8.4: Contact Administration Screen

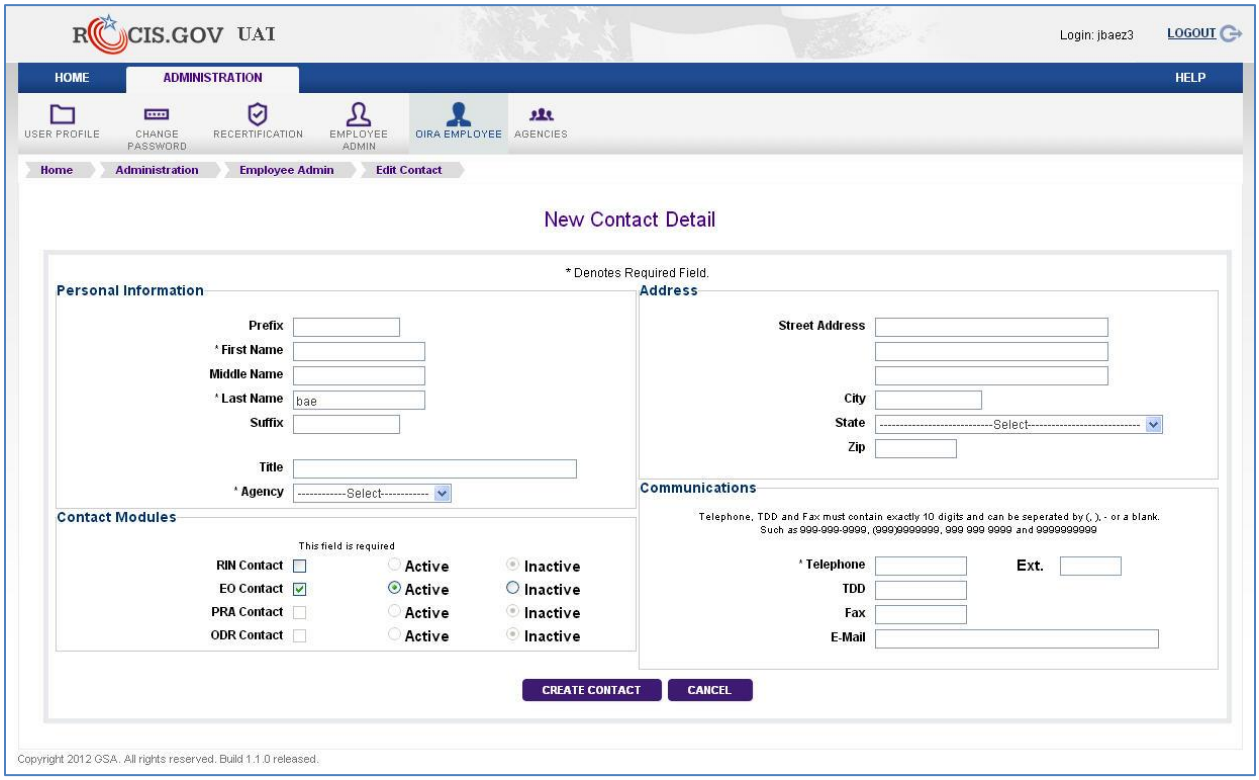

Figure 8.5: New Contact Detail Screen

The 'New Contact Detail' screen captures information about the new contact. Any data item with an asterisk in front of the tag is a required field. Although 'Email' is not required, it is highly desirable that it be entered.

The agency item has a drop down list from which the agency or sub agency for the contact can be selected. This is an important decision if you are associated with a cabinet agency (except VA) or EPA. These have an agency level code which ends with '00', and a number of sub agencies. If the contact is associated with the agency code, he will appear in the drop down list for any sub agencies that are part of that agency. If he is associated with a sub agency, he will only appear in the drop down list for that sub agency.

In this example, the user has access to both '0600', the agency code for Department of Commerce, and the sub agency '0607', the Census Bureau, so both numbers are listed in the drop down list. If the user selects '0600' as Nancy's (the new contact), agency, Nancy Smith will appear as an EO contact for any sub agency within Commerce. If she is associated with 0607, she will only be a contact for Census. If someone were to create an EO package for sub agency 0605, Nancy would not appear in the list. If Nancy was supposed to be a contact for 0605, another contact record would have to be added showing her agency as '0605'. If Nancy should be a contact for all sub agencies within Commerce, but you don't have access to '0600', please

contact someone who does and ask that user to set up Nancy's contact record. You can use the Employee Admin search described above to find someone with access to '0600'.
Click 'Create Contact' at the bottom of the screen. The new contact will be saved, and you will be returned to the 'EO Contact List' screen. All of the contacts that you have selected will be displayed. You can manipulate the order of the contacts by dragging and dropping the listed contacts to the desired sort position. You can also remove a contact by clicking on 'Remove' button.

If the contact information is complete, select the 'Manage Documents' option in the Agency EO Review menu to move to the new item required for the EO review package.

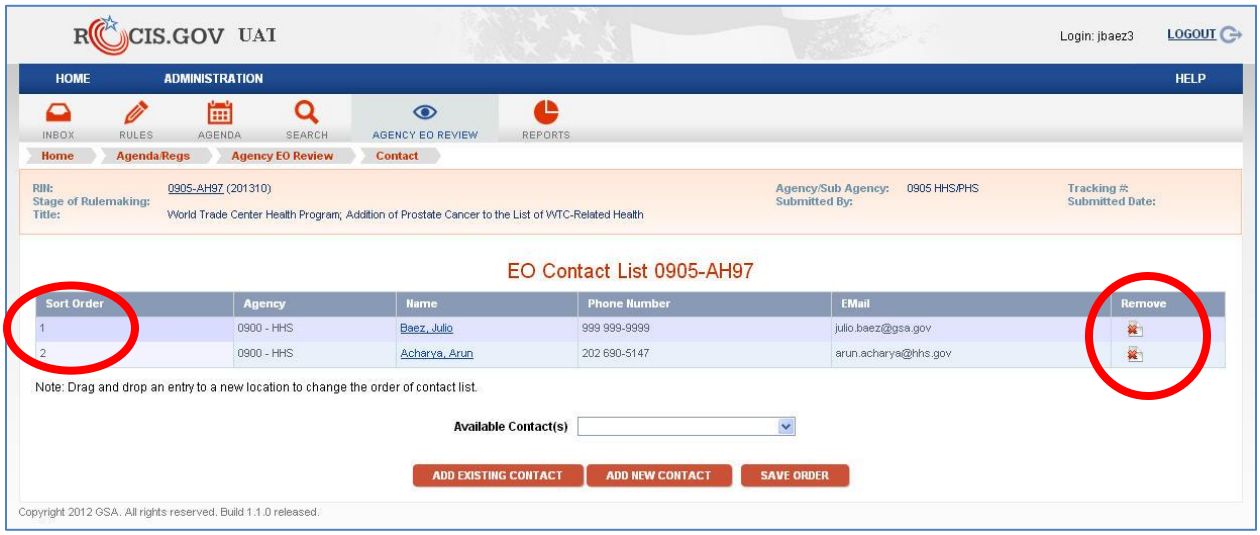

Figure 8.6: Completed EO Contact List Screen

9. Uploading Regulatory Review Documents

To upload (electronically attach) the required documents, wave your mouse over the Agency EO Review icon to expand the menu and select 'Manage Documents'.

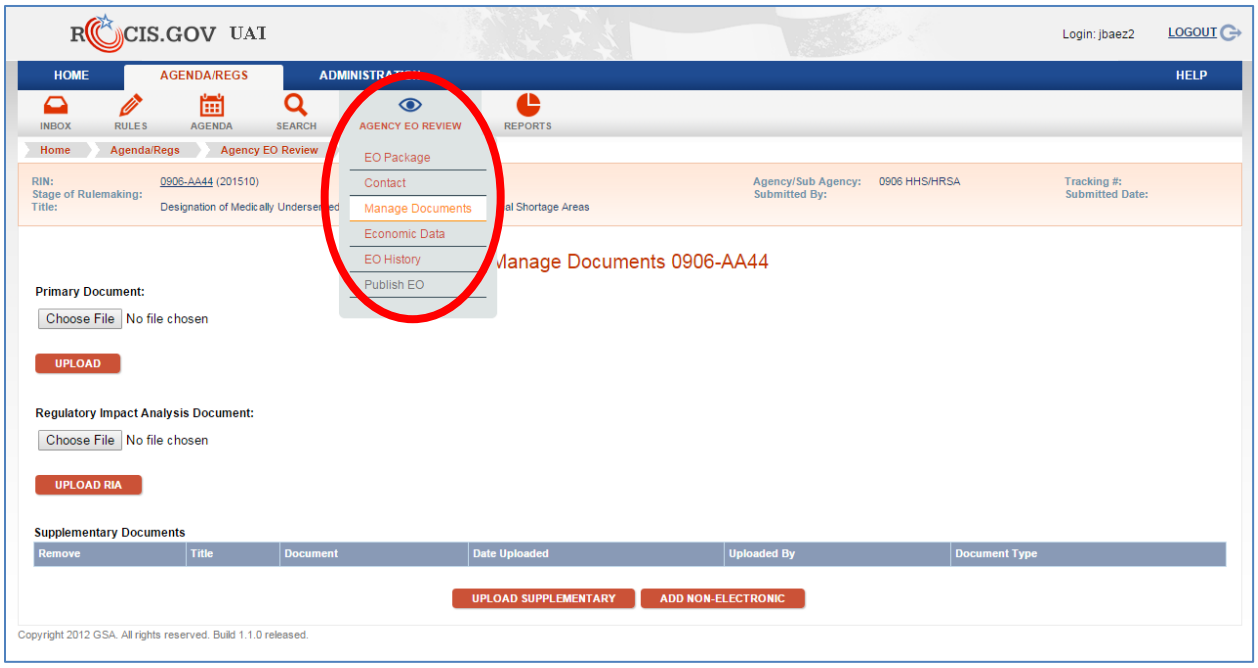

Figure 9.1: Manage Documents Screen

Every EO REG Review submission requires a rule document, which is considered the primary document for the EO package. It is often referred to as the proposed rule document, not because of the stage of rulemaking, but because it is the text being proposed by the agency.

The document to be uploaded must already be stored on your desktop in an electronic format. ROCIS will allow you to update almost any type of file. Most primary document files uploaded are either Word, Word Perfect or PDF formats. If your primary document is a Word file, insure that all final changes are accepted before the document is uploaded. There should be no comments or edits viewable in the document.

To upload a new document, click on the 'Browse' button. A new pop-up window will appear, displaying a list of files or directories for your desktop computer. Navigate through your files until the document to be uploaded is located. Click on the file name, and the name will be displayed in the 'file name' window near the bottom of the pop-up.
Next, click the 'Open' button, and the path to the document will appear in the ROCIS window on the 'Manage Documents' screen. Finally, click the 'Upload' button, and ROCIS will attach the file electronically to your submission.

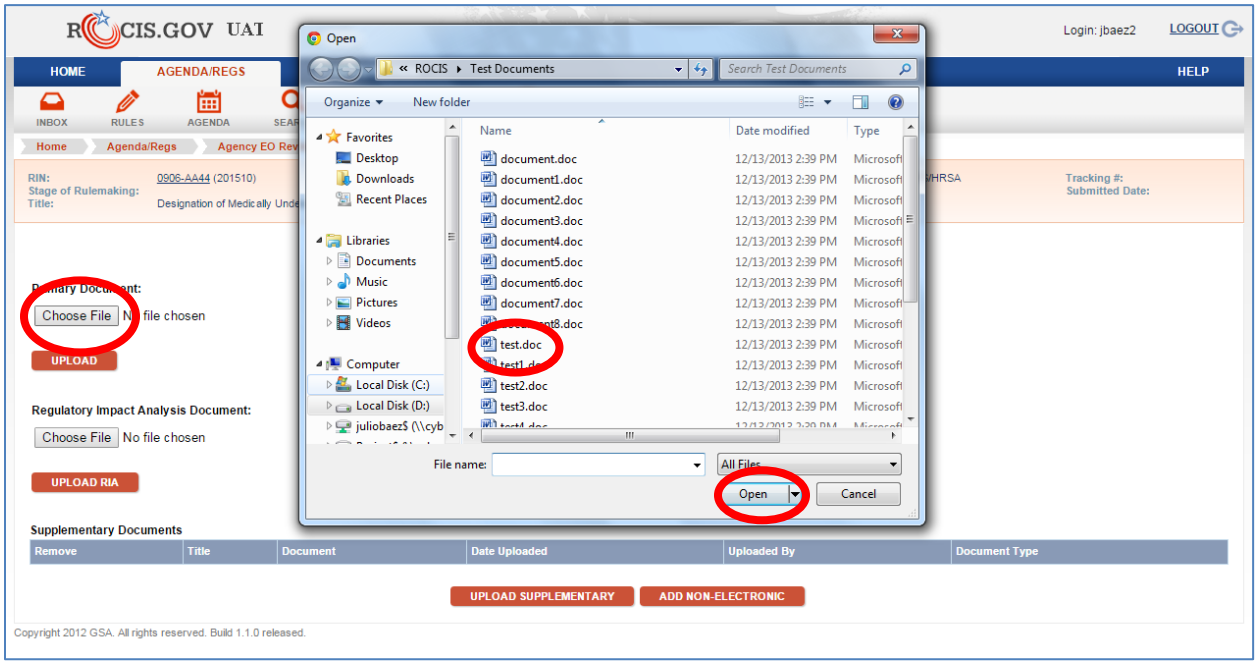

Figure 9.2: Upload Document Pop-up Screen with File Selected and Open Button

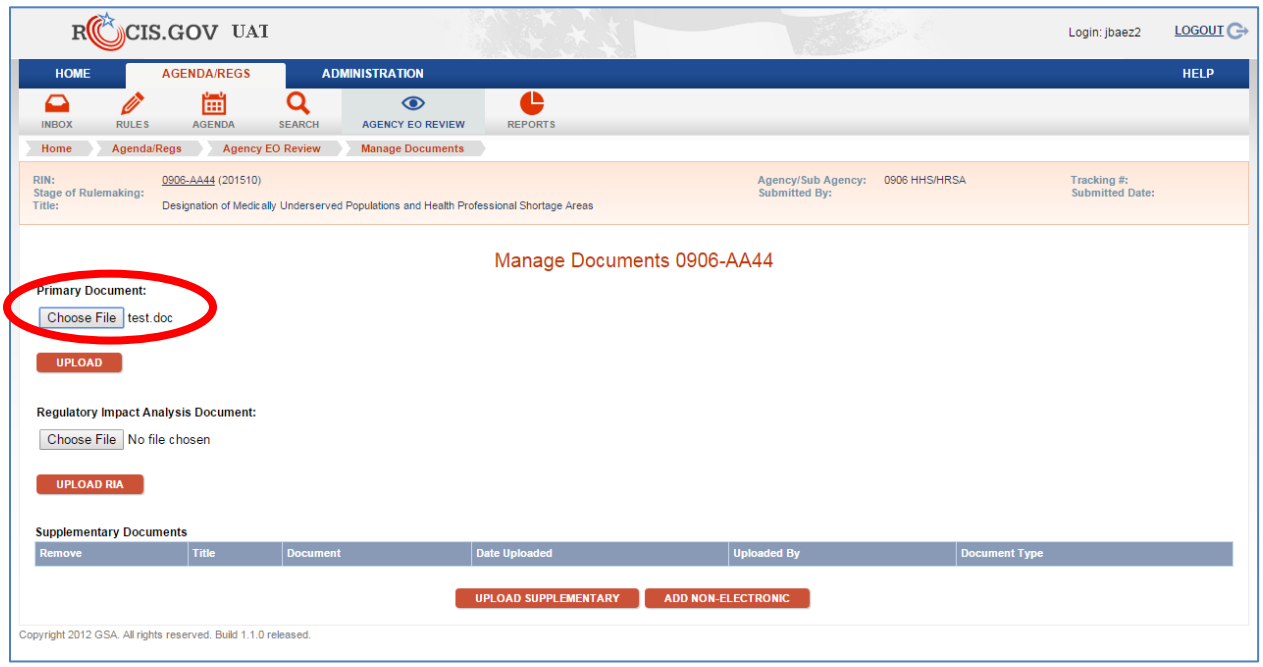

Figure 9.3: Manage Documents Screen with Path to Selected Document

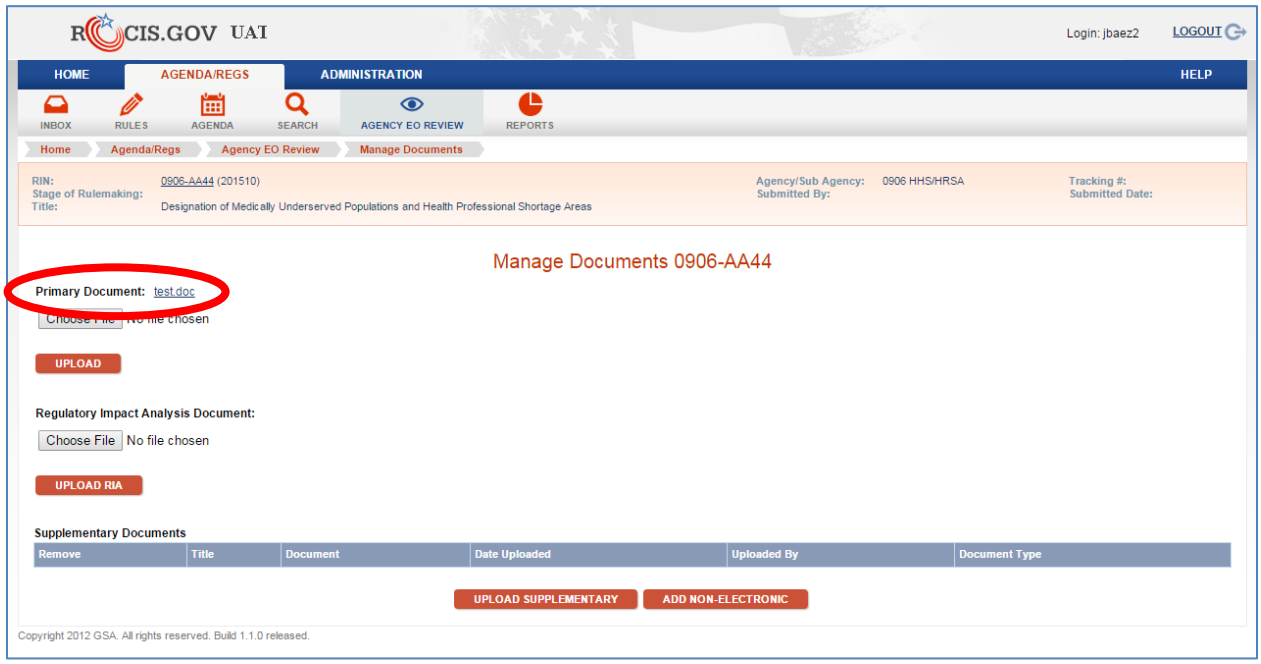

Figure 9.4: Manage Document Screen with Primary Document Uploaded

If you find that you want to replace this file before the request is submitted, simply repeat the steps above. Since there can be only one primary document, any new document uploaded will replace the one that is there.

Although only the primary document is required, OIRA encourages agency users to include a separate Regulatory Impact Assessment (RIA) document with their EO packages. To upload an RIA, follow the same steps for uploading a primary document.

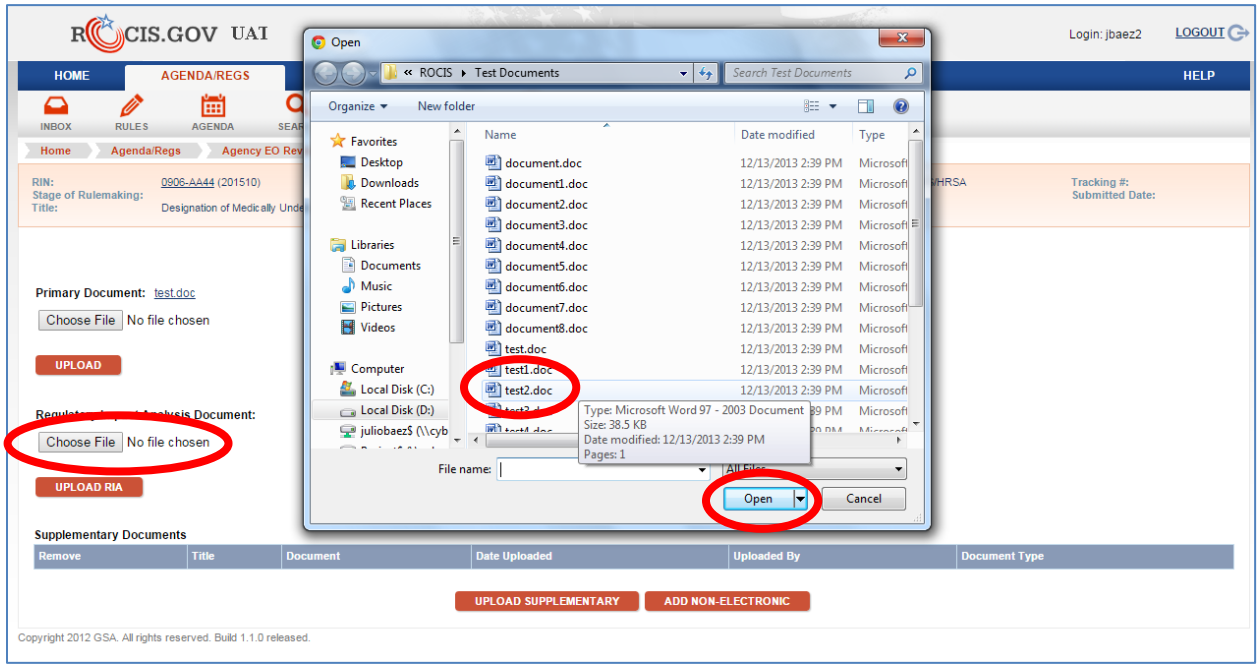

Figure 9.5: Upload Document Pop-up Screen with File Selected and Open Button

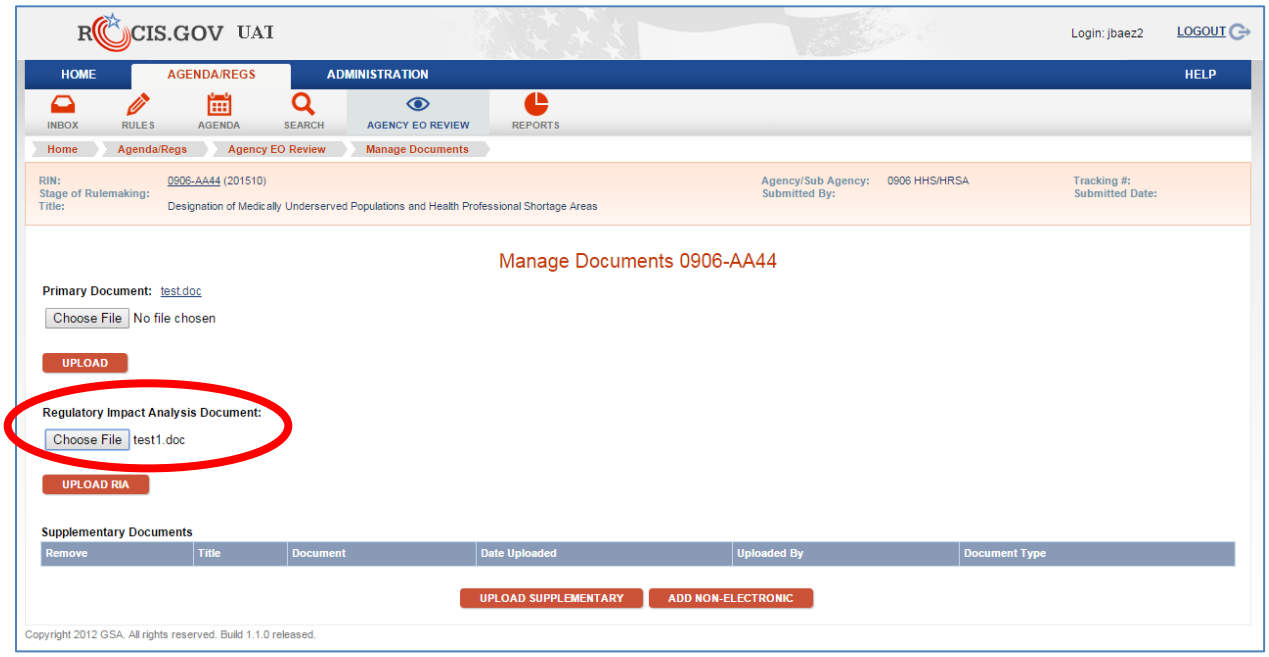

Figure 9.6: Manage Document Screen with Path to Selected Document

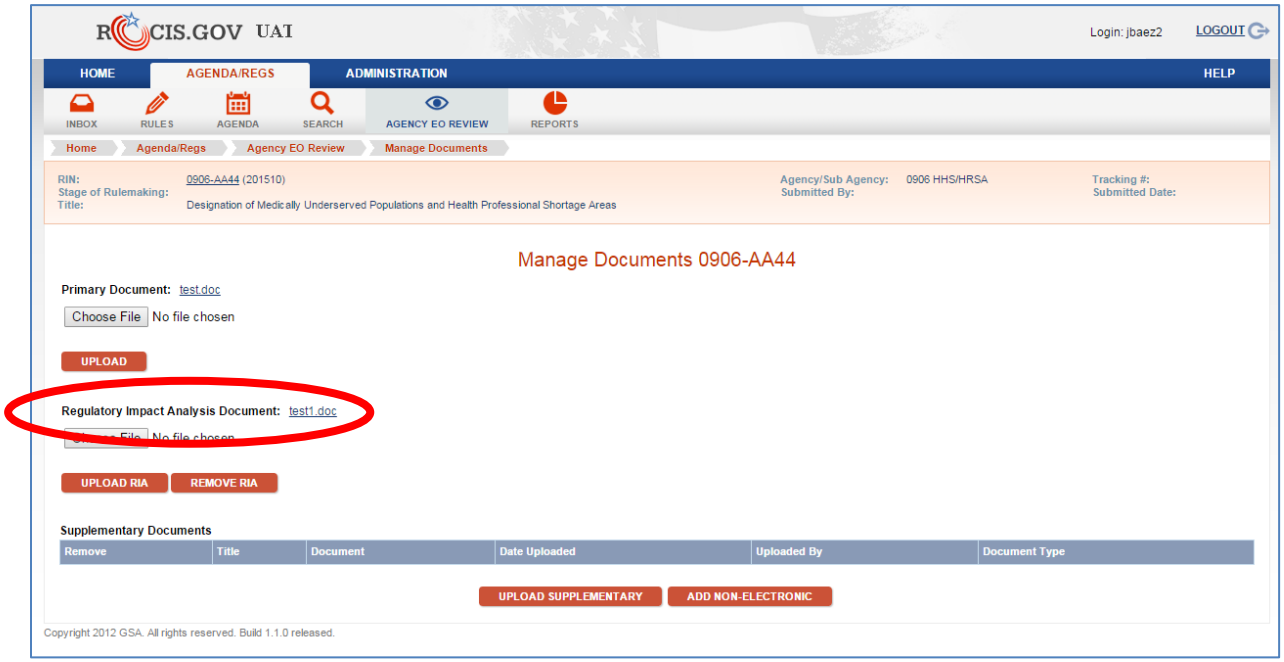

Figure 9.7: Manage Document Screen with Primary Document Uploaded

Users may want to include other documents in the package for OIRA to consider during the review. These documents can be uploaded as supplementary documents. To upload additional documents, click on the 'Upload Supplementary' button.

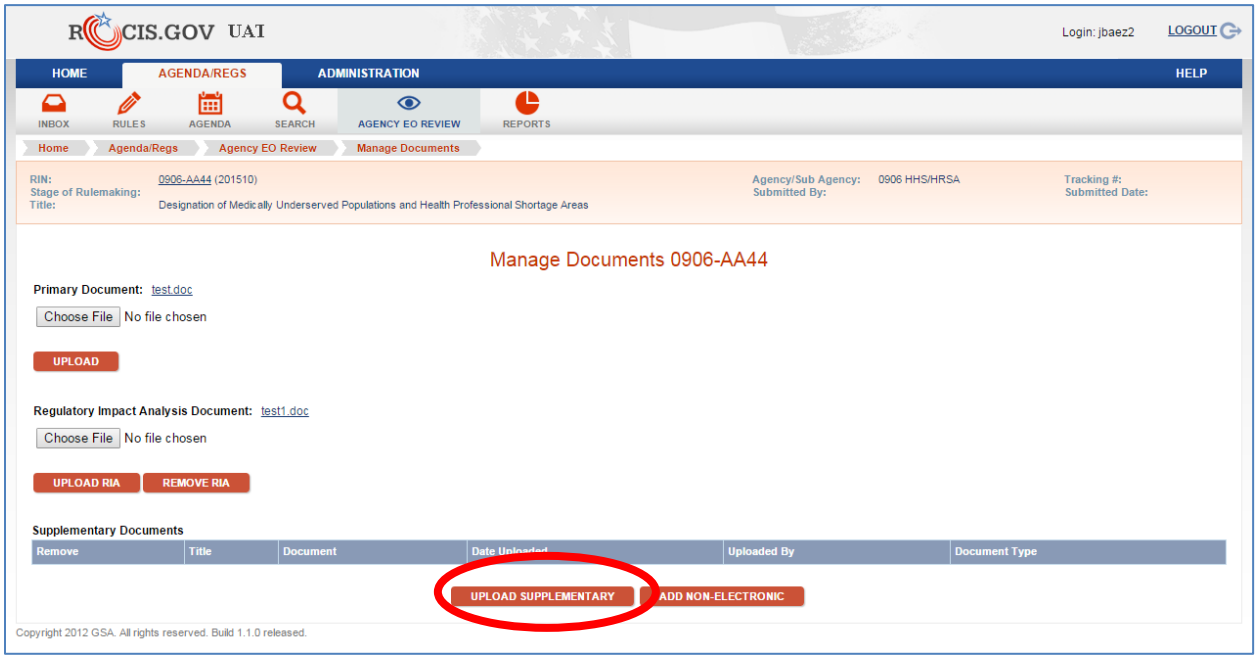

Figure 9.8: Manage Documents Screen

Since multiple supplementary documents can be uploaded, each will need to be identified with a title and document date.

After entering those two items, the process to upload the document is identical to that for a primary document. Click on the 'Browse' button to locate the document.

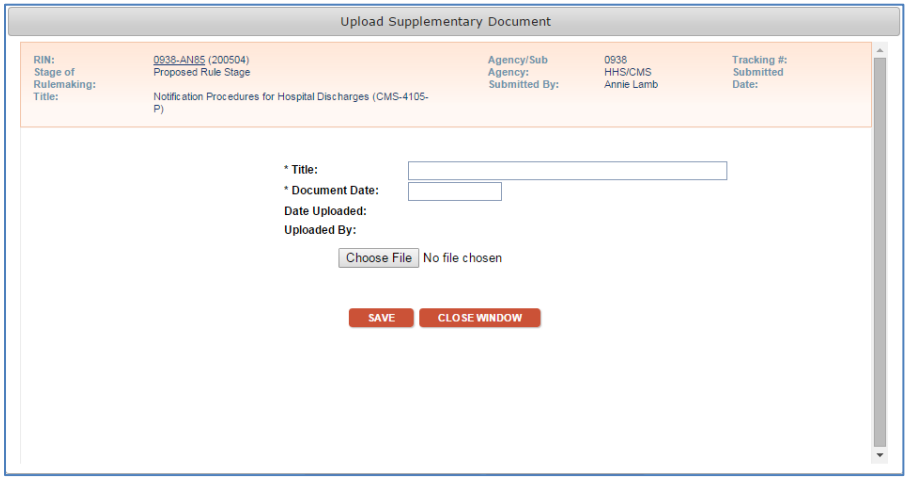

Figure 9.6: Upload Supplementary Pop-Up Screen

If a document needs to be removed, check the box to the left of the document name, and click on the 'Remove' button.

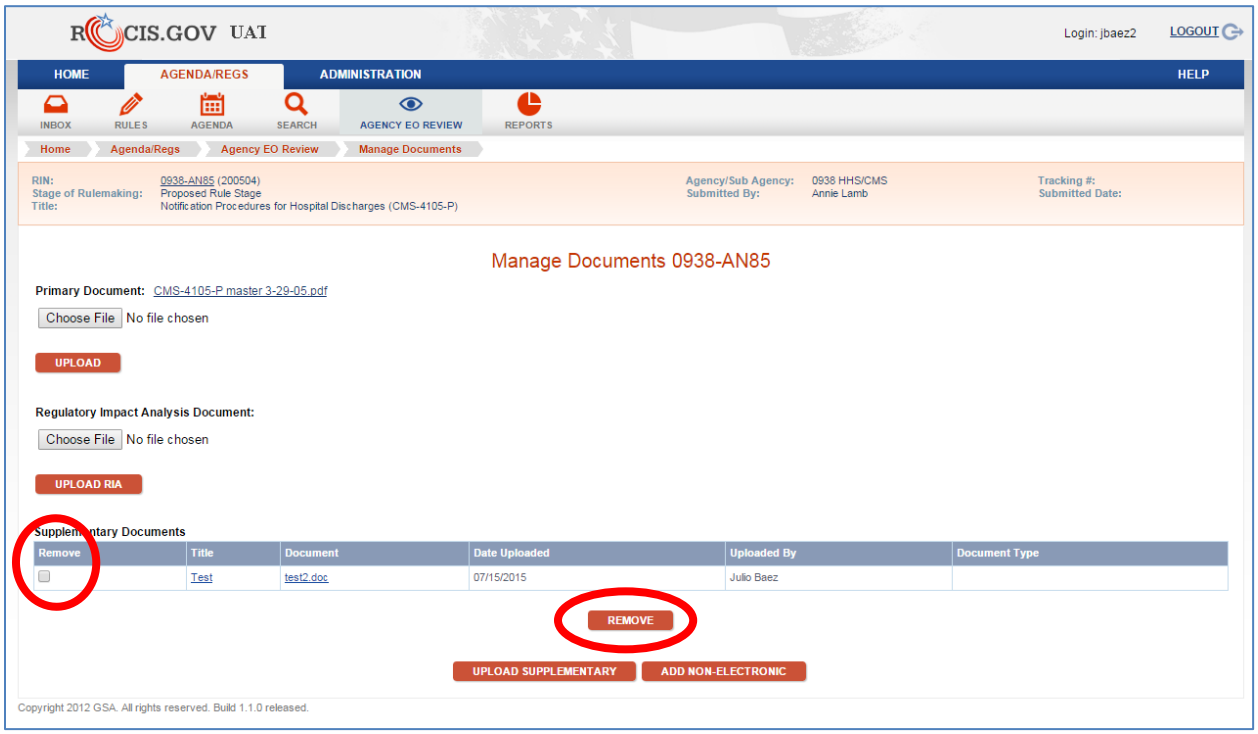

Figure 9.7: Manage Documents Screen with Uploaded Supplementary Document

ROCIS also provides the user with the ability to provide a document to OIRA that is not in a machine readable format. However, this should be viewed as a measure of last resort, since the document will need to be hand delivered to the New Executive Office building by a government employee. The agency employee will need to call the OIRA Records Management Center at 202-395-6880 to make an appointment to drop off the document.

To create a cover sheet, click on the 'Add Non-Electronic Document' button. The cover sheet will need to be filled out and then printed. It should be attached to the document so that when the document is received at OIRA, it can be routed to the appropriate desk officer to be included with the EO package.

Cover Sheet

Document Information

RIN :	
Title:	EO User Guide Example
Publication Information :	Test
Created Date :	08/12/2013

Author(s)

First Name:	Julio
Last Name:	Baez
Affiliation:	Program Director

Contact Information

Creator Name:	Julio Baez
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City:	
State:	
Zip:	
Phone:	999 999-9999
Fax:	
E-mail:	julio.baez@gsa.gov

PRINT CLOSE WINDOW

Figure 9.8: Cover Sheet for Non-Electronic Documents

10. ENTERING ECONOMIC DATA

If the package you are building is for an economically significant rule, economic data will need to be included in the package before it can be submitted. To enter economic data, choose the Economic Data option in the Agency EO Review menu.

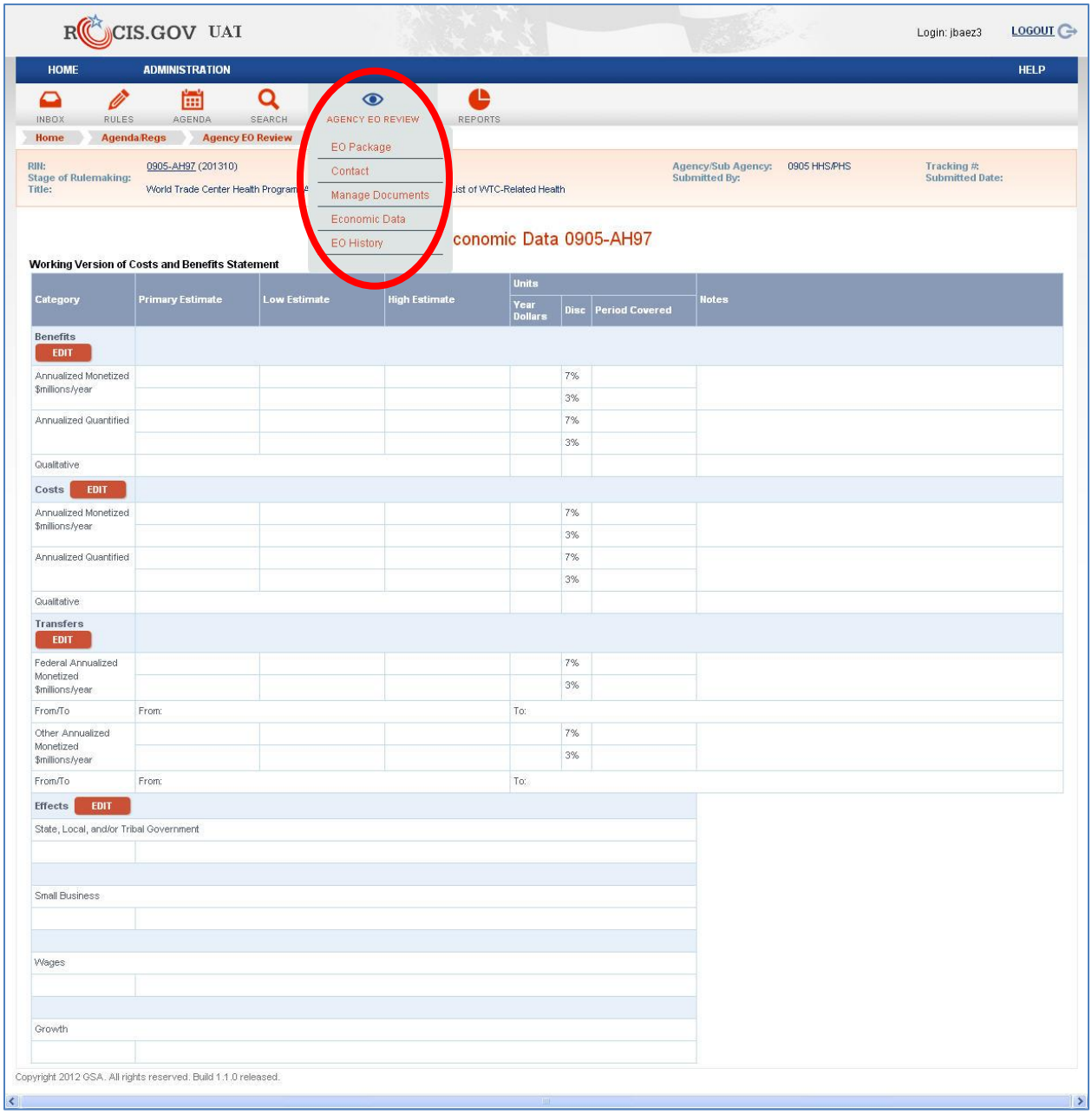

Figure 10.1: Economic Data Screen

Economic data is highly specialized, and should be supplied by an economist at your organization. If there is a problem in entering the economic data, call the ROCIS Help Desk at 866-450-5250 to ask for assistance.

11. SUBMITTING A REGULATORY REVIEW REQUEST

Now that the package has been created, the contact added, the documents uploaded and, if necessary, the economic data entered, the EO Reg Review request is almost ready to be submitted to ROCIS.

Return to the EO Package screen and scroll down to the bottom.

HOME | AGENDA/REGS | ADMINISTRATION | HELP

INBOX | RULES | AGENDA | SEARCH | AGENCY EO REVIEW | REPORTS

Home > Agenda/Regs > Agency EO Review > EO Package

RIN: 1029-AC63 (201710)
Stage of Rulemaking:
Title: Stream Protection Rule
Agency/Sub Agency: 1029 DOI/OSMRE
Submitted By:
Tracking #:
Submitted Date:

EO Review Package 1029-AC63

Unfunded Mandates

No

Major

No

Priority

Other Significant

Legal Authority

30 U.S.C. 1201 et seq.

CFR Citation

30 CFR VII

Legal Deadline

Action	Source	Date	Description
None	None		

Overall Description of Deadline

Abstract

The final rule published December 20, 2016 (81 FR 93066) and became effective January 19, 2017. The final rule was nullified by a joint resolution of disapproval under the Congressional Review Act, signed by the President on February 16, 2017 (Pub. L. 115-5). This action conforms to Public Law 115-5 by changing the Code of Federal Regulations to reflect the regulations as they existed before the effective date of the final rule that was nullified under the Congressional Review Act.

Next Timetable Action

Action Description	Action Date	FR Cite
ANPRM	11/30/2009	74 FR 62664
ANPRM Comment Period End	12/30/2009	
NPRM	07/27/2015	80 FR 44436
NPRM Comment Period Extended	09/10/2015	80 FR 54590
NPRM Comment Period End	09/25/2015	
NPRM Comment Period Extended End	10/26/2015	
Final Action	12/20/2016	81 FR 93066
Final Action Effective	01/19/2017	
Final Rule; CRA Revocation	07/00/2017	

Regulatory Flexibility Analysis Required

Businesses

Small Entities Affected

Government Levels Affected

State

Federalism

No

Agency has prepared or plans to prepare Statement of Energy Effects:

Undetermined

Designation Status

SIGNIFICANT

Agency Tracking Number

*** EO Stage Of Rulemaking**

OIRA Designation

SIGNIFICANT

Designation Request

OIRA Designation

SIGNIFICANT

Designation Request

*** Is this action related to the Affordable Care Act [PPACA, P.L. 111-148 & 111-152]?** Yes No
*** Is this action related to the Dodd-Frank Act [Dodd-Frank Wall Street Reform and Consumer Protection Act, P.L. 111-203]?** Yes No
*** Does this rule require, authorize, or affect the creation, collection, use, processing, storage, maintenance, dissemination, disclosure, or disposal, by any entity, of personally identifiable information (see** OMB Circular No. A-130 **for an explanation of this term)?** Yes No
*** International Impacts?** Yes No

Primary Documents	Date Uploaded	Uploaded By
No associated records found		

Regulatory Impact Analysis Documents	Date Uploaded	Uploaded By
No associated records found		

Paperwork Reduction Act

*** Does the rule contain ICRs?** Yes No
New OMB Control Number Will Be Requested:

Existing OMB Numbers ADD

* Denotes Required Field

SAVE | DELETE | SUBMIT | CANCEL

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Figure 11.1: EO Review Package Screen

There are several additional items that must be entered into the request.

The first is the stage of rulemaking. Select the appropriate value from the drop down list provided by ROCIS.

Next is the Designation. Again, there is a drop down list with three options available.

> Choose 'Economically Significant' if the rule will have an annual effect on the economy of $100 million or more.
>
> Choose 'Significant' if the rule will adversely affect in a material way the economy, a sector of the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities. Any rules that create a serious inconsistency or otherwise interfere with an action taken or planned by another agency, materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive order would also be designated 'Significant'.
>
> Choose 'Not Significant' for anything not covered above.

Indicate whether or not the rule is related to the Tax Cuts and Jobs Act [Pub. L. 115-97]1 by selecting the appropriate option.

> *1. Formally known as "An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018."*

Indicate whether or not the rule is related to the Affordable Care Act by selecting the appropriate option.

Indicate whether or not the rule is related to the Dodd-Frank Act by selecting the appropriate option.

Indicate whether or not the rule requires, authorizes, or affects the creation, collection, use, processing, storage, maintenance, dissemination, disclosure, or disposal, by any entity, of personally identifiable information by selecting the appropriate option.

Indicate whether or not the rule has international impacts.

Before the package can be saved, the question pertaining to ICRs must be answered.
ICR stands for information collection request. These are requests that are reviewed by OIRA under the Paperwork Reduction Act, and eventually assigned an OMB control number. If you

know the associated OMB control numbers, or know that one or more will eventually be collected, you can answer the related questions and then save the EO package. If you do not know, simply answer 'no' to save the package, and check with a paperwork contact at your office.

To find an ICR expert at your office, use the 'Employee Administration ' search described earlier, and search for someone from your agency with the role of Authorized Paperwork Contact (APC). If you do not find anyone by searching on your sub agency, try the search again using your agency code.

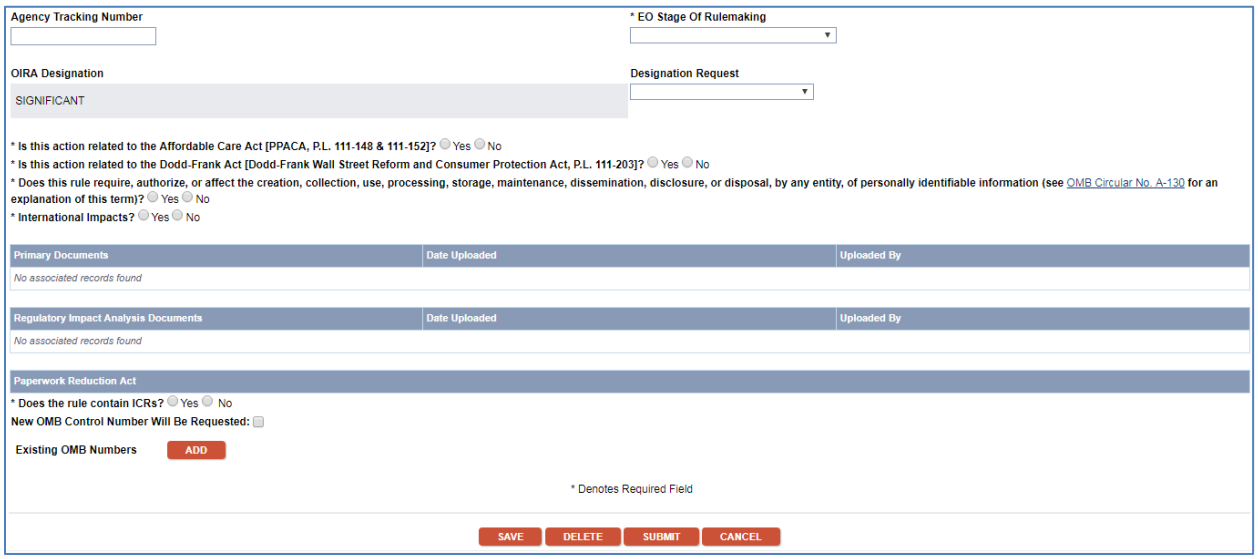


Figure 11.2: Bottom of EO Package Screen

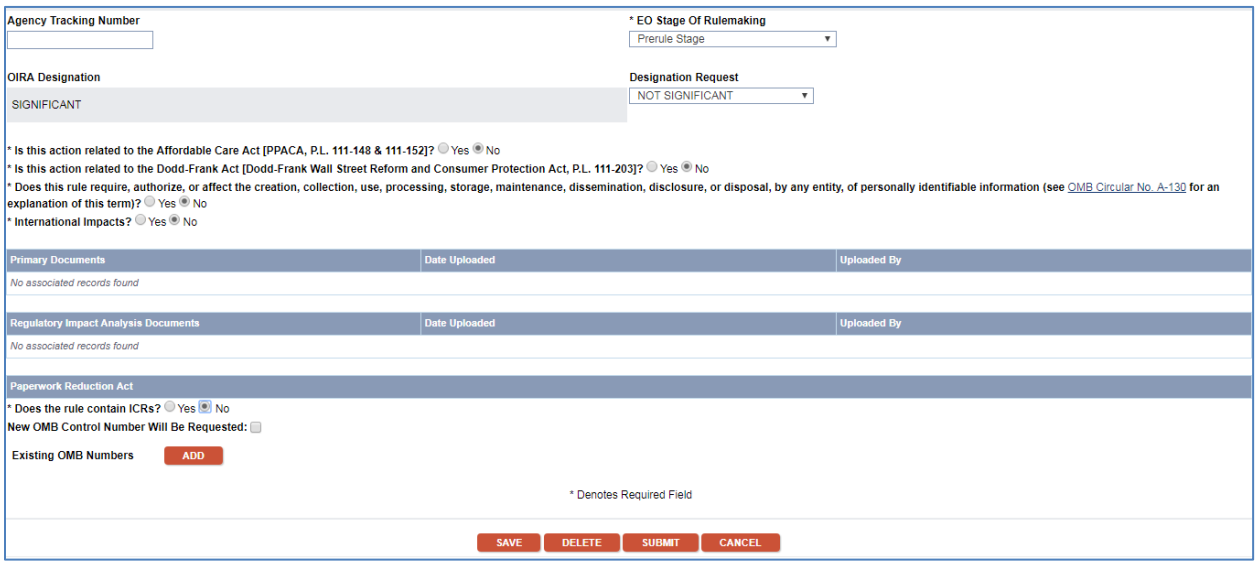


Figure 11.3: Bottom of EO Package Screen with Data Entered

The request is now ready to be submitted. Whether the 'Submit' button is available on your screen depends on your level of access to the EO REG Review module. If you do not have the 'Submit' button, save your request and notify an EORC at your organization that the request is ready to be submitted to OIRA. If you do not know who has EORC privileges, refer to the section on User/Contact Search to perform a search by agency and role.

If the 'Submit' button does appear on your screen, simply click it. ROCIS will reply with a confirmation message. If everything looks fine, click 'OK'. The request will immediately be submitted to OIRA, and you will be transferred to your 'Submitted Request List' where you can see the request status.

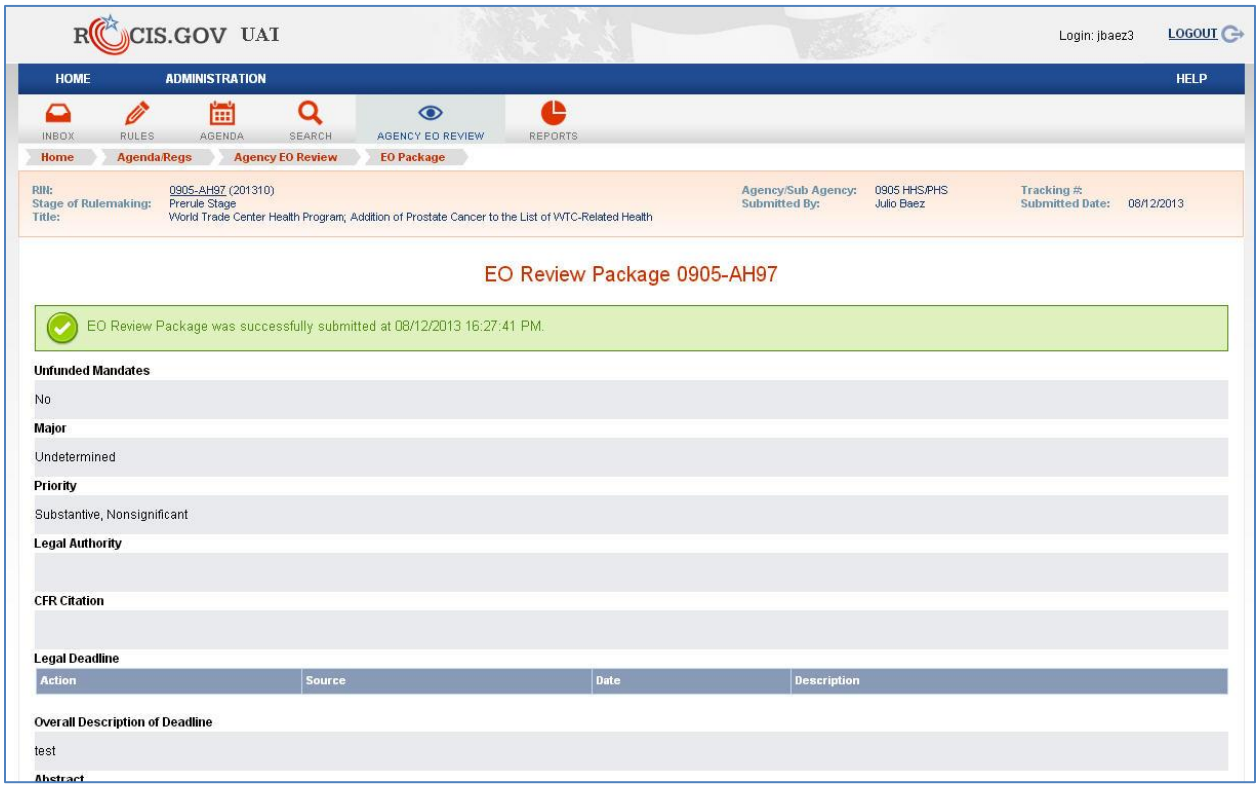


Figure 11.4: EO Review Package Screen with Confirmation of Submission

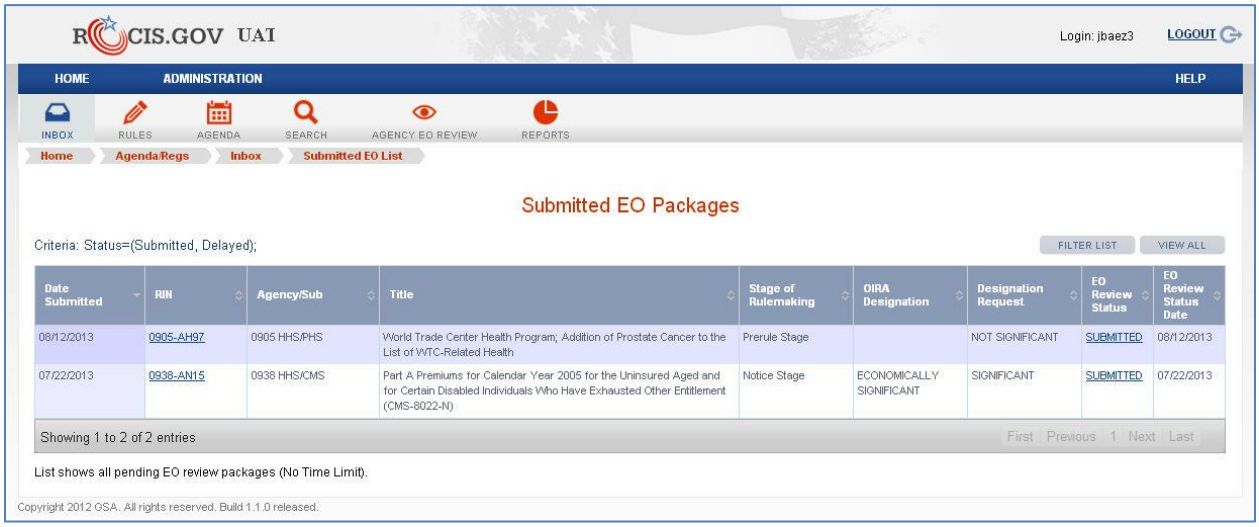


Figure 11.5: Submitted EO Packages List

12. THE REVIEW PROCESS AND OPEN FOR AMENDMENT

When the EO Package is submitted, the ROCIS system saves the agency submission (EO REG Review data and documents), and that submission record is never altered. Instead, at the same time, the system makes an exact copy of the submission and provides it to OIRA. While the EO Package is under review, OIRA may request that the agency make changes to the submission. These changes will be made to the OIRA copy of the record. In order for the agency to make changes to the OIRA version of the package, an OIRA desk officer must open the record for amendment. Such an action on the part of OIRA will show as a change of status in the 'Received' list for the agency. The status will be changed to 'Open for Amendment'. Once a package has this status, the agency can operate on the submission by clicking on the status.

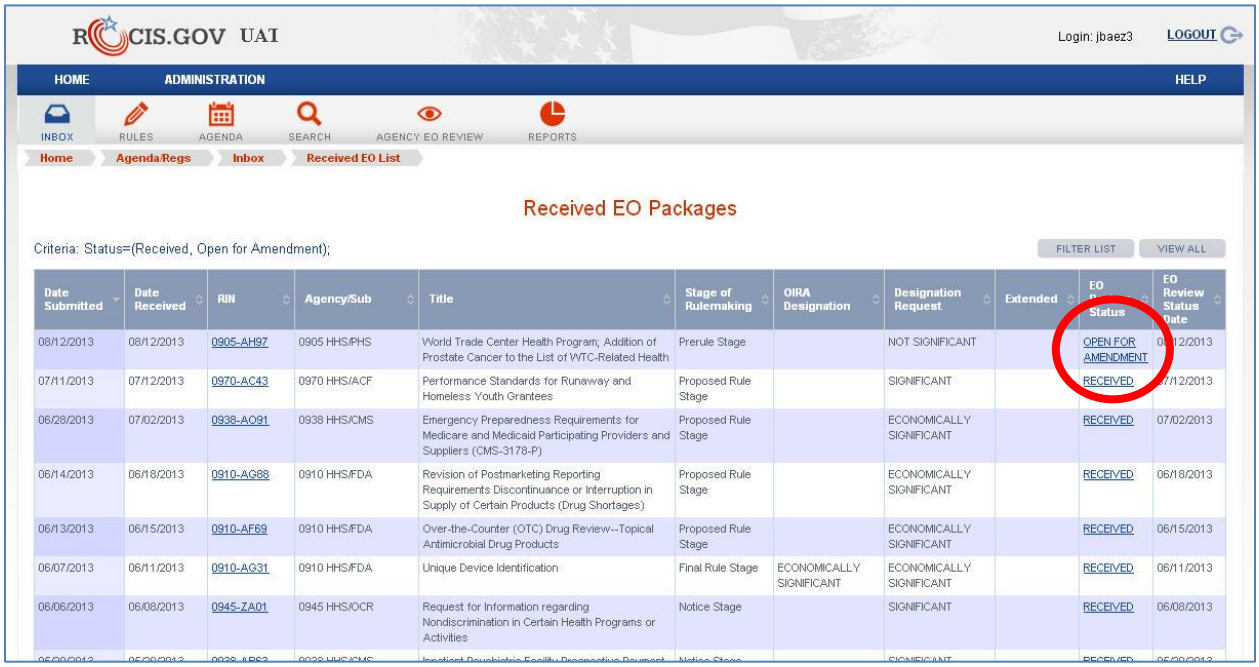


Figure 12.1: Received EO Packages List with Open for Amendment

The OIRA desk officer will have advised what is to be changed for the submission. Normally, this will entail adding a new version of the primary document. To upload a new version of the document, go to the 'Manage Documents' screen and click the 'Upload New Version' button.

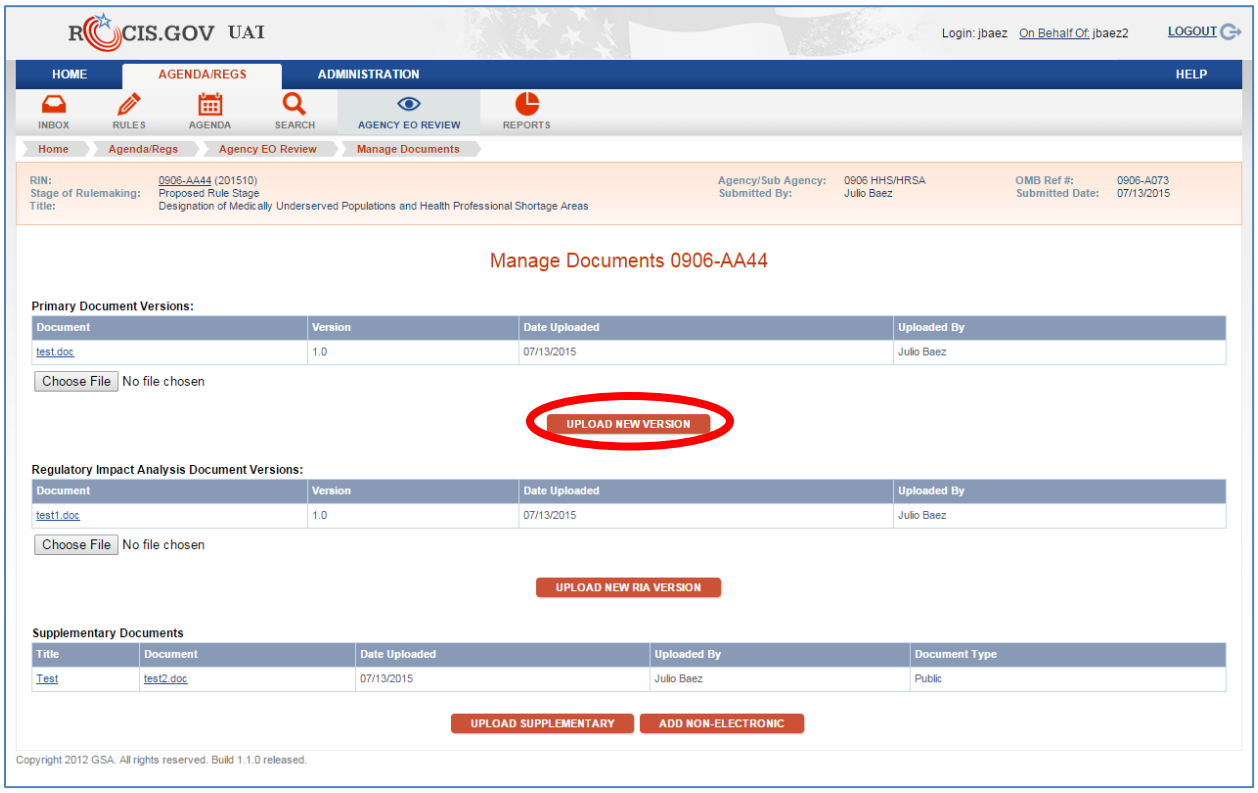


Figure 12.2: Manage Document Screen with Upload New Version Button

The upload of the new version of the primary document will be done exactly as was done for the primary document before. Browse the desktop to locate the file, open it, and then hit the 'upload' button. Follow the same steps to upload a new version of the Regulatory Impact Analysis document, as required.

The new version will NOT overwrite the existing document, as occurred when the package was in a 'create' state. Instead, a new version of the document will be added to the submission.

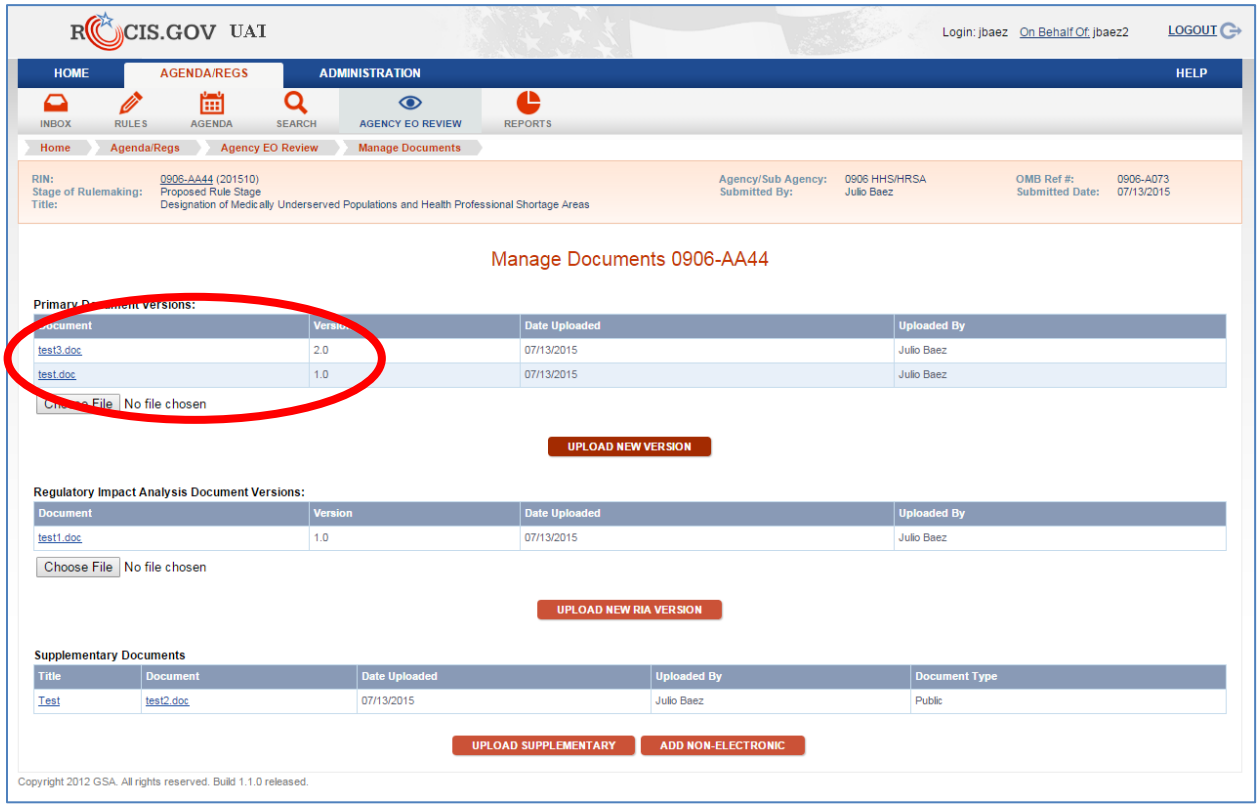


Figure 12.3: Manage Document Screen with Two Versions of Primary Document

Once the new version has been uploaded, return to the EO Package screen, and scroll to the bottom. There is now a new button displayed 'Submit Amendment'. Click it to submit the amendment. Notify the OIRA desk officer that the package has been amended.

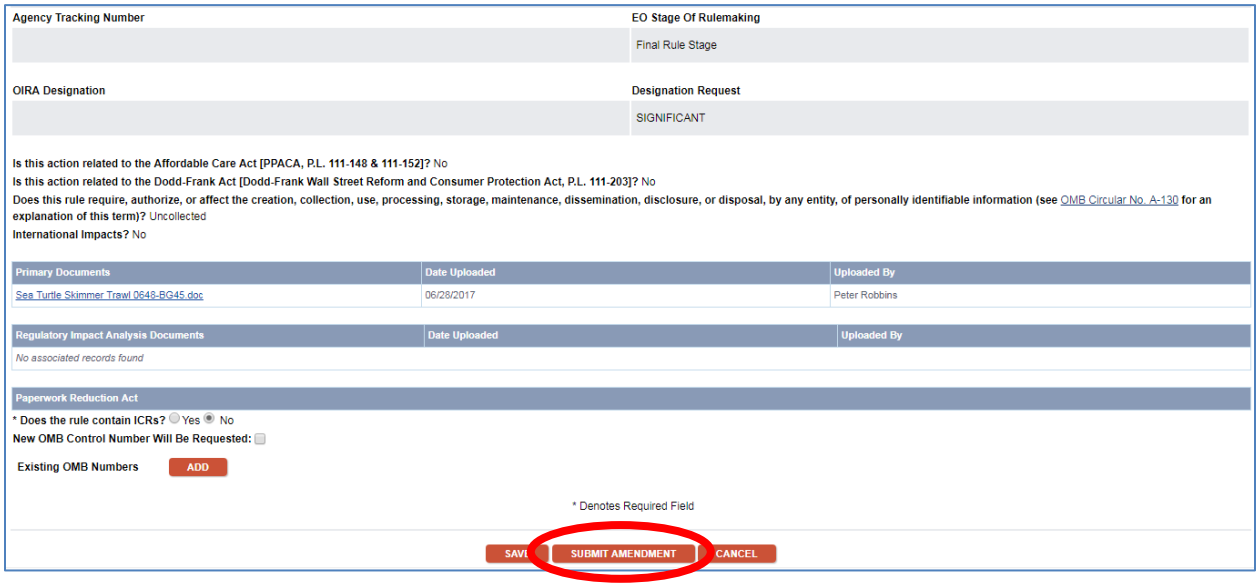


Figure 12.4: EO Review Package Screen with Submit Amendment Button

The OIRA desk officer may close the package, also. It will again show a status of 'Received' in the received list. Once the status is changed, the modifications made to the OIRA record will no longer be viewable by the agency. When an agency user views the submission, the user will be looking at the original version of the submission, not the modified copy 'belonging' to OIRA. That will be true until the review is concluded by OIRA. Once the review is concluded, the OIRA version of the record will become the displayed version of the review.

14. THE CONCLUSION PROCESS

When OIRA concludes review of the EO REG Review submission, ROCIS will display the submission in the agency's Concluded Inbox for 30 days.

OIRA can conclude the review with any of a number of actions. These include:

- Reviewed without Change—the EO Package was reviewed by OIRA, and no substantive changes were necessary
- Reviewed with Change—the EO Package was reviewed by OIRA and changes were made by the agency to the submission
- Improperly Submitted—OIRA determined that the EO package was not appropriate for OIRA review
- Withdrawn—the submitting Agency asked that the EO package be withdrawn from consideration

The appropriate data on the concluded review will be displayed on the ROCIS public website www.reginfo.gov the day after the review is concluded.

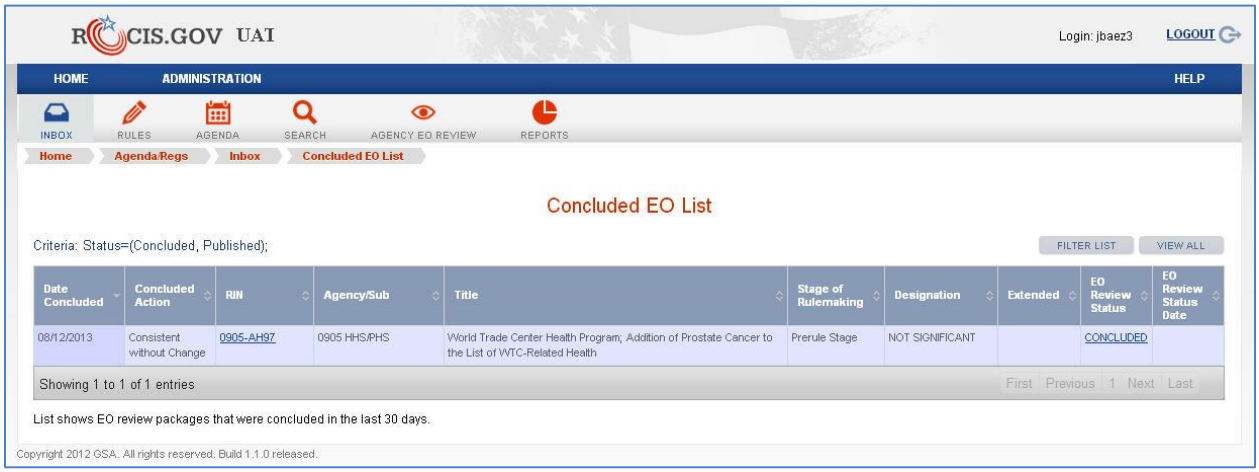
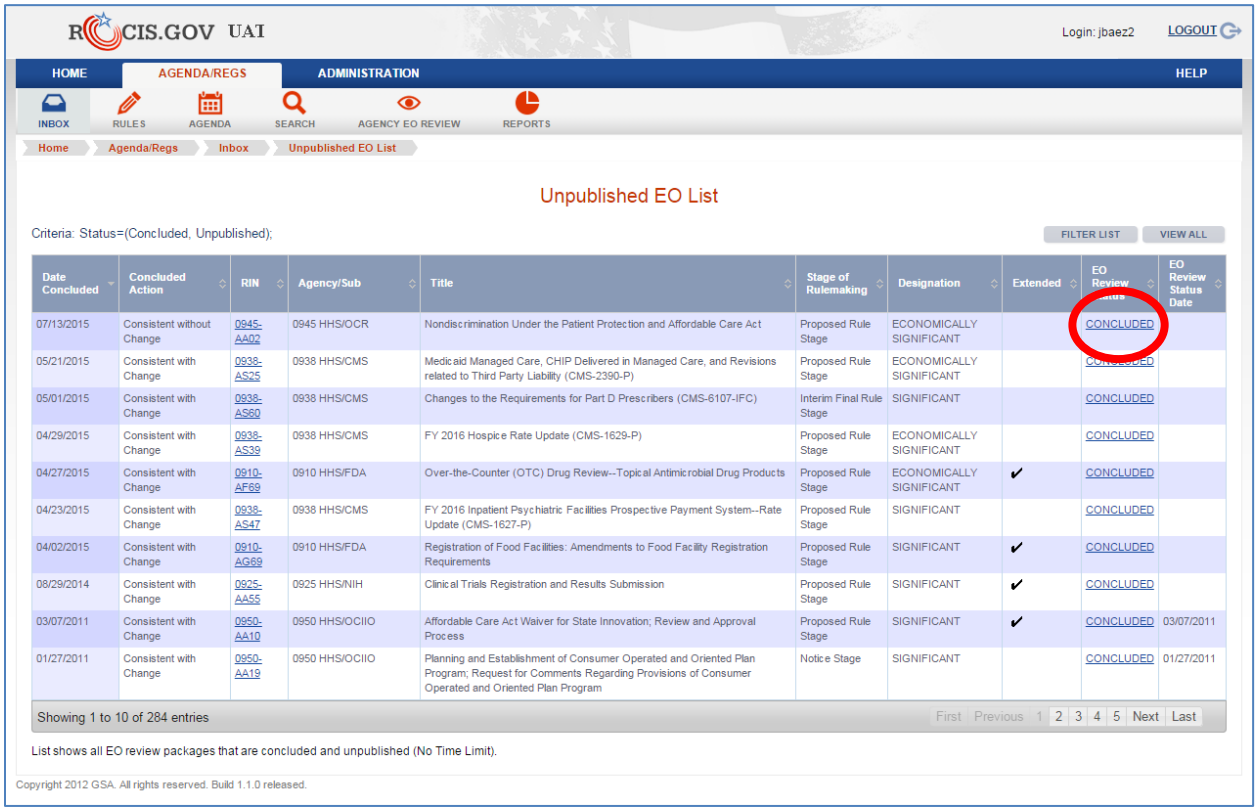


Figure 13.1: Concluded EO List Inbox

14. ENTERING THE FR PUBLICATION DATE

Once OIRA approves the review, your Agency can publish the associated rulemaking document(s) in the Federal Register. Users with EORC and/or RRP access can view approved, but not published, EO packages for RINs that have been, or will be, published in the Unified Agenda in the 'Unpublished' list. Select the desired EO package by clicking on the 'Concluded' link in the 'Unpublished' list.



Date Concluded	Concluded Action	RIN	Agency/Sub	Title	Stage of Rulemaking	Designation	Extended	EO Review Status	EO Review Status Date
07/13/2015	Consistent without Change	0945-AA02	0945 HHS/OCR	Nondiscrimination Under the Patient Protection and Affordable Care Act	Proposed Rule Stage	ECONOMICALLY SIGNIFICANT		CONCLUDED	
05/21/2015	Consistent with Change	0938-AS25	0938 HHS/CMS	Medicaid Managed Care, CHIP Delivered in Managed Care, and Revisions related to Third Party Liability (CMS-2390-P)	Proposed Rule Stage	ECONOMICALLY SIGNIFICANT		CONCLUDED	
05/01/2015	Consistent with Change	0938-AS60	0938 HHS/CMS	Changes to the Requirements for Part D Prescribers (CMS-6107-IFC)	Interim Final Rule Stage	SIGNIFICANT		CONCLUDED	
04/29/2015	Consistent with Change	0938-AS39	0938 HHS/CMS	FY 2016 Hospice Rate Update (CMS-1629-P)	Proposed Rule Stage	ECONOMICALLY SIGNIFICANT		CONCLUDED	
04/27/2015	Consistent with Change	0910-AF69	0910 HHS/FDA	Over-the-Counter (OTC) Drug Review--Topical Antimicrobial Drug Products	Proposed Rule Stage	ECONOMICALLY SIGNIFICANT	✔	CONCLUDED	
04/23/2015	Consistent with Change	0938-AS47	0938 HHS/CMS	FY 2016 Inpatient Psychiatric Facilities Prospective Payment System--Rate Update (CMS-1627-P)	Proposed Rule Stage	SIGNIFICANT		CONCLUDED	
04/02/2015	Consistent with Change	0910-AG69	0910 HHS/FDA	Registration of Food Facilities: Amendments to Food Facility Registration Requirements	Proposed Rule Stage	SIGNIFICANT	✔	CONCLUDED	
08/29/2014	Consistent with Change	0925-AA55	0925 HHS/NIH	Clinical Trials Registration and Results Submission	Proposed Rule Stage	SIGNIFICANT	✔	CONCLUDED	
03/07/2011	Consistent with Change	0950-AA10	0950 HHS/OCIIO	Affordable Care Act Waiver for State Innovation; Review and Approval Process	Proposed Rule Stage	SIGNIFICANT	✔	CONCLUDED	03/07/2011
01/27/2011	Consistent with Change	0950-AA19	0950 HHS/OCIIO	Planning and Establishment of Consumer Operated and Oriented Plan Program; Request for Comments Regarding Provisions of Consumer Operated and Oriented Plan Program	Notice Stage	SIGNIFICANT		CONCLUDED	01/27/2011

Figure 14.1: Unpublished EO List Inbox

Once the EO package has been opened, select the 'Publish EO' option from the Agency EO Review menu.

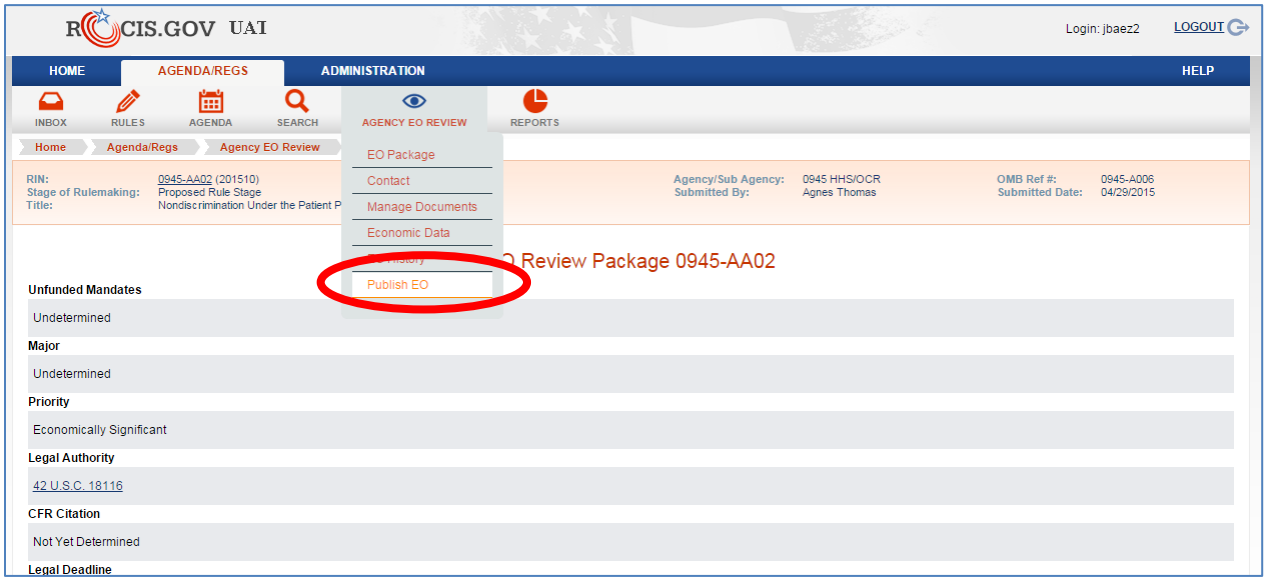


Figure 14.2: 'Publish EO' Option in Agency EO Review Menu

On the next screen, enter the FR publication date and click the 'Save Publication Date' button.

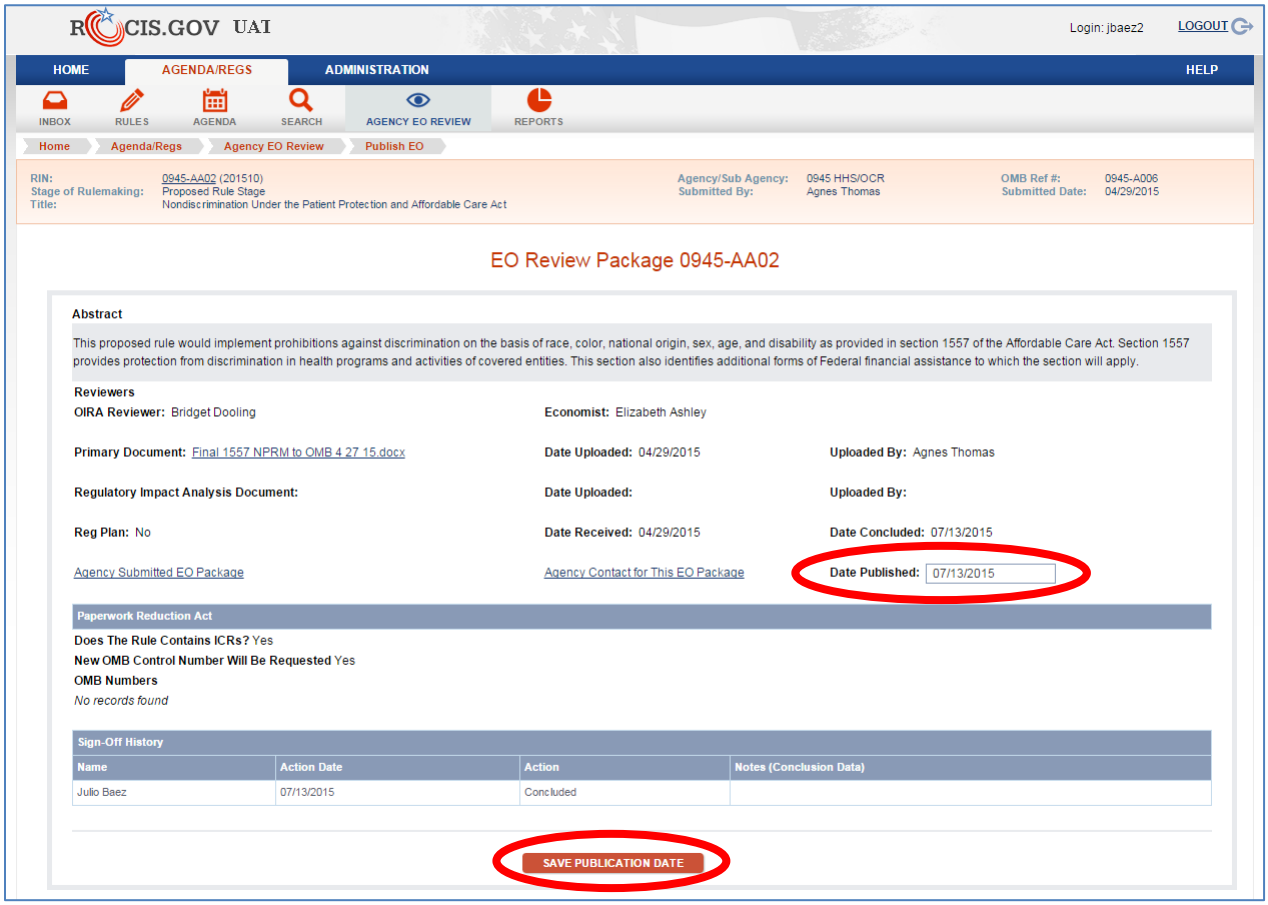


Figure 14.3: EO Review Package Screen for Concluded Review

After the FR publication date has been saved, the EO package appears in the Concluded Request List with a status of 'Published'.

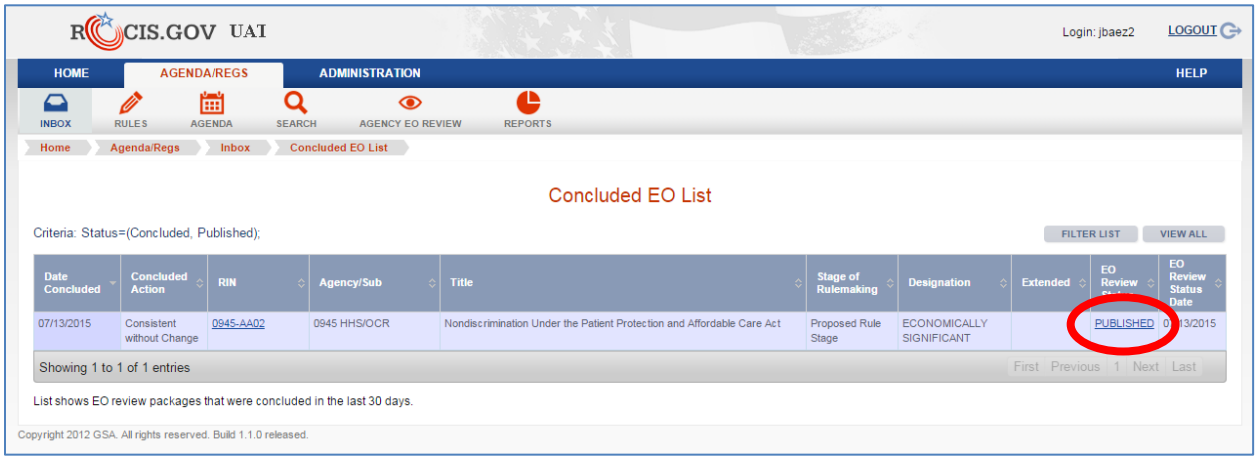


Figure 14.4: Concluded EO List with Published EO Package

APPENDIX A: EO REG REVIEW USER ROLES

There are five agency roles within ROCIS that have privileges associated with the EO Reg Review process within ROCIS:

Regulatory Review Processor (RRP) – This individual can create and update any type of EO REG Review-related request. This user can also update the FR publication date for approved, but not published, EO packages for RINs that have been, or will be, published in the Unified Agenda. To obtain a ROCIS account, he must go through his agency's Regs Privileges Point of Contact (see role description below) and sign a security agreement. He must also attend the EO Regulatory Review course offered by RISC.

Executive Order Regulatory Contact (EORC) – This individual can do everything that a RRP can do. He can also submit a request to OIRA for review of an EO REG Review on behalf of the agency. To obtain a ROCIS account, the EORC must go through the agency's Regs Privileges Point of Contact (see role description below) and sign a security agreement. He is also required to attend the EO Regulatory Review course offered by RISC. **Each agency must have at least one of these.**

Authorized Regulatory Contact (ARC) – An individual with this role can update EO Reg review packages. This user can also update the FR publication date for approved, but not published, EO packages for RINs that have been, or will be, published in the Unified Agenda. This role also gives the user access to the agenda module of ROCIS.

Regulatory Data Entry Contact (RDEC) – This role allows a user to create and edit an EO Reg Review package. Additionally, it gives the user access to the agenda module of ROCIS.