

# Rules and Regulations

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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## FEDERAL LABOR RELATIONS AUTHORITY

### 5 CFR Part 2429

#### Miscellaneous and General Requirements

##### Correction

In rule document 2023–14933, appearing on pages 43425–43426, in the issue of Monday, July 10, 2023, make the following corrections:

- On page 43425, in the first column, after the **DATES** heading, in the second line, “July 11, 2023” is corrected to read “July 10, 2023”.

- On the same page, in the same column, in the fourth line, “August 10, 2023” is corrected to read “August 9, 2023”.

[FR Doc. C1–2023–14399 Filed 7–11–23; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### 6 CFR Part 37

[Docket No. DHS–2023–0016]

#### Minimum Standards for Driver's Licenses and Identification Cards Acceptable by Federal Agencies for Official Purposes; Corrections

**AGENCY:** Office of the Secretary, (DHS).

**ACTION:** Final rule; technical amendment.

**SUMMARY:** This final rule amends the Department of Homeland Security REAL ID regulations by making non-substantive technical revisions to two provisions that incorporate standards by reference. It also consolidates and updates the standardized incorporation by reference approval language into one centralized section for this part. This action is editorial in nature and does not impose any new regulatory requirements on affected parties.

**DATES:** This rule is effective July 12, 2023. The incorporation by reference of the material listed in this rule into § 37.4 is approved by the Director of the Federal Register as of July 12, 2023. The incorporation by reference of the material listed in this rule elsewhere was approved by the Director of the Federal Register as of March 31, 2008.

**FOR FURTHER INFORMATION CONTACT:** Julia Follick, Office of General Counsel, DHS; telephone: (202) 875–4913; email: [Julia.Follick@hq.dhs.gov](mailto:Julia.Follick@hq.dhs.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The REAL ID Act sets minimum security requirements for the issuance and production of driver's licenses and identification cards in order for federal agencies to accept these documents for official purposes.<sup>1</sup> DHS regulations implementing the Act are codified at 6 CFR part 37.<sup>2</sup> Within this part, §§ 37.17 and 37.19 incorporate four standards by reference.

Incorporation by reference (IBR) allows federal agencies to comply with the requirement to publish rules in the **Federal Register** and Code of Federal Regulations (CFR)<sup>3</sup> by referring to material already published elsewhere.<sup>4</sup> The regulations agencies must follow to IBR publications into the CFR are found at 1 CFR part 51. Part 51 requires agencies to provide specific information related to the publications along with contact information for the publishers, the agency and the National Archives and Records Administration. In order to help Federal agencies meet this and the other requirements established in 1 CFR part 51, the Office of the Federal Register publishes the IBR Handbook.<sup>5</sup> The IBR Handbook provides

<sup>1</sup> Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005, Public Law 109–13, Div. B, title II, sections 201 to 207, May 11, 2005, as amended (codified at 49 U.S.C. 30301 note) (the REAL ID Act). The REAL ID Act applies to the 50 states, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

<sup>2</sup> 73 FR 5272 (Jan. 29, 2008).

<sup>3</sup> 44 U.S.C. chapter 15.

<sup>4</sup> 5 U.S.C. 552(a). Congress in the Freedom of Information Act authorized the Director of the Federal Register (Director) to normalize the process used by federal agencies to IBR publications into the CFR.

<sup>5</sup> The Office of the Federal Register's IBR Handbook: Release 1–2022 can be found at: <https://www.archives.gov/federal-register/write/handbook/ibr-supplement>.

standardized language that meets the requirements of part 51. It also provides examples of the ways agencies can set out this language in their regulations depending on whether the agency is incorporating one standard in one section or multiple standards into multiple sections in a part. When Federal agencies seek to IBR multiple standards into different sections, the OFR provides agencies the option to codify one section that contains the standardized approval language along with all the standards incorporated by reference into a discrete CFR unit, such as a Chapter, Subchapter, Part or Subpart. This “centralized IBR section” allows Federal agencies to consolidate IBR information into a single section instead of repeating this language in each section where the publication is incorporated.

##### II. Description of Technical Revisions

Currently, 6 CFR 37.17 and 37.19 are formatted so that the standardized IBR approval language required by 1 CFR part 51 is repeated in §§ 37.17(e), (g), (m) and 37.19. This means that the detailed information related to IBR approval, publisher information, and agency contact information is repeated in its entirety in four separate CFR paragraphs in two separate sections in part 37. This rule removes the IBR approval language from each of these individual paragraphs and consolidates the language into new § 37.4 *Incorporation by Reference*. This consolidation increases the readability of the part by removing duplicative language from §§ 37.17 and 37.19.

Finally, in the course of drafting this technical amendment, DHS realized that our contact information in these provisions was out of date. This rule also revises the IBR approval language in § 37.4 to update the email address to contact the department if you are interested in examining the standards incorporated by reference into 6 CFR part 37.

##### III. Administrative Procedure Act

DHS has determined that this rule is exempt from notice-and-comment rulemaking requirements under 5 U.S.C. 553(b)(A) and 5 U.S.C. 553(b)(B). The revisions set out in this rule pertain to reformatting the current codified text and updating contact information and constitutes “rules of agency organization, procedure, or practice”