Agency Letterhead

January XX, 2019

Oliver A. Potts, Director

Office of the Federal Register (F)

National Archives and Records Administration

8601 Adelphi Rd

College Park, MD 20740

Dear Mr. Potts:

Please publish this [RULE] concerning [[INSERT SUBJECT (including agency docket number, and RIN number)] under an exception to the Antideficiency Act, as amended by Public Law No. 101-508, 104 Stat. 1388 (31 U.S.C. 1341) and explained by the Office of Legal Counsel Memorandums “Government Operations in the Event of a Lapse in Appropriations” dated August 16, 1995 and “Effect of Appropriations for Other Agencies and Branches on the Authority to Continue Department of Justice Functions During the Lapse in the Department’s Appropriations” dated December 13, 1995.

This document supports [DEPARTMENT/AGENCY] currently funded functions.

[INSERT *a discussion of those funded functions – clearly describe the function(s) and how it is funded*].

Delaying publication of this document would prevent or significantly damage the execution of these functions. [EXPLAIN *how the delay will impact funded functions: what is the short-term impact? The long-term impact? Will this delay in publication adversely impact other rulemaking projects? Will this delay in publication adversely impact entitlements or other benefits? Will this delay result in other legal consequences?*].

[*If you can’t demonstrate that some delay would prevent or significantly damage the execution of funded functions but you can demonstrate that an indefinite delay would, at what point would a delay in publication trigger the damage?*]

[*If you are NOT publishing a rulemaking document, describe the functions that would be prevented or significantly damaged by a delay in publication and describe the impact that would have on your agency’s currently funded functions.*]

Call [INSERT YOUR NAME] at [TELEPHONE NUMBER] or [INSERT ALTERNATE CONTACT] at [TELEPHONE NUMBER] for answers to any questions.

Sincerely,

[SIGN]

Type name,

Title