

**FISH AND WILDLIFE SERVICE
SERVICE DIRECTIVES**

TABLE OF CONTENTS	
Topics	Sections
<u>Overview</u>	3.1 What is the purpose of this chapter? 3.2 What are the authorities for this chapter? 3.3 Who is responsible for reviewing and publishing Service Manual chapters?
<u>Preparing a Draft</u>	3.4 How does the division/office prepare a draft?
<u>Getting Feedback</u>	3.5 How does the division/office get comments from other programs and the Regions?
Draft	
Final	3.6 When should an author ask the Solicitor's office to review a chapter? 3.7 When does an author need to seek OMB review? 3.8 When should an author seek public comment, and how does he/she do it?
<u>Final Concurrence</u>	3.9 How does a division/office seek concurrence on final chapters (after receiving comments from the Directorate or when Directorate comment is not necessary)? 3.10 What are the elements of the final surname package? 3.11 What happens if a reviewing official does not concur with the chapter and requests changes? 3.12 What if the author needs to make substantial changes to the document after reviewing officials have already surnamed it, but before the Director approves it?
<u>After Approval</u>	3.13 Who publishes the chapter after the Director approves it? 3.14 Does the author need to put the entire chapter through the surname process if he/she only wants to make a small change or correction to an existing chapter?

OVERVIEW

3.1 What is the purpose of this chapter? This chapter describes how to:

A. Prepare new or revised U.S. Fish and Wildlife Service Manual (Service Manual) chapters for review and surname (see [011 FW 2](#) for information on how to write a chapter);

B. Seek Directorate comment on draft chapters and summarize comments;

C. Seek input from the Solicitor's office, the Office of Management and Budget (OMB), and the public on a policy, if necessary; and

D. Make minor revisions to a chapter by issuing an amendment.

3.2 What are the authorities for this chapter?

A. Federal Information Resources Management Regulations ([41 CFR 201-45.105](#)).

B. [381 DM 1](#), Directives Management.

**FISH AND WILDLIFE SERVICE
SERVICE DIRECTIVES**

3.3 Who is responsible for reviewing and publishing Service Manual chapters?

Table 3-1: Responsibilities for Reviewing and Publishing Service Manual Chapters	
These employees...	Are responsible for...
A. The Director	Approving or declining to approve Service Manual chapters.
B. Directorate members	<p>(1) Reviewing drafts of new Service Manual chapters and revised chapters when the revisions have impacts on their Regions/programs, and</p> <p>(2) Providing comments to the originating division/office.</p>
C. Division Chief or Office Manager (the division or office that is responsible for the subject matter of a chapter is also responsible for developing the chapter and revising it when necessary)	<p>(1) Consulting with the Division of Policy and Directives Management (PDM) before developing, revising, or amending a chapter;</p> <p>(2) Consulting with other divisions or offices affected by the policy;</p> <p>(3) Writing, revising, or amending the chapter;</p> <p>(4) Seeking Directorate comments on new chapters and revised chapters that have Servicewide impacts;</p> <p>(5) Ensuring that OMB has an opportunity to review significant policies and determining whether or not to seek comment from the public; and</p> <p>(6) Determining what impacted offices should surname a final chapter.</p>
D. Chief, PDM	<p>(1) Reviewing chapters for format and clarity,</p> <p>(2) Editing for plain language,</p> <p>(3) Working with the originating division or office to resolve issues and clarify language,</p> <p>(4) Determining if divisions or offices other than those the originating office identifies are affected, and notifying the originating office about the need for additional concurrence,</p> <p>(5) Reviewing chapters to ensure they are consistent with other Service and Departmental policies, and</p> <p>(6) Retaining the latest electronic copy of the chapters to ensure that the proper version gets signed and posted.</p>

**FISH AND WILDLIFE SERVICE
SERVICE DIRECTIVES**

Preparing a Draft

3.4 How does the division/office prepare a draft? The division or office that is responsible for the subject matter must:

A. Consult with other affected divisions or offices and PDM before writing the chapter or revising an existing chapter,

B. Use the template and guidelines provided in [011 FW 2](#) to write or revise the chapter, and

C. Contact PDM after you have written a draft. PDM:

(1) Reviews and edits your draft chapter before others review it. This review ensures it follows the standards described in [011 FW 2](#).

(2) Sends edits and comments back to you. Incorporating these will strengthen your document.

(3) Does not change the substance of policy, but may make recommendations to clarify it and make it easier to read.

Getting Feedback

3.5 How does the division/office get comments from other programs and the Regions? If a chapter is new or it's a revision to an existing chapter that has a Servicewide impact, the author must seek review from other programs and the Regions. To get this input:

A. After the division/office receives and incorporates PDM's edits and comments on the draft, it prepares a memorandum from the Deputy Director to the Directorate asking them to review the chapter.

B. The memorandum should include (see [Exhibit 1](#) for templates):

(1) A deadline by which the Directorate must provide comments (allow at least 30 days),

(2) A brief summary of the policy (if it is a new policy) or a description of how you revised the chapter, and

(3) Contact information.

C. Following current division/office procedures and the [Correspondence Handbook](#), the division/office prepares a surname package that includes a note to reviewers, the memorandum, and the draft chapter, and then uploads them to the Service's Data Tracking System (DTS).

(1) The package is routed through the program's chain of command, and

(2) The last three reviewing officials in the DTS routing always are:

(a) *Chief, PDM,*

**FISH AND WILDLIFE SERVICE
SERVICE DIRECTIVES**

(b) *Assistant Director – Budget, Planning, and Human Capital (ABHC)*, and

(c) *Correspondence Control Unit (CCU)*.

(3) After the Deputy Director signs the memorandum, CCU will electronically distribute it to the Directorate.

D. Incorporate Directorate comments, as appropriate. Make notes about how you incorporate comments and give a rationale when you do not incorporate a comment. You may use a table to summarize the comments you receive and how you incorporated them (see [Exhibit 2](#) for a sample), or, if you only receive a few comments, you may handwrite your responses directly on copies of the comments.

E. See [sections 3.9 and 3.10](#) for how to prepare a final chapter and get the Director's signature.

3.6 When should an author ask the Solicitor's office to review a chapter?

A. For some chapters, we require that you seek the Solicitor's feedback and surname before finalizing it for the Director's signature or publishing it for the public to provide comment. PDM can help you determine if and when the Solicitor should review the package.

B. In most circumstances, it is best to send a chapter to the Solicitor's office only after you've incorporated Directorate comments.

C. The types of chapters that the Solicitor should see include, but are not limited to those that:

(1) Have legal implications (e.g., a policy that could lead to a lawsuit or public controversy, or one that involves enforcement actions, such as arrests, penalties, or fines),

(2) Include sample agreements or memorandums of understanding with partners or other third parties,

(3) Discuss ethics,

(4) Interpret regulations or law, or

(5) Include descriptions of contractual obligations.

3.7 When does an author need to seek OMB review?

A. OMB requires that we notify them about "significant" policies and give them a chance to review them. OMB wants to review a policy if it meets one of the following four criteria:

(1) Has clear and substantial impact on important public policies or private sector decisions,

(2) Raises highly controversial issues related to interagency concerns or important Administration priorities,

(3) Establishes initial interpretations of statutory or regulatory requirements, or

(4) Is about innovative or complex scientific or technical issues.

**FISH AND WILDLIFE SERVICE
SERVICE DIRECTIVES**

B. PDM maintains a list for OMB that includes descriptions of the significant draft regulations and policies the Service is working on and when they will be available for review. OMB reviews the list quarterly and informs PDM if they'd like to review a policy informally or formally. OMB may:

- (1) Provide comments and corrections, and
- (2) Require that we publish a policy in the Federal Register (FR) to get public input (see section 3.8).

3.8 When should an author seek public comment, and how does he/she do it?

A. If a chapter meets one of OMB's "significant" criteria ([section 3.7A](#)), then you should seek public comment by publishing a notice of the chapter's availability in the FR. OMB may also require that you publish a notice of availability in the FR.

B. For some chapters, authoring program offices may determine that it's in the Service's best interest to get public comment because the chapter will have some effect on the public or a particular sector(s) of the public (regardless of whether or not the policy meets the "significant" criteria).

C. To write an FR notice, see [202 FW 6 and 7](#). PDM will help you coordinate the process and submit the notice to the Office of the Federal Register.

Final Concurrence

3.9 How does a division/office seek concurrence on final chapters (after receiving comments from the Directorate or when Directorate comment is not necessary)? The division/office must:

A. After incorporating comments and preparing a summary of those comments, email the revised version of the chapter to PDM. PDM will review and edit the chapter again.

B. Incorporate PDM's edits.

C. Identify who should surname the chapter (i.e., which programs are affected). Create another record in DTS that routes the chapter through the surname chain. (Contact PDM for more information to help you decide who should review the chapter.)

D. The last three reviewing officials in the DTS routing always are:

(1) *Chief, PDM,*

(2) *Assistant Director – ABHC, and*

(3) *CCU.* CCU determines whether or not the package is ready for the Director's review and final approval.

E. Upload the elements of the final surname package into the new DTS record (see [section 3.10](#) for more information). Contact PDM to determine whether your package can be surnamed electronically or if you need to prepare a hard copy package.

**FISH AND WILDLIFE SERVICE
SERVICE DIRECTIVES**

F. Use DTS to notify the first reviewing official in the routing that the chapter is available for their surname. When the first reviewing official has read the package and approves its content, the official will surname it and route it to the next person on the list for review. If there are questions or the official would like you to revise something, he/she will contact you.

3.10 What are the elements of a final surname package? The final surname package is composed of the various files that reviewers need to concur on the policy. It may be totally electronic (a DTS record) until it reaches PDM, or an office can begin with a hard copy that is physically routed through the offices and tracked through DTS. Contact PDM to determine which type you must prepare.

A. Put the following documents in a DTS record:

(1) A note to reviewers that explains why you wrote the chapter or points out any other information you would like reviewers to know, such as when you sent the draft out for Directorate review. (See [Exhibit 3](#) for an example.)

(2) A summary table of the comments you received (see Exhibit 2) or notations about how you addressed comments.

(3) A Clearance Record ([Form DI-228](#)) for hard copy packages only (not necessary when electronically surnaming chapters using DTS's surname capability).

(4) A copy of the chapter and any exhibits.

B. When the chapter is assigned to PDM in the final surname chain, PDM reviews the chapter and:

(1) Puts headers, footers, and a signature line at the end of the chapter;

(2) If the package is:

(a) *Entirely electronic*, prepares a hard copy, or

(b) *In hard copy*, makes any necessary corrections; and

(3) Surnames the chapter and sends it through the ABHC to CCU. CCU determines whether or not the package is ready for the Director's review and final approval.

3.11 What happens if a reviewing official does not concur with the chapter and requests changes?

A reviewing official should never hold a chapter because of a disagreement. If the reviewing official takes exception to a chapter, then:

A. The reviewing official should contact the originating office to discuss and resolve the issue. If possible, the reviewing official should provide suggestions for ways to change the document to make it acceptable.

B. If you cannot resolve the issue, then the originating office should contact PDM. PDM will take one of the following actions:

(1) Act as an intermediary to try to find a way to resolve the issue.

FISH AND WILDLIFE SERVICE
SERVICE DIRECTIVES

(2) Refer the matter to the Deputy Director (through the Assistant Director – ABHC) for resolution.

3.12 What if the author needs to make substantial changes to the document after reviewing officials have already surnamed it, but before the Director approves it? When you make substantial changes to a chapter after it has been through all or part of the surname process, you should ask offices or divisions substantially affected to re-surname the chapter. If PDM has already surnamed the document, PDM will help you coordinate the re-surnaming process.

After Approval

3.13 Who publishes the chapter after the Director approves it? PDM publishes the chapter on the [Service Manual Web site](#). PDM will notify the originating office when they publish the chapter and will retain the original documents with signatures. PDM posts all chapters on the Internet as soon as possible after the Director signs them.

3.14 Does the author need to put the entire chapter through the surname process if he/she only wants to make a small change or correction to an existing chapter? No. If you have a minor change, you can amend the chapter. We consider minor changes to be such things as modifying a few sentences, correcting typographical errors, or changing titles to reflect changes in the organization. We provide a template for amendments in [011 FW 2, Exhibit 4](#).

/sgd/ Rowan W. Gould
DEPUTY DIRECTOR

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