

**FISH AND WILDLIFE SERVICE
SERVICE DIRECTIVES**

Service Directives

Part 012 Director's Orders

Chapter 1 Preparation and Issuance of Director's Orders

012 FW 1

1.1 What is the purpose of this chapter? This chapter describes how and when to prepare a Director's Order and the procedures for review and publication.

1.2 Who is responsible for preparing, reviewing, and publishing Director's Orders?

A. The Director:

- (1) Approves or declines to approve Orders.
- (2) Signs all approved Orders (see section [1.9](#)).

B. The Chief, Division of Policy and Directives Management (PDM), is responsible for:

- (1) Helping authors prepare Director's Orders.
- (2) Reviewing Orders to ensure they:
 - (a) Do not contradict other policy.
 - (b) Are in plain language.
 - (c) Follow the format standards (see [Exhibit 1](#)).
- (3) Establishing a timeline for authors to incorporate the content of Orders into existing Service Manual chapters or into new chapters as soon as practical.
- (4) Publishing Orders on the Internet after the Director signs them.
- (5) Reviewing justifications for extensions to termination dates to ensure they are adequate (see section [1.6](#)).

C. The manager of the division or office with a primary interest in or responsibility for the subject matter prepares the Director's Order. The preparer also coordinates with other affected offices to get input and ensure adequate review.

1.3 When does the Service issue Director's Orders instead of Service Manual chapters?

A. We limit the use of Director's Orders to:

- (1) Temporary policy and procedures,
- (2) Delegations of authority,
- (3) Emergency policy,
- (4) Special assignments or functions, and
- (5) Initial statements establishing new organizational units.

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B. We use the Service Manual to establish long-lasting policy and procedures and to describe organizations and their functions.

1.4 Will the Service publish a Director's Order to expedite policy issuance? No, unless the policy meets one of the criteria for Orders described in section [1.3](#) (for example, it is emergency or temporary policy), we do not use Orders to expedite policy issuance. In most situations, you should prepare a Service Manual chapter (see [011 FW 2](#) and [011 FW 3](#)) and not an Order.

1.5 How soon should a division or office convert the content of a Director's Order into a Service Manual chapter? Convert all Orders to the appropriate parts of the Service Manual as soon as possible and before they expire or revoke them (see sections [1.6](#) and [1.14](#) for more information).

1.6 When do Director's Orders become effective and when do they expire?

A. Orders issued on or after the date of this chapter will remain in effect for 18 months. If the originating office wants to make the content of the Order long-standing policy, they must do so during the 18 months the Order is in effect by working with PDM to incorporate the content of the Order into a Manual chapter.

B. We will not extend the termination dates for Orders unless there is a justifiable reason to do so. For example, if an office develops a new Service Manual chapter from the content of the Order, and controversy over language temporarily delays the publication of the Manual chapter, then we may extend the termination date of the Order.

C. The office or division responsible for the Order makes the extension request by sending a written justification to the Chief, PDM, at least 1 month before the Order expires.

(1) The Chief, PDM, reviews the justification. If it is adequate, PDM extends the Order for 1 year. The office or division responsible for the Order should publish the Service Manual chapter as soon as possible after the extension and within the 1-year timeframe.

(2) To receive an extension, the justification must include either:

(a) A brief description of how the content of the Order is critical to the successful accomplishment of our mission, or

(b) A brief description of what is causing the delay in publication of the new or revised Manual chapter. Acceptable reasons for delay include the need for more time to resolve controversy over language, the need for more time to get comments from officials outside of the Service (for example, the Department, the Office of Management and Budget, a State representative, the public), and unavoidable delays due to illness or extreme weather.

(3) If the justification is inadequate, PDM will:

(a) Work with the originating office to develop an adequate justification, or

(b) Refer the issue to the Assistant Director – Budget, Planning and Human Resources (AD–BPHR). The AD–BPHR will work with the Assistant Director responsible for the Order to resolve the issue.

1.7 What format should an author use to develop a Director's Order? See [Exhibit 1](#) for the format of an Order. You can use the exhibit as a template.

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1.8 What are the steps for getting the proper review and clearance?

A. After you prepare the Order, write a "Note to Reviewers" that explains the reason for it. Unless it is a temporary Order, identify:

- (1) The Service Manual chapter where you expect to incorporate the content of the Order, or
- (2) The Part under which you will include a new chapter.

B. Develop a surname package for the Order. Refer to [011 FW 3](#) for information on how to put together a surname package.

C. Route the package through your Assistant Director and include other affected divisions and offices. As described in [011 FW 3](#), the last three reviewers on the clearance record are always:

- (1) Chief, Division of Policy and Directives Management (PDM).
- (2) Assistant Director – Budget, Planning and Human Resources (AD–BPHR).
- (3) Director.

1.9 Who signs Director's Orders? Only the Director, a Deputy Director, or an Acting Director can sign Director's Orders. Wherever this chapter refers to a Director's signature, it is referencing this delegation.

1.10 What happens after the Director signs the Order?

A. The Director's office returns the package to PDM, which assigns a number to the Order and publishes it on the Internet.

B. PDM notifies the originating office that the Director signed the Order and it is available on the Internet.

1.11 When does the Service publish draft Director's Orders in the Federal Register? For some Orders, you should ask for public comment by publishing a notice of availability of the draft in the Federal Register. PDM can assist you. If the Order meets one of the following four criteria, seek public comment:

A. You can reasonably anticipate that it will lead to an annual effect of \$100 million or more or adversely affect in a material way the economy or a sector of the economy.

B. Raises highly controversial issues related to interagency concerns or important Administration priorities.

C. Establishes initial interpretations of statutory or regulatory requirements, or changes in interpretation or policy.

D. Is about innovative or complex scientific or technical issues.

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1.12 How does the Service publish a notice of availability of draft Director's Orders in the Federal Register?

A. On the bottom of the Order, under the space for the Director's signature and date, you type, "Prepared for publication of a notice of availability in the Federal Register. We plan to ask for public comment on the draft." See Exhibit 1.

B. Put together a surname package and route it through the appropriate reviewers (see section 1.8).

C. After the Director signs it, work with PDM. PDM will help you to write and format a notice of availability of the draft Order and send it to the Federal Register. PDM also can help you post the draft Order on the Internet. The notice of availability links to the draft Order.

1.13 Does the Service ever amend Director's Orders? We rarely amend Orders because they are only in effect for 18 months, and we incorporate them into Manual chapters. Follow the guidelines below if you need to change the content of an Order:

A. Consult with PDM about the potential change.

B. Unless there is a justifiable reason to retain the original Order number, do not amend the Order. Instead, restate the text with the changes and indicate what Order it supersedes.

C. After the Director's signature, PDM will revoke the old Order and issue a new Order number.

1.14 What are the review and approval requirements when the Service converts a Director's Order to the affected Service Manual chapter or writes a new chapter?

A. The division or office responsible for the content of the Order prepares the Service Manual chapter (see 011 FW 2) and the surname package (see 011 FW 3).

B. When you incorporate the content of an Order into an existing Service Manual chapter without making substantive changes to the meaning of the Order or the chapter, the AD-BPHR can approve the publication of a revised chapter (see 011 FW 1). If there is a question about whether or not we should make the content of the Order long-term policy, the AD-BPHR may send the revised chapter to the Director for signature.

C. If the revised chapter contains substantive differences from the Order or if the Order becomes a new chapter, then the Director approves it.


Deputy
DIRECTOR

Date: February 27, 2006