United States Department of the Interior

NATIONAL PARK SERVICE
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DIRECTOR'S ORDER #1: NATIONAL PARK SERVICE DIRECTIVES SYSTEM

Approved: Mary A Bomar
Director

Date of this revision: 11/14/08

Duration: Until amended or rescinded

This Director's Order reaffirms and updates the National Park Service Directives System. It supersedes and replaces the March 29, 2000, edition and any other conflicting policy guidance.

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1. Purpose of the Directives System

The Directives System includes three levels of documents that provide NPS managers and staff comprehensive guidance on Service-wide policy and required or recommended practices and procedures. First established by Director's Order #1 on August 28, 1996, the Directives System is the primary means by which the Director—

- communicates policies, instructions and requirements to employees;
- delegates line and functional authority and assigns responsibilities;
- informs interested persons outside the NPS about NPS policy; and
- provides appropriate opportunities for NPS employees and the public to participate in the process.

The Directives System is the basic source from which NPS employees can obtain knowledge about the laws, regulations and policies that govern our activities, and is the mechanism by which the Service complies with the Federal Records Act and Department of the Interior requirements that bureaus establish—

- a directives system to document and convey bureau policies, procedures, and programs;
- authority for the approval of policies and procedures set forth in the directives system;
- a central control point for directives management; and
- review procedures to ensure that proposed directives will be coordinated and cleared to avoid issuing conflicting policies and procedures.

2. Authority to Issue this Director's Order

The authority to issue this Order is found in—

- the National Park Service Organic Act (16 USC 1-4);
- Department of the Interior Manual (DM) Part 245 delegations of authority; and
- DM Part 381 responsibilities assigned by the Secretary of the Interior.

3. Standards for Approval of Director's Orders

To meet minimum standards for approval, all NPS guidance documents will—

- be written in plain English, be logically organized, strive for brevity, and in other ways apply the principles of plain language;
- help the reader understand why the subject matter is important to the Service, and how the policies, procedures, and other requirements will help achieve the desired results;
- be coordinated among all offices and program areas that might have an interest in, or be affected by, the subject matter; and
- avoid imposing unnecessary or burdensome responsibilities on field managers and staff.

4. Principles that Underlie the Directives System

- Written policies help ensure a professional, orderly, and disciplined management structure and decision-making process.
- Only the Director should issue Service-wide policies and requirements--unless the Director specifically delegates that authority to a subordinate.
- Busy NPS managers need concise summary documents that inform them of the policies and requirements with which they must comply.
- NPS staff at all levels benefit from comprehensive guidance documents that help them do their jobs effectively.
- A primary function of WASO program managers and subject-matter experts is to develop guidance documents for field use and to make that guidance readily available.
- Field staff and program managers should be given adequate opportunity to review and assist in developing proposed policies and requirements.
- Unnecessarily burdensome requirements should be avoided whenever and wherever possible.
- The public should have an opportunity to comment on NPS policies that will affect them.

5. Directives System Structure

5.1 General Structure

The Directives System consists of three levels of guidance documents that, together, comprise a reference library of policy resources—

- Level 1, "*Management Policies*," and Level 2, "Director's Orders." These are specific to the NPS and issued under the Director's signature.
- Level 3. This level consists of all other professional materials (e.g., handbooks, reference manuals) to assist employees in performing their duties. These materials often include procedural details recommended or necessary for carrying out the requirements of *Management Policies* and Director's Orders, and are named and numbered to correspond with the appropriate Director's Order(s).

All Service-wide policy will be developed in consultation with the Office of Policy and the National Leadership Council (NLC), and be approved in writing by the Director. Policy may be general or specific; it may prescribe the process by which decisions are made, how an action is to be accomplished, or the results to be achieved. Adherence to Service-wide policy is mandatory unless waived in writing by the Director or countermanded by the Assistant Secretary or Secretary. (See section 6.4.) If the Director has delegated to an associate or assistant director the authority to issue mandatory standards or requirements, the associate or assistant director may also waive the same.

5.2 Level 1 (Management Policies)

5.2.1 The NPS publication *Management Policies* sets the framework and provides the foundational policies for management of the national park system.

5.2.2 Between official revisions or updates, *Management Policies* may be amended through Director's Orders.

5.2.3 *Management Policies* will be reviewed and revised at appropriate intervals to consolidate new or updated Service-wide policy decisions or to respond to new laws and technologies, new understandings of park resources and the factors that affect them, or changes in American society that have a bearing on park management. NPS field and central office managers and the general public will be given appropriate opportunity to participate in the development of, and to review and comment on, proposed revisions to the policies.

5.3 Level 2 (Director's Orders)

5.3.1 Function. Director's Orders may prescribe operating policies, specific instructions, requirements, or standards applicable to specific NPS functions, programs and activities. They may also delegate authority and assign responsibility. When needed, Director's Orders may also serve as a vehicle to update specific sections of *Management Policies.*

5.3.2 Contents. Director's Orders will articulate primarily those policies, instructions and

requirements that are imposed under the Director's discretionary authority. They may also restate policies or specific requirements that have been established by law, the President, the Secretary of the Interior, or any other entity that is duly authorized to impose policies or requirements on the NPS. When structured this way, Director's Orders take on the role of an "executive summary" of policies and requirements imposed collectively by the Director and higher authorities.

5.3.3 Review. Appropriate opportunities to participate in the development of, and to review and comment on, proposed Director's Orders will be provided to NPS field and central office managers through the National Leadership Council. They, in turn, will determine the best way to obtain input from their subordinate staff. With the exception of Director's Order #1, Director's Orders that would significantly affect or be of significant interest to the general public or "stakeholders," or that would likely be controversial, should be made available for public review and comment before they are sent to the Director for approval.

5.3.4 Duration. Director's Orders will generally remain in effect until amended or rescinded by the Director. Proposals to amend or rescind will be processed through the Office of Policy and will be referred to the NLC for prior review when appropriate. The duration may be limited to a specific time frame when it is known that there will be no further need for the Order beyond a specified date.

To comply with Departmental policy and to better ensure the integrity of the Directives System, associate directors and program managers will evaluate all approved Director's Orders within their areas of responsibility on a biennial basis (or more frequently) to ensure that the Orders are either (1) kept current (e.g., by amending the Order or by updating related Level 3 documents) or (2) recommended for termination when they are no longer needed. The Chief, Office of Policy, will obtain certifications from responsible associate directors and program managers confirming that this review has been made and that any necessary follow-up steps have been scheduled or taken. The Chief will notify the Director of any failure by an associate director or program manager to timely evaluate and certify the currency of the Orders for which they are responsible and, when deemed appropriate, will recommend that Orders be rescinded.

Effective with the issuance of this revised Director's Order #1, the duration of all previously issued Orders with an expired or scheduled "sunset" date is hereby extended, provided that the responsible program manager or associate director, within 60 days of this Order, either (1) certifies to the Chief that the Order is still correct and needed, or (2) provides the Chief with (a) an amended Order for NLC review and the Director's approval, or (b) an acceptable schedule for preparation of same. Recision of Orders may be initiated by the responsible associate director, or by the Chief if the associate director is unresponsive. Associate directors and program managers may also propose that Orders that have been proposed, but remain uncompleted, be removed from the list of anticipated Orders referred to in section 6.1.

5.3.5 Format. Director's Orders capture the Director's expectations, instructions, and delegations of authority and responsibility. They generally should avoid detailed information or procedures, or other elements that would be more appropriately issued in a Level 3 document as a delegated functional responsibility of an associate director or assistant director.

The format for Director's Orders will be coordinated with the Office of Policy, and will usually contain at least the following elements—

- the effective date and duration;
- a statement of the purpose and/or objectives of the Director's Order; (This section may, as appropriate, briefly discuss the relationship to *Management Policies*, the NPS Strategic Plan or other major management documents, and inform readers why the subject matter is important to the Service.)
- a list of all previously issued guidance documents that will be superseded by the Order;
- the legal authority for issuing the Order, and other legal authorities that are applicable to the subject matter (although lengthy "laundry lists" of legal authorities should be deferred to a Level 3 document);
- operational policies/instructions/requirements;
- responsibilities at each level of accountability; and
- a statement about third-party enforceability (see section 5.5 of this Order).

5.4 Level 3 (Reference Manuals, Handbooks, and Other Helpful Materials)

5.4.1 Function. Level 3 materials are the primary vehicle for managers to communicate comprehensive information to support field and program operations. They consist of reference manuals, handbooks and other materials where field and program staff may access (or learn where to find) the things they need to know to successfully perform field operations or implement a program. No matter what they are called, Level 3 materials are supplemental and subordinate to Director's Orders and *Management Policies*. Level 3 materials are updated as necessary and may have a sunset provision.

5.4.2 Authorities and Delegations. Level 3 materials may be issued and revised by associate directors, assistant directors, regional directors, or program managers. Level 3 materials may impose only those mandatory procedures or standards that have been issued by—

- law, the President, the Secretary of the Interior, the Director, or any other entity that is duly authorized to establish policies, procedures or requirements for the NPS, and that are merely restated within the Level 3 material as a helpful reference for the reader;
- a regional director, applicable exclusively to his/her region, and not in conflict with Service-wide policies, procedures or standards;
- an associate or assistant director, applicable exclusively to their staff, and not in conflict with Service-wide policies, procedures or standards; or
- an associate or assistant director, applicable Service-wide, and in response to a specific functional delegation by the Director. The source of the specific functional delegation must be clearly indicated.

5.4.3 Contents. There are no limitations or restrictions as to what may be distributed as Level 3 materials. They may include, for example, all varieties of print media, videos, software, compact discs, and World Wide Web pages. Level 3 reference manuals or handbooks should be comprehensive and as user-friendly as possible. To be comprehensive, they may appropriately reiterate the provisions of *Management Policies* and Director's Orders.

Manuals or handbooks should be thoroughly indexed and include—

- a summary of relevant legislative, regulatory, policy and procedural requirements;
- a glossary of relevant terms or definitions;
- helpful suggestions on how to perform operations efficiently and effectively;
- examples of success that might be emulated; and
- a list of sources of further information.

5.4.4 Relationship to Director's Orders. No Level 3 document containing new policies or required standards or procedures may be issued in final form until after the underlying policies and other required elements have first been validated in a signed Director's Order or other authoritative source, such as an Executive Order or the DM. (A delegation within a Director's Order authorizing, for example, an associate director to issue required standards or procedures will also constitute sufficient validation.)

5.4.5 Review. Appropriate opportunity for review and comment on proposed reference manuals and handbooks will be provided to field and central office managers. In accordance with the principles of Director's Order #75A, Level 3 materials that will have an effect on third parties outside the NPS will be made available for public review and comment.

5.5 Enforceability

NPS *Management Policies*, Director's Orders, and Level 3 materials are intended only to improve the internal management of the NPS and are not intended to, and do not, create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, or any other person. The integrity of the Directives System will be maintained through employee performance reviews.

6. Responsibilities for Implementing the Directives System

The Office of Policy and the originating office will be responsible for providing and maintaining an effective, collaborative, and flexible Directives System.

6.1 WASO Office of Policy

The Chief, Office of Policy, will have lead responsibility to—

- assist all managers and employees in developing and interpreting Service-wide policy;
- ensure the quality, consistency, and overall coordination of Directives System documents;
- determine the appropriate level of guidance to meet our management needs;
- convert old guidance documents to the new directives system;
- maintain a listing of approved and anticipated Director's Orders, including progress made (or not made) by associate directors and program managers in meeting their responsibilities.
- ensure that guidance documents are available to NPS employees and to the public by, among other things, establishing and maintaining an NPS policy presence on the Web;
- monitor compliance with policy; and
- ensure that Director's Orders are biennially reviewed in accordance with section 5.3.4.

The Chief may make minor administrative corrections to, or clarifications in, a Director's Order if the need arises after the Director has approved the Order.

The Chief will also coordinate NPS review of proposed Departmental Manual additions or revisions received from the Office of the Secretary or Assistant Secretary, and ensure that they are referred to the appropriate NPS offices for review and comment.

6.2 Originating Office

The originating office at the associate or program level is responsible for developing and updating Director's Orders, Level 3 materials (e.g., reference manuals and handbooks) and appropriate sections of *Management Policies* in coordination with the Office of Policy. Those offices that have the capability should also assume responsibility for posting such documents on the Web. Originating offices may also propose new Director's Orders or recommend that anticipated Orders be removed from the listing referred to in section 6.1.

6.3 All NPS Managers and Employees

Every NPS employee is responsible for adhering to policies and other requirements issued through *Management Policies* and Director's Orders, as well as requirements or standards issued by associate or assistant directors within their functional authority (as specifically delegated by the Director). Managers and supervisors must therefore ensure that their subordinate employees are oriented to the Directives System and know where to find guidance documents. Management decisions must be consistent with established NPS policy, and the policy basis for decisions on significant issues must be documented in administrative records and records of decision.

6.4 Policy Waivers

Adherence to policy is mandatory unless specifically waived or modified in writing by the Director (or countermanded by the Assistant Secretary or Secretary). A request for a waiver or modification of policy must include a written justification, the content of which will be prescribed by the Office of Policy. Requests will be submitted to the Director through the Chief, Office of Policy, who will coordinate with appropriate program offices. Prior to formally requesting a waiver, the problem or issue should first be discussed with Office of Policy staff, who will help determine if there is some other appropriate way to achieve the desired result. A waiver cannot be granted if it would result in the impairment of park resources or values, and thus violate the no-impairment clause of the 1916 NPS Organic Act, or if it would result in unacceptable impacts. (See section 1.4 of *Management Policies 2006* concerning "impairment" and "unacceptable impacts.")

7. Initiating, Preparing, and Issuing Guidance Documents

7.1 Management Policies

Management Policies is the only Level 1 document. Its content has been shaped by lessons learned from many years of field experience, and is consistent with applicable laws, Executive

Orders, and regulations. For this reason, the *Management Policies* publication is durable and not in need of frequent change. It should suffice to republish the document every 10 years, on average. NPS managers who perceive a need for revisions or amendments should coordinate with the Office of Policy to determine if the changes can be accomplished through a Director's Order or other means, or if the objective can be achieved without a change to existing policy.

7.2 Director's Orders

Director's Orders (Level 2) are generally initiated by the program office in which the functional authority or responsibility resides. The originating office should contact the Office of Policy for initial consultation and advice on how to proceed, and at other key steps in the development process. Guidance and assistance will be provided on topics such as—

- justification statements;
- the informal review stage;
- clearance for formal review;
- the 60-day review by the NLC;
- the need for public involvement, including a *Federal Register* notice of availability;
- the 14-day NLC review; and
- distribution and notification when the Order is approved.

7.3 Reference Manuals, Handbooks, and Other Sources of Level 3 Guidance

(a) **Responsibility.** Manuals, handbooks, instructions, directives and other forms of guidance of regional or otherwise-limited application that are supplementary to and in conformance with Service-wide policies may be issued by regional directors or associate directors within formal delegations of authority without further review. Superintendents may issue, within formal delegations of authority, park-specific instructions, procedures, directives, and other supplementary guidance (such as hours of operation or dates for seasonal openings), if it does not conflict with Service-wide policy or instructions issued by their regional director.

(b) **Approval of Level 3 Materials.** If Level 3 materials will impose Service-wide mandatory procedures or standards that were not previously issued by the Director or some other authority having jurisdiction (e.g., EPA, OSHA), then a summary of those procedures and standards will first be submitted to the Office of Policy. That office will then distribute the summary for a review by regional, associate, and assistant directors. Those parties will then have the responsibility to obtain appropriate review and comment from other NPS staff under their jurisdiction. As an alternative, appropriate field review may be solicited by the NPS manager who proposes to issue the materials if that manager has been delegated specific authority from the Director to issue mandatory procedures or standards.

Level 3 materials issued by a regional director, associate director, assistant director or other manager, and applicable exclusively to his/her subordinate staff and not in conflict with Service-wide policies, procedures or standards, do not require any further review or approval.

(c) ***Federal Register* Requirement.** In keeping with our commitment to appropriately engage the public, the originating WASO office will confer with the Office of Policy and/or the

Solicitor's Office regarding the need to publish a *Federal Register* notice of availability.

(d) **Distribution.** Associate directors, assistant directors, regional directors, and program managers are responsible for distributing Level 3 materials adopted for Service-wide use.

7.4 Adjustments or Waivers

When there are extenuating circumstances, or when the substance of a proposed Director's Order is determined to be of minor consequence, the Chief, Office of Policy, following appropriate consultation, may adjust the timetables or waive one or more of the steps outlined in 7.2 and 7.3.

8. Urgent or Interim Need for Policy Guidance

A relatively simple or urgent policy statement may be issued as a "Policy Memorandum," signed by the Director. The need for Service-wide and/or public review of a Policy Memorandum will be decided on a case-by-case basis. If a policy statement issued in this manner pertains to an existing or proposed Director's Order, the memorandum will identify the Order and may include authorization for the Office of Policy to incorporate its content into the relevant Director's Order. The Chief, Office of Policy, will provide ongoing guidance to field and program managers who propose to issue policy memoranda.

---------- *End of Director's Order* ----------