

**Forest Service Manual
National Headquarters - Washington Office
Washington, DC**

**Forest Service Manual 1100 – Directive System
Zero Code**

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Approved by: Tina Terrell, Associate Deputy Chief, NFS

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Responsible Staff:

Explanation of changes: Following is an explanation of the changes throughout the directive by section.

1104.22: Changes caption from “Regional Foresters, Station Directors, Area Director, Institute Director, and Forest Supervisors” to “Regional Foresters, Station Directors, Area Director, Institute Director, National Technology & Development Program Director, Geospatial Technology & Applications Center Director, and Forest Supervisors” and updates direction to include the National Technology & Development Program Director and Geospatial Technology & Applications Center Director.

Table of Contents

1101 - Authority	3
1102 - Objectives	7
1103 - Policy	7
1104 - Responsibility	10
1104.1 - All Employees	10
1104.2 - Line Officers	10
1104.21 - Washington Office	10
1104.21a - Chief	10
1104.21b - Deputy Chiefs	10
1104.22 - Regional Foresters, Station Directors, Area Director, Institute Director, National Technology & Development Program Director, Geospatial Technology & Applications Center Director, and Forest Supervisors.....	11
1104.3 - Staff Directors, Forest Staff Officers, and Law Enforcement Personnel.....	11
1104.31 - Staff Directors and Forest Staff Officers	11
1104.31a - Washington Office, Director of the Office of Regulatory and Management Services.....	12
1104.31b - Washington Office, Director of Law Enforcement and Investigations.....	12
1104.32 - Law Enforcement Personnel.....	12
1104.32a - Special Agents in Charge.....	12
1104.32b - Resident Forest Special Agents and Supervisory Law Enforcement Officers 	12
1104.4 - Directive Managers	12
1104.41 - Servicewide Directive Manager	12
1104.42 - General Authorities and Responsibilities of Directive Managers	13
1104.5 - Authors	14
1105 - Definitions	14
1105.1 - Common Terms of Special Importance to Issuing Directives	14
1105.2 - Special Terms Relevant to Managing the Forest Service Directive System.....	15
1106 - Training and Competencies of Directive Personnel (Reserved)	16
1107 - Directive Principles	16
1109 - Handbooks.....	18
1109.1 - Internal Servicewide Handbooks.....	18
1109.12 - Directive System Handbook (FSH)	18

1101 - Authority

1. Authority to Issue Directives. Title 7, Code of Federal Regulations, section 2.7 (7 CFR 2.7) grants the basic authority of the Chief to issue directives concerning Forest Service operations; 36 CFR 200.4 describes the Forest Service Directive System. See exhibit 01 for an illustration of how Forest Service directives fit into the hierarchy of laws, regulations, and administrative direction. See FSM 1105 for the definition of direction.
2. Legal Description of Forest Service Directive System. The regulation at Title 36, Code of Federal Regulations, section 200.4 (36 CFR 200.4) describes the Forest Service administrative issuance system, its use and availability, and other types of permissible guidance (ex. 02).
3. Requirements for Obtaining Public Comment on Directives. The Administrative Procedures Act (5 U.S.C. 553) and the National Forest Management Act of 1976 and the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1612(a)) require the Forest Service to involve the public in the formulation of directives. Executive Order (E.O.) 13422, which revises E.O. 12866, Regulatory Planning and Review, also requires agencies to determine whether guidance documents require public notice and comment.

1101 - Exhibit 01

Hierarchy of Laws, Regulations, and Other Direction

CONSTITUTION		
<u>Article I</u> <u>Legislative Branch</u> Authorizes Congress to make laws	<u>Article II</u> <u>Executive Branch</u> Authorizes President to execute laws	<u>Article III</u> <u>Judicial Branch</u> Authorizes courts to interpret laws
<u>LAWS</u> (U.S. Statutes and U.S. Code)	<u>EXECUTIVE ORDERS</u> (Issued by President; codified in Title 3, Code of Federal Regulations (3 CFR))	<u>LEGAL DECISIONS</u> (Case Law)
	<u>REGULATIONS</u> (Issued by Federal agencies; published in Federal Register and codified in CFR)	
	<u>ADDITIONAL GOVERNMENT-WIDE GUIDANCE</u>	
	<u>INTERNAL AGENCY POLICY AND PROCEDURES</u> Department of Agriculture - Departmental Manual (DM) - Departmental Regulations (DR) - National Finance Center External Procedures Forest Service - Issues regulations at 36 CFR Chapter II, Parts 200-299 - Issues internal policies and procedures in Forest Service Manual (FSM) and Forest Service Handbooks (FSH) - Negotiates master agreement with union	

1101 - Exhibit 02

36 CFR 200.4

TITLE 36--PARKS, FORESTS, AND PUBLIC PROPERTY

CHAPTER II--FOREST SERVICE DEPARTMENT, OF AGRICULTURE

PART 200--ORGANIZATION, FUNCTIONS, AND PROCEDURES

Subpart B--Functions and Procedures

Sec. 200.4 Administrative issuances.

(a) The regulations of the Secretary of Agriculture governing the protection and administration of National Forest System lands and other programs of the Forest Service are set forth in Chapter 2 of Title 36 of the Code of Federal Regulations.

(b) Administrative policy, procedure, and guidance to Forest Service employees for the conduct of Forest Service activities are issued as directives, or through correspondence, by the office of the Chief of the Forest Service and by the field officers listed in sec. 200.2.

(1) Directives are issued through the Forest Service Directive System, which is comprised of the Forest Service Manual and related Forest Service Handbooks. The Directive System codifies the agency's policy, practice, and procedure affecting more than one unit and the delegations of continuing authority and assignment of continuing responsibilities; serves as the primary administrative basis for the internal management and control of all programs; and is the primary source of administrative direction to Forest Service employees.

(2) In contrast to direction issued through the Directive System, guidance issued to one or more organizational units through letters and memoranda relate to decisions or interpretations on specific activities, cases, or incidents or to other matters of agency business, especially those matters of short-term duration or immediate interest.

(c) Forest Service Directive System issuances are published under delegated authority as follows:

(1) The Forest Service Manual and Forest Service Handbook issuances to all Forest Service units are published by the Office of the Chief.

1101 - Exhibit 02--Continued

(2) Forest Service Manual and Forest Service Handbook issuances may be supplemented as needed for field office use by a Regional Forester, a Regional Special Agent in Charge of Law Enforcement and Investigations, a Research Station Director, the International Institute for Tropical Forestry Director, the Area Director, or a Forest Supervisor.

(d) Guidance issued through letters and memoranda must be issued in accordance with signing authorities delegated through issuances to the Forest Service Directive System.

(e) An alphabetical index of the contents of the Forest Service Manual and related Forest Service Handbooks is published in Forest Service Handbook 1109.11, Directive System User Guide.¹ The index contains a listing of all Series, Titles, and Chapters in the Forest Service Manual and a listing of all Forest Service Handbooks in the Directive System.

(f) Forest Service Handbook 6209.11, Records Management Handbook, outlines and indexes the filing system for all correspondence and other records.

(g) Forms and reports used by the agency are listed in, and instructions for their use are issued throughout, the Forest Service Directive System and are collated in Forest Service Handbook 1309.14, Information Requirements Handbook.

¹ Note: This regulation, adopted June 19, 1997 (62 FR 33367); does not reflect the more recent decision to remove FSH 1109.11 from the Directive System (amendment 1109.11-2001-1) and to add the index to FSH 1109.12, chapter 50 (amendment 1109.12-2001-1).

1102 - Objectives

The management results to be achieved through providing and managing the Forest Service Directive System are to:

1. Establish the minimum standards of program conduct and achievement that must be met servicewide to fulfill the mission of the Forest Service as set forth in law, regulation, and order.
2. Provide a unified system for issuing, storing, and retrieving all continuing internal direction that governs Forest Service programs and activities.
3. Ensure that the Directive System serves as the primary source of agency internal direction.

1103 - Policy

1. The Forest Service Directive System codifies the agency's policy, practice, and procedure. As such, it is the primary administrative basis for the internal management and control of all agency programs and the primary source of administrative direction to Forest Service employees.

- a. The Directive System sets forth legal authorities, management objectives, policies, responsibilities, delegations, standards, procedures, and other instructions that are continuing and that apply to or are needed by more than one unit.
- b. The Directive System is the only place where Forest Service policy and procedures are issued. Direction issued via letters, bulletins, e-mails, telephone calls, and any other form outside of the Directive System framework does not constitute agency policy. See FSM 1107, exhibit 01 for key principles about Forest Service policy. See paragraph 7 of this section for exceptions to this policy.
- c. The following types of material are excluded from the Directive System:
 - (1) Single organizational unit notices, plans, one-time requests and related instructions, or interpretations and advice about an individual case or incident.
 - (2) Subject matter from books or other publications or common factual materials aimed at orienting and training employees.
 - (3) Program history, work plans, action plans, and background material.
 - (4) References to direction, systems, and so forth that are planned for the future but not currently in effect; such as statements of future program actions. For example, the following statement is not appropriate to the Directive System:

"In 6 months, the Deputy Chief for the National Forest System will issue new guidelines for reporting."

d. The Directive System is for directing the work of Forest Service employees. While directives may refer to procedures or requirements imposed on those outside the agency, Forest Service employees may not use internal directives to assign responsibility to or mandate requirements on employees of local, state, or other federal agencies or on the public. Instead, Forest Service officials are to use correspondence, agreements, contracts, authorizations, regulations, or other appropriate instruments where necessary to impose requirements on other agencies or on persons not employed by the Forest Service.

Refer to FSM 1111.1 and 1112.1 for specific policy and standards for determining the appropriate content of directives issued in the manual and handbooks.

2. All directives must be consistent with:

- a. The Forest Service Mission, Vision, and Guiding Principles, set forth in FSM 1020;
- b. The agency's Strategic Plan; and
- c. The broad management philosophy and policies set forth in FSM 1302-1303.

3. All directives must conform to principles and standards of effective writing. Additional direction on style practices can be found in FSH 1109.12, section 14.

4. The only official record file for directives is the one maintained by the Directive Manager of the issuing unit. The official record includes the following:

- a. Record copy of the printed directive.
- b. Copy of obsolete text.
- c. Signed Form FS-1100-2, Directive Processing Request and any other forms, if applicable.
- d. Any letters accompanying the directive, such as a letter to the file documenting the determination of need for public notice and comment.

5. The language of directives and the manner in which they are written are to reflect Forest Service policy on equal treatment to ensure that no person is denied participation in or benefits of Forest Service programs or employment because of race, color, sex (including sexual harassment), religion, age (if over 40), national origin, disability, marital status, or sexual orientation (FSM 1701-1703).

6. A Line Officer may depart from mandatory direction when it is necessary to deal effectively with extreme or highly unusual situations and it is legal to do so. In such a case, the Line Officer must promptly document and inform higher-level officials of the reasons for taking such exception to established policy and procedure.
7. In the event of an emergency or for reasons of safety, a Line Officer may issue immediate direction to employees, which should then be incorporated into the Directive System within 15 days for an interim directive or 30 days for an amendment or supplement (FSM 1107, ex. 01).
8. Employees are expected to promptly alert higher authorities of new trends that require new or revised direction and, if necessary, request interim guidance. Employees are also expected to notify higher authorities of burdensome controls that result in inefficiency, that do not help achieve objectives, or that are not needed to prevent significant risks in performance, conduct, and accomplishment.
9. Primary staff officers and Line Officers shall ensure efficient and timely issuance, maintenance, and retention of directives. Line Officers will review and re-issue directives, as necessary, every 3 to 5 years.
10. Employees and the public are to have ready access to directives (FSM 1130.3).
11. All Supervisors shall promote employee use of the Directive System and compliance with direction. Managers shall utilize the Directive System when conducting reviews of unit performance to determine whether units are complying with direction and/or to identify any changes needed in direction (FSM 1410).
12. Unit officials shall not issue continuing direction affecting more than one subunit via letter, telephone, electronic message, or Federal Register publication. Unit officials may distribute advance copies of directives prior to distribution through the Directive System only when all of the following conditions are met:
 - a. There is a critical need to issue the direction.
 - b. The initiating office has determined, through consultation with the directive manager, that distribution through the Directive System may not meet the timeframe needed.
 - c. The responsible Line Officer has approved the final directive by signing Form FS-1100-2, Directive Processing Request.

1104 - Responsibility

1104.1 - All Employees

All employees are responsible for consulting the Directive System in carrying out assigned work and for bringing needed changes in directives to the attention of the issuing unit through appropriate channels.

1104.2 - Line Officers

Except as provided in FSM 1104.4 and 1110.7, the authority to approve the issuance of directives is reserved to Line Officers at the Forest Supervisor level and above. All Line Officers shall ensure that subordinate employees receive instruction in using the directive system.

1104.21 - Washington Office

1104.21a - Chief

The Chief reserves the authority to:

1. Approve the formulation of servicewide goals, policies, procedures, standards, and directives for:
 - a. The Agency's law enforcement program, and
 - b. The Agency's Civil Rights program.
2. Revoke, modify, or issue delegations of general authority in FSM 1230 to Deputy Chiefs, Regional Foresters, Station Directors, the Area Director, and the Institute Director.

1104.21b - Deputy Chiefs

Deputy Chiefs have Line Officer authority to review and approve directives for their assigned areas of responsibility, subject to the provisions in FSM 1230.4 and 1230.41, and the limitations in FSM 1104.21a and 1235.1, Reservations of Authority by the Chief. This responsibility may be redelegated to an acting only as provided in FSM 1231.3, 1235.3, and 1235.4. It is the responsibility of each Deputy Chief to ensure review and concurrence of other Deputy Chiefs on major policies affecting more than one deputy area and to forward major new policy directives to the Chief for consideration prior to approval.

1104.22 - Regional Foresters, Station Directors, Area Director, Institute Director, National Technology & Development Program Director, Geospatial Technology & Applications Center Director, and Forest Supervisors

The Regional Foresters, Station Directors, Area Director, Institute Director, National Technology & Development Program Director, Geospatial Technology & Applications Center Director, and Forest Supervisors have the authority and responsibility to:

1. Designate a Directive Manager to facilitate management and use of the Directive System at their levels and to carry out the responsibilities listed in FSM 1104.4.
2. Review and approve directives within their assigned areas of responsibility, except for law enforcement directives as provided in FSM 1104.21a, 1104.32, and this section. This authority may be redelegated only as provided in FSM 1231.3 and 1236. These Line Officers do not have the authority to issue any field supplement to FSM 5300 and FSH 5309.11, Law Enforcement Handbook; see FSM 1104.32b for direction on the authority of special agents in charge to issue law enforcement field supplements.

1104.3 - Staff Directors, Forest Staff Officers, and Law Enforcement Personnel

1104.31 - Staff Directors and Forest Staff Officers

1. Each staff director and forest staff officer is responsible for the following:
 - a. Timely preparation and revision of directives pertaining to their assigned areas of responsibility.
 - b. Adherence to Directive System policy, coding, structural requirements, and content standards in the preparation and revision of directives.
 - c. Technical content and accuracy of proposed directives.
 - d. Prompt action to ensure that interim directives are reissued, or incorporated as amendments or supplements prior to expiration.
 - e. In consultation with the directive manager, systematic review of memorandums, letters, or other documents for directive content and prompt action to issue continuing direction contained in such documents through the Directive System.
2. A staff director is responsible for review of directives issued by subordinate units to ensure compliance with the direction in the parent text. A staff director may designate a staff directive coordinator to assist in coordinating the staff's directive preparation and clearance with the directive manager. A staff directive coordinator should be capable of reviewing the directive and ensuring that style practices and format are correct and that the directive submission package is complete (FSM 1120) before forwarding it to the directive manager.

1104.31a - Washington Office, Director of the Office of Regulatory and Management Services

In addition to the responsibilities set forth in FSM 1104.31, the overall responsibility for management of the Directive System is assigned to the Washington Office, Director of the Office of Regulatory and Management Services.

1104.31b - Washington Office, Director of Law Enforcement and Investigations

In addition to the responsibilities set forth in FSM 1104.31, the Director of Law Enforcement and Investigations is also responsible for reviewing all regional supplements to FSM 5300 and FSH 5309.11, Law Enforcement Handbook.

1104.32 - Law Enforcement Personnel

1104.32a - Special Agents in Charge

Special agents in charge have the authority to issue supplements related to law enforcement but must obtain review and approval of the Washington Office, Director of Law Enforcement and Investigations prior to issuing any field supplement to FSM 5300 and FSH 5309.11, Law Enforcement Handbook.

1104.32b - Resident Forest Special Agents and Supervisory Law Enforcement Officers

Resident forest special agents and supervisory law enforcement officers assigned to a forest do not have authority to issue Forest-level supplements to regional or servicewide law enforcement directives.

1104.4 - Directive Managers

1104.41 - Servicewide Directive Manager

The Assistant Director, Directives and Regulations Branch, Office of Regulatory and Management Services, is the Servicewide Directive Manager. In addition to the responsibilities of directive managers set out in FSM 1104.4, the Servicewide Directive Manager has the specific authority and responsibility for:

1. Reviewing and approving outlines of major revisions or additions to the manual or handbooks; analyzing draft and final manuscripts for servicewide directives prior to Line Officer approval; and communicating needed changes to authors, staff directors, and/or Line Officers.
2. Maintaining the required architecture and coding system of the Directive System (FSM 1110.4). Monitoring field unit Internet and Intranet directive Web sites for consistency and uniformity of the sites.

3. Approving Directive System format, binders, and tabs, including any departure from standard formats or special handbook binders.
4. Training and assisting authors and staff directive coordinators.
5. Training and advising field directive managers.
6. Producing and issuing directives.
7. Procuring initial printing of directives as necessary.
8. Reviewing field unit Directive System use, maintenance, and operations for conformance with servicewide directive policy and standards.

1104.42 - General Authorities and Responsibilities of Directive Managers

Directive Managers have the authority and responsibility to:

1. Review proposed directives at draft and final stages for conformance to the objectives, policies, and standards of the Directive System; to certify, prior to Line Officer approval, that a directive conforms to the Directive System policies and standards, to clearance procedures, and to standards of effective writing; and to advise by letter both originating units and Line Officers of any proposed directive that does not conform to the policies and standards of the system. (Refer to FSM 1122.04b for specific authorities related to clearance of directives and to FSM 1122.11 and 1122.12 for exceptions related to interim directives.)
2. Review and approve outlines of substantial proposed revisions or additions to the Directive System prior to the author's drafting of the revisions; for example, outlines for major restructuring of chapters, new chapters, or new handbooks.
3. Advise staff and Line Officers when direction appropriate to the Directive System has been improperly issued by letter or other publications, such as desk guides, and request prompt issuance of the direction through the Directive System. Field unit directive managers shall send a copy of any improperly issued direction, such as a desk guide, to the national directive manager.
4. Maintain the paper and electronic master set of directives for the unit (FSM 1130).
5. Maintain the official record copy of each directive issued by the unit (FSH 6209.11) and aid in research and retrieval of record copies stored in a Federal Records Center (FSH 1109.12, sec. 25). Provide instructions on the retrieval of records stored in a National Archives and Records Administration facility (FSH 1109.12, sec. 25).
6. Approve and issue a technical amendment, without Line Officer approval, in consultation with the unit that originated a directive, for such purposes as to:

- a. Correct issuance numbers, dates, coding errors, typographical errors, omissions, and transmittal or posting instructions;
 - b. Update unit names or position titles to conform to approved organization or position changes;
 - c. Establish new codes or remove codes established for interim directives that have expired, to the extent authorized at FSM 1110.4 and 1110.7.
7. Train employees in the use and maintenance of the Directive System and in the preparation of directives.

1104.5 - Authors

An author's basic responsibilities are to:

1. Write directives that meet Directive System requirements in FSM 1100 and FSH 1109.12, Directive System Handbook.
2. Prepare an outline for any proposed substantial revision or addition to a manual title or handbook, and to obtain approval from the directive manager before beginning any major text revision.
3. Sign Form FS-1100-2, Directive Processing Request.
4. Submit draft directives to the directive manager for analysis and to affected staffs or units for review and concurrence.
5. Revise manuscripts in accordance with changes marked by the directive analyst; provide substantive rationale where changes cannot be adopted.

1105 - Definitions

1105.1 - Common Terms of Special Importance to Issuing Directives

The following common terms are included because they are frequently misunderstood as they apply to directives issued in the Forest Service Manual and Forest Service Handbooks.

Direction. Instruction given by one authorized to impose or require a course of action.

- a. Mandatory Direction. A requirement for Forest Service employees regarding how to proceed in carrying out their duties that is denoted by the word "must" or "shall."
- b. Suggested Direction. A preferred or advisable course of action that employees must fully consider, but may depart from based on a written finding as applied to specific circumstances that the deviation will enhance program management

efficiency or better achieve desired results or other objectives, and that is generally denoted by the word “should,” “may,” or “consider.”

c. Procedural Direction. Procedural instructions to Forest Service employees on how to carry out their duties.

1105.2 - Special Terms Relevant to Managing the Forest Service Directive System

Amendment (Manual or Handbook). Any Washington Office issuance of new servicewide direction or revision of parent text in a previously issued Forest Service Manual (FSM) or Forest Service Handbook (FSH) directive; also, any issuance of new direction or revision of parent text in a unit FSH.

External Directives. Federal regulations, Executive orders, or other issuances that originate outside the Forest Service, and that provide Department-wide or Government-wide direction. Some external directives are assigned a code and incorporated in the Forest Service Directive System as external handbooks (FSM 1112.1), such as the Federal Acquisition Regulation (FSH 6309.32 - FAR). Examples of external directives that are not incorporated as Forest Service external handbooks include USDA Departmental Regulations (DR's) and Manuals (DM's); most of the National Finance Center external procedures; and Office of Personnel Management X-118 Qualification Standards.

External Holders. Private sector organizations, libraries, and Federal, State, and local government agencies that maintain paper copies of complete Forest Service manual titles and/or handbooks and receive updated directives.

Forest Service Directive. National or unit policy, procedure, or guidance for Forest Service employees for conducting Forest Service activities that is contained in the Forest Service Manual or Forest Service Handbooks.

Forest Service Handbook (FSH). The component of the Forest Service's Directive System that provides detailed direction to employees in more than one unit on how to proceed with a specialized aspect of a Forest Service program or activity.

Forest Service Manual (FSM). The component of the Forest Service's Directive System that contains legal authorities, management objectives, policies, responsibilities, and general direction to Forest Service Line Officers and staff directors in more than one unit to plan and execute their assigned programs and activities (FSM 1111).

Interim Directive. An internal directive issuance that modifies previous direction or establishes new direction for a period of up to 18 months. (See FSM 1113.3 for criteria related to issuance and policy on the duration of interim directives, including reissuance.)

Internal Directives. Written direction of a continuing nature that originates within the Forest Service to implement laws, regulations, Executive orders, and other legally binding direction.

The Forest Service manual and handbooks, including transmittals, amendments, supplements, and interim directives issued thereto, are the components of the Forest Service internal Directive System.

Master Set. A collection of current Forest Service manual titles and handbooks in paper or electronic form that is maintained by the unit directive manager; the completeness of the set required to be maintained depends on the organizational level (FSM 1131).

Supplement. Any issuance that adapts or interprets higher level or external directives for national, regional, or local application. In paper form, pages are color coded to distinguish supplements from the parent material and to identify the administrative level of issuance (FSM 1113.2).

Zero Code. Uniform coding of the following categories of direction, which apply throughout the title, chapter, or section where the zero code is located: authority (01), objective (02), policy (03), responsibility (04), definitions (05), handbooks (09), and 06 through 08 are optional codes for use as needed. These numerical codes within the Directive System are both preceded and followed by a number other than a zero, such as FSM 1103, 1110.3, or 1111.03 or in the FSH, section 03, 10.3, or 11.03 (FSM 1110.6).

1106 - Training and Competencies of Directive Personnel (Reserved)

[This code has been reserved to provide for the issuance of national and field unit interim directives and field unit supplements.]

1107 - Directive Principles

Exhibit 01 sets out a list of key principles about Forest Service policy.

Key Principles about Forest Service Policy



Key Principles about Forest Service Policy

Purpose of the Directive System:

- Codifies the agency's policy, practice, and procedure affecting more than one unit, the delegations of continuing authority, and assignment of continuing responsibilities.
- Serves as the primary administrative basis for the internal management and control of all programs.
- Serves as the source of direction and guidance to all Forest Service employees.

Statement of Principles:

In order to have an effective system of policy and program direction, the following principles must be followed:

- The Directive System is the one and only place where Forest Service policy and procedures are issued.
 - Direction issued via letters, bulletins, emails, phone calls, and any other form outside of the Directive System framework does not constitute agency policy.
 - Early coordination of policy development with ORMS, Directives and Regulations Branch, should be given priority attention in order to issue direction in a timely manner and to alleviate the need for issuing information outside of the Directive System.
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- In the event of an emergency or for reasons of safety, a Line Officer may issue immediate direction to employees, which should then be incorporated into the Directive System within 15 days for an interim directive or 30 days for an amendment or supplement.
 - Direction will only be issued by Line Officers who have the delegated authority to issue new or revised policy and procedure. The authority to approve the issuance of directives is reserved to Line Officers down to the Forest Supervisor level.
 - Agency policy is written in a manner to provide equal treatment to all employees and to ensure that no person is denied participation in Forest Service programs or employment because of their race, color, sex (including sexual harassment), religion, age (if over 40), national origin, disability, marital status, or sexual orientation.
 - Line Officers will review and re-issue directives, as necessary, every 3 to 5 years in order to maintain a current Directive System.

1109 - Handbooks

1109.1 - Internal Servicewide Handbooks

1109.12 - Directive System Handbook (FSH)

This handbook contains specific instructions to guide directive authors and typists, as well as staff directive coordinators, directive analysts, and directive managers in preparing, writing, processing, and issuing directives. It also provides instructions on distributing, posting, and retrieving directives. Knowledge of the policies, standards, and procedures in FSM 1100 is necessary to use this handbook.