

U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C. 20250

DEPARTMENTAL REGULATION	Number: DR 0100-001
	DATE: January 4, 2018
	OPI: Office of the Chief Information Officer
SUBJECT: Departmental Directives System	

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1. PURPOSE

This Departmental Regulation (DR) describes the structure, general issuance authority, policies, and responsibilities for issuing United States Department of Agriculture (USDA) Departmental directives.

2. SPECIAL INSTRUCTIONS/CANCELLATIONS

- a. This regulation supersedes DR 0100-001, *Departmental Directives System* dated September 16, 2011.

- b. The principal changes to DR 0100-001 are as follows:
- (1) New procedures for clearing Departmental directives. (See Departmental Manual (DM) 0100-001, *Preparing Departmental Directives*)
 - (2) Streamlined formal clearance process for amending directives without full revision and reissuance for non-substantive or minor substantive changes (e.g., updating organizational structure names, updating Web links, clarifying existing policy or requirements; or for general updating that changes less than 25 percent of the directive). DRs and DMs will be revised and reissued through the procedures identified in DM 0100-001 in instances in which more than minor substantive changes are made (e.g., a change in policy, a more than minor change in the underlying statutory authority is being implemented; or more than 25 percent of the directive is changed).
 - (3) Add a new tier of Departmental Guidebooks (DG) to provide guidance and more detailed information which may be more technical, or programmatic in nature, which assists in implementing policies found in DRs and processes and procedures found in DMs. DGs will be subject to a streamlined formal clearance process.
 - (4) Add time limits for Offices of Primary Interest (OPI) for the adjudication of review comments and the revision of draft Departmental directives to promote timelier processing of directives in formal clearance. Time limits had previously been added for clearance office reviewers in the prior version of this DR after a Lean Six Sigma analysis.
 - (5) Add an expiration timeframe or date for all new, amended, revised, and reissued Departmental directives issued subsequent to the effective date of this DR to foster the reduction of the average age of Departmental directives to 5 years or less. Keeping Departmental directives current will ensure continual alignment with current laws, regulations, and guidance, and facilitate elimination of obsolete directives.
- c. All Departmental directives must be prepared using the Departmental enterprise word processing solution.
- d. The proper process for the preparation, review coordination, and distribution of Departmental directives is detailed in DM 0100-001. The companion DM 0100-001 establishes written procedures to use when implementing this DR.
- e. The definitions provided in Appendix B of this DR and in Appendix A of DM 0100-001 shall be applied consistently as the standard USDA definitions across all Departmental directives and need not be repeated in each one.

3. POLICY FOR DEPARTMENTAL DIRECTIVES

USDA agencies and staff offices will use the Departmental Directives System to issue policies, procedures, and guidance which have general applicability to employees and two or more USDA agencies or staff offices. Directives that are applicable to only one agency or staff office are not part of the Departmental Directives System.

Agencies and staff offices manage internal issuances which interpret Departmental directives, external directives, or which enable legislation. The internal issuances are not required to follow the format prescribed in this DR and DM 0100-001.

4. TYPES OF DEPARTMENTAL DIRECTIVES

Departmental directives and issuances consist of the documents discussed below. Generally, the content and format of each is similar. For a detailed discussion of coordination, structure, and content requirements see DM 0100-001.

- a. Permanent Directives are directives that are in force for a defined period of time with a predetermined expiration date or until specifically cancelled. Permanent directives consist of:
 - (1) Regulations. Departmental Regulations (DR) promulgate Departmental policy; delegate authority; establish responsibility; establish statutory or interagency committees; and/or prescribe high-level procedures governing USDA activities and operations. DRs also may include selected material of an administrative nature that is published in the *Federal Register* or the *Code of Federal Regulations*. DRs must be reviewed and revised or reissued at least every 5 years to ensure they remain aligned with current applicable statutory, regulatory, and/or policy requirements.
 - (2) Manuals. Departmental Manuals (DM) are used for detailed, relatively lengthy but higher-level technical guidance that is procedural in nature and Departmentwide in scope. Manuals generally are written for "specialist" audiences. They provide standards and guidance pertaining to a particular subject or administrative function, generally of the type that must be referred to on a daily or frequent basis. Some manuals implement external agency directives with USDA policy and procedural guidance. DMs must be reviewed and revised or reissued at least every 3 years to ensure they remain aligned with current statutory, regulatory, and/or policy requirements.
 - (3) Guidebooks. Departmental Guidebooks (DG) provide guidance and very detailed information which may be more technical or programmatic in nature, which assists in implementing policies found in DRs and processes and procedures found in DMs. DGs may include guides, handbooks, standards, reference books, standard operating procedures, and other similar documents. DGs may not establish policy

or impose roles and responsibilities beyond those found in the governing Departmental directive. Unlike DRs and DMs which should remain technology agnostic, DGs may be used to provide highly detailed technology or system specific procedures, instructions, or standards. DGs will be subject to a streamlined formal clearance process (see DM 0100-001) and will provide OPIs with a method to quickly issue enforceable guidance in an agile environment under the Departmental Directives System. DGs must be reviewed and revised or reissued at least every 3 years to ensure they remain aligned with current statutory, regulatory, and/or policy, technical, and standards requirements.

b. Temporary Directives. Temporary directives may not be in effect for more than 1 year and cannot be renewed or reissued. Temporary directives consist of:

(1) Notices. Departmental Notices (DN) announce:

- (a) Policy or procedure of Department-wide interest that is temporary or of a one-time nature that addresses a single subject;
- (b) Permanent policy or procedure which requires immediate dissemination and will be codified into a DR or DM within 1 year; or
- (c) Delegations of Authority from the Assistant or Under Secretaries or other General Officers pending publication in the Federal Register.

(2) Secretary's Memoranda. Secretary's Memoranda (SM) establish or announce changes in major policy concerning missions and programs of the Department, direct or implement action on Departmental programs, or redirect or change policy or action in Departmental programs. Examples include actions which by law require the endorsement of the Secretary of Agriculture and delegations of authority by the Secretary.

Items not requiring the Secretary's endorsement should be issued in another format.

OPIs must codify material of a permanent nature that was originally issued as a temporary directive. All such material is to be codified, within 1 year after issuance, in either a DR or DM, or in the case of delegations made via SMs, published in the Federal Register for codification in the Code of Federal Regulations (CFR). The expiration date of the temporary directive must be identified in the Codification/Expiration block of Form Agriculture Department (AD)-813, *Departmental Notice* and clearly stated in SMs.

5. CLEARANCE

OPIs must coordinate and formally clear proposed directives with stakeholders (those with defined roles and responsibilities in the directive) and affected organizations, particularly when policy or legal implications are involved.

- a. Mandatory Clearances. It is mandatory that all new or revised (i.e., reissued) DRs, DMs, DNAs, and SMs be cleared through the following offices. DGs will be subject to a streamlined clearance process which may not involve all of the mandatory clearance offices. The streamlined clearance process for amendments to DRs, DMs, and DGs is also set forth in DM 0100-001.
- (1) Office of the Chief Information Officer (OCIO). All Departmental directives and Secretary's Memoranda must be cleared through the USDA Departmental Directives Manager (DDM). The USDA DDM must be listed as the first and last clearance point on the Form [AD-116](#), *Clearance and Approval for Departmental Issuances*, Other Clearances block. The directive submission must also be accompanied by a Form [AD-3108](#), *Note to Reviewers for Draft Departmental Directives* which provides the key drivers for the issuance of the directive. The USDA DDM does not do simultaneous clearance.
 - (2) Office of Budget and Program Analysis (OBPA) will review the document for budget and program considerations. OBPA does not do simultaneous clearance.
 - (3) Office of the General Counsel (OGC) will review the document for legal sufficiency. OGC does not do simultaneous clearance.
 - (4) Assistant Secretary for Administration (ASA) will review all Departmental directives and will be responsible for having the directive cleared within the scope of the ASA's authority, to include a review by the Office of Human Resources Management (OHRM), Labor Relations to determine if the Department has a national consultation obligation under [5 U.S.C. 71](#), *Labor Management Relations*. National Consultation Rights (NCR) obligation reviews initiated at Optional Clearance may occur simultaneously with the other mandatory reviewers (i.e., OBPA and OGC) but must be completed prior to the ASA review. The ASA receives the directive after optional clearance offices and mandatory offices review and clear the directive. At the discretion of the ASA, the directive may be routed to additional optional clearance offices. The ASA does not do simultaneous clearance.
 - (5) Office of the Executive Secretariat (OES) will act as a non-reviewing clearance official only when the directive is to be signed in the Office of the Secretary.
- b. Optional Clearances. The OPI and the USDA DDM have the discretion to determine the optional clearance officials. Mission Areas, agencies, staff offices, and stakeholders that have a direct role or responsibility under or are significantly impacted by the proposed directive are strongly recommended to be clearance offices. Optional Clearance offices review directives submissions simultaneously or concurrently.
- c. Clearance Order.
- (1) OPI and applicable internal management

- (2) USDA DDM
- (3) Optional Clearance offices
- (4) OBPA
- (5) OGC
- (6) ASA
- (7) USDA DDM
- (8) OES (only if signed by the Secretary)
- (9) Signature Authority

Note: If any of the clearing offices make any substantive changes to the proposed directive after OGC has reviewed, the proposed directive must be returned to OGC. OGC will review the changes for legal sufficiency and send back to the clearing office that made the changes. The OPI must identify the substantive changes that require re-review by OGC.

6. SIGNATURE AUTHORITY

Persons in specific positions may issue policy, guidance and procedures within the scope of their delegated authority and assigned functions:

- a. Regulations, Manuals, Notices, and Guidebooks. The Secretary, the Deputy Secretary, Under Secretaries, Assistant Secretaries, Assistant to the Secretary, other General Officers, agency heads, and Departmental staff office directors may delegate Signature Authority to their principal subordinates, and must notify the USDA DDM in writing of such delegations.
- b. Secretary's Memoranda. Only the Secretary or Acting Secretary may issue Secretary's Memoranda.

Signature Authorities will approve the issuance of Departmental directives in accordance with their delegated authorities and assigned functions by signing the AD-116. Secretary's Memoranda can be signed on the directive itself or the AD-116.

7. EFFECTIVE DATE

The date that the signature authority signs the Form AD-116 is the effective date, unless otherwise indicated under "SPECIAL INSTRUCTIONS/CANCELLATIONS." If the signature authority is the Secretary, the effective date is the date the Secretary signed the directive and the AD-116.

8. CANCELLATIONS

DRs, DMs, and DGs can be cancelled by another Departmental directive, upon request from

the OPI, or by expiration date. DNs and SMs can be cancelled by:

- a. Another DN or SM, but only a SM can cancel a SM;
- b. Codification into a DR or DM. The DR or DM should include the cancellation instructions; or
- c. Expiration Date.

9. ROLES AND RESPONSIBILITIES

a. The USDA DDM will:

- (1) Establish policies, standards, and procedures for the Departmental Directives System;
- (2) Manage all aspects of the Departmental Directives System, serving as a central control point to prevent overlapping, duplication, and conflict;
- (3) Provide assistance and advice to originators of Departmental directives;
- (4) Recommend the issuance of new or revised Departmental directives to responsible officials;
- (5) Review all draft Departmental directives prior to formal clearance to ensure that provisions of this DR and companion DM 0100-001 are met;
- (6) Process approved Departmental directives following formal clearance and approval. Processing includes adding the classification number and date to all pages, as well as assigning and adding the serial number to directives prior to publishing;
- (7) Manage the Departmental Directives Classification System and ensure that all Departmental directives are properly classified;
- (8) Maintain an electronic system and operating procedures to ensure immediate access to Departmental directives by posting to the [Departmental Directives](#) Web page within 5 days after receipt of a signed directive;
- (9) Maintain Departmental directives in the electronic system with their most current content by updating the electronic file of Departmental directives within 5 days after receipt of a signed amendment;
- (10) At least quarterly, issue bulletins to all agencies and staff offices notifying them of issuance of new Departmental directives, or of amendment, revision, or rescission of existing directives. Bulletins can be issued more frequently if the volume of

amendment, revision, rescission, or issuance activity warrants more frequent issuance;

- (11) Maintain an electronic repository of bulletins on the *Departmental Directives* Web Page. Each bulletin that contains an amendment to a directive shall include as an attachment the amendment changes pages. Inclusion of amendment changes pages within the electronic repository of bulletins will enable agencies and staff offices to keep track of the effective dates of each set of changes to a directive;
- (12) Audit the Departmental Directives System, evaluate and approve suggestions for improving the directives system, eliminate Departmental directives when possible, and ensure that the Departmental Directives System agrees with other management programs and controls;
- (13) Maintain historical files of Departmental directives, including copies of current and superseded directives, clearance forms, and other pertinent information (including but not limited to adjudicated comments and notes to reviewers); and
- (14) Serve as a mandatory clearance office for all Departmental directives and SMs.

b. Department Agencies and Staff Offices will:

- (1) Ensure that all USDA staff are aware of and comply with the provisions of this regulation;
- (2) Ensure that all Departmental directives in their area of responsibility are complete, accurate, and current;
- (3) Ensure Departmental directives that are highly sensitive are not posted on the public-facing USDA *Departmental Directives* Web page. Directives containing sensitive information will be so noted by the originating office;
- (4) Maintain a system that permits access to Departmental directives within 5 days after issuance;
- (5) Appoint a Directives System Liaison Officer (DSLO) to manage, control, and coordinate all Departmental directive activities within their organizations; and provide the name, complete mailing address, e-mail address, and telephone number of the appointed DSLO (or any replacement) to the USDA DDM. A list of the DSLOs is posted on the [Directives Contacts](#) Web page; and
- (6) Maintain historical files of Departmental directives, including copies of current and superseded directives, clearance forms, and other pertinent information for directives for which they are responsible.

c. OPIs will:

- (1) Prepare Departmental directives within the scope of their delegated authority;
- (2) Determine the impact of new and revised laws and regulations, Executive Orders, external agency policy (e.g., Office of Management and Budget (OMB), Office of Personnel Management (OPM), General Services Administration (GSA), National Institute of Standards and Technology (NIST)), and audit findings/recommendations on assigned functions and issue or update Departmental directives as appropriate to implement or incorporate the external issuances;
- (3) Identify through mandatory Departmental marking methods if the directive contains sensitive information; verifying the need and the appropriate level of marking with a cybersecurity officer as applicable. If a directive contains sensitive information, the directive should be clearly identified as containing sensitive information, and it should not be posted to a public-facing Web page. The OPI will be responsible for distributing directives containing sensitive information to the affected parties;
- (4) Coordinate and clear proposed Departmental directives with stakeholders and affected organizational units (see DM 0100-001) including OHRM-Labor Relations and the Office of the Assistant Secretary for Civil Rights (OASCR) as applicable;
- (5) Recommend a classification number and distribution code(s);
- (6) Ensure that their policy writers, editors, and subject matter experts complete periodic Departmental directives training;
- (7) Type, revise, edit, and proof Departmental directives. Prepare all directives using the Departmental enterprise word processing solution;
- (8) Adjudicate review comments and incorporate changes into a revised directive in order to timely resume formal clearance per the following timeframes:
 - (a) Within 5 business days for standard resolution of comments;
 - (b) Within 20 business days for a mandatory clearance office nonconcur requiring remedy; and
 - (c) Within 4 calendar months for a mandatory clearance office nonconcur requiring a rewrite;
- (9) Provide electronic Section 508 compliant final files using the Departmental enterprise word processing format, and transmit the documents electronically for all newly approved directives to the USDA DDM. The USDA DDM will only accept an electronic copy of the directive; the OPI is responsible for ensuring that the

electronic version of the directive is the exact version of the paper document approved by the agency official as provided to the USDA DDM;

- (10) Provide a schedule to the USDA DDM for directive amendments, which delineates the amendment changes pages for inclusion in an electronic repository of amendment bulletins on the *Departmental Directives* Web Page.
- (11) Retain background material (e.g., adjudicated comments received during clearance) after issuance of a Departmental directive; and
- (12) At least annually, review Departmental directives for which they are responsible and amend, revise and reissue, rescind, or codify as appropriate.

d. Clearance Offices will:

- (1) Participate in informal coordination sessions when requested by the OPI;
- (2) Review proposed Departmental directives for organizational impact, coordinate with the OPI for necessary changes, and indicate formal concurrence/non-concurrence;
- (3) Return comments to the OPI within 3 business days if the Clearance Office is optional; within 3 business days for the USDA DDM, OBPA, and OES mandatory Clearance Offices; and within 10 business days for the OGC (5 business days for DR/DM amendments) and ASA mandatory Clearance Offices (see Sections 5a and 5b). If the Clearance Office is not able to complete review within the required timeframe, the Clearance Office other than the USDA DDM must request a formal extension in time; and
- (4) In the case of disputes, will proactively work with the OPI to resolve areas of conflict that promote the issuance of the directive and meet the needs of both parties. The DDM will be available to assist in moderating and mediating these discussions as needed.

e. The ASA will:

- (1) Serve as a mandatory clearance official; and
- (2) Route the directive to additional optional clearance offices at the discretion of the ASA.

f. For Directives Signed in the Secretary's Office OES will:

- (1) Forward the directive to the Secretary of Agriculture for signature;
- (2) Obtain the signature of the Secretary and establish the effective date;

- (3) Provide a copy of the signed AD-116 and the final directive to the OPI and to the USDA DDM; and
 - (4) Maintain the original copy, original clearance form, and all relevant background material on all directives signed by the Secretary.
- g. DSLOs will:
- (1) Serve as liaison to the USDA DDM on all matters relating to the Departmental Directives System;
 - (2) Assist the OPI in the clearance process of Departmental directives; and
 - (3) Assist the USDA DDM with audit requests.

10. FORMS

Use the following forms to prepare, clear, and issue Departmental directives. These forms are available electronically at the [Departmental Forms](#) Web page.

- a. Form [AD-116](#), *Clearance and Approval for Departmental Issuances*
- b. Form [AD-778](#), *Secretary's Memorandum* (first page)
- c. Form [AD-811](#), *Departmental Regulation* (first page)
- d. Form [AD-812](#), *Departmental Manual* (first page)
- e. Form [AD-813](#), *Departmental Notice* (first page)
- f. Form [AD-814](#), *Departmental Guidebook* (first page)
- g. Form [AD-3108](#), *Note to Reviewers for Draft Departmental Directives*

11. PROCEDURES

DM 0100-001, *Preparing Departmental Directives*, contains procedures to use when implementing this DR.

12. INQUIRIES

All USDA agencies and staff offices shall direct questions and inquiries regarding this DR

and the companion DM 0100-001 to the DDM via email at OCIO-PD@ocio.usda.gov.

- END -

APPENDIX A

ACRONYMS AND ABBREVIATIONS

AD	Agriculture Department (for Departmental forms use only)
ASA	Assistant Secretary for Administration
CFR	Code of Federal Regulations
DDM	Departmental Directives Manager
DG	Departmental Guidebook
DM	Departmental Manual
DN	Departmental Notice
DR	Departmental Regulation
DSLO	Directives System Liaison Officer
GSA	General Services Administration
NCR	National Consultation Rights
NIST	National Institute of Standards and Technology
OASCR	Office of the Assistant Secretary for Civil Rights
OBPA	Office of Budget and Program Analysis
OCIO	Office of the Chief Information Officer
OES	Office of the Executive Secretariat
OGC	Office of the General Counsel
OHRM	Office of Human Resources Management
OMB	Office of Management and Budget
OPI	Office of Primary Interest
OPM	Office of Personnel Management
SM	Secretary's Memorandum
U.S.C.	United States Code
USDA	United States Department of Agriculture

APPENDIX B

DEFINITIONS

- a. Agency. Organizational units of the Department, other than staff offices as defined below, whose heads report to officials within the Office of the Secretary, Deputy Secretary, Under Secretaries, Assistant Secretaries, and Assistant to the Secretary.
- b. Agency Directives. Issuances that originate within Department agencies or staff offices as interpretations of internal or external directives, or enabling legislation.
- c. Amendment. An amendment is used for general updating that makes non-substantive or only minor substantive changes to 25 percent or less of the text of an existing DR, DM, or DG; e.g., for an organizational name change or personnel title change resulting from a realignment; to add language to the directive that clarifies, but does not change, existing policy or roles and responsibilities; for updating Web site links or updating references to external sources; or for updating references to the Code of Federal Regulations (CFR) or United States Code (U.S.C).
- d. Classification. The arrangement of directives into categories and subcategories according to their subject matter. In the Departmental Directives System, categories are identified and their subdivisions logically related by a numbering system.
- e. Classification Code. A 4-digit number (7-digits for some specialized OHRM directives to align with overarching OPM guidance), indicating the basic subject matter of a specific directive; e.g., code 1041 indicates that the subject of a directive is committee management.
- f. Classification Number. The number that uniquely identifies each Departmental directive. It consists of a series designator, a classification code, and a 3-digit serial number; e.g., DR 1041-001 would be the first DR on committee management.
- g. Codification. The issuance of a directive, appropriately numbered, in permanent form, or the conversion of a temporary directive to permanent issuance.
- h. External Directives. Federal regulations, Executive Orders, or other issuances that originate outside USDA but may apply to USDA operations.
- i. Format. The design of directive pages for positioning constant information such as directive number, subject, OPI, date, page number, margins, etc.
- j. Head. Agency administrator, office director, or the person acting as head.
- k. Mandatory Clearance Office. A clearance office that directives must be cleared through prior to issuance.

- l. Mission Area. A group of agencies with related functions that report to the same Under or Assistant Secretary. Research, Education, and Economics (REE) is an example of a mission area.
- m. Office of Primary Interest (OPI). The office responsible for the origination and content of a directive related to a particular function or program.
- n. Office of the Secretary. This term includes the immediate office of the Secretary, the Deputy Secretary, the Under and Assistant Secretaries.
- o. Rescission. The cancellation of a directive.
- p. Revision. A revision or reissuance is used for general updating in which more than minor substantive changes are made or more than 25 percent of the text of a DR, DM, or DG is changed; for language changes necessitated by the revision of underlying statutory or regulatory authority; for making substantive changes to the policy set forth in the directive; or for making changes to agency and staff office and other stakeholder responsibilities set forth in the directive.
- q. Secretary. The Secretary of Agriculture.
- r. Series Designator. A 2-letter alphabetical abbreviation indicating the series of a particular Departmental directive (e.g., DR, DM, DN, DG, SM).
- s. Signature Authority. The office/person that approves the directive in accordance with delegated authorities and assigned functions.
- t. Staff Office. Departmental administrative offices whose heads report to officials within the Office of the Secretary.
- u. Stakeholder. An official, mission area, agency, staff office, or component with a defined role and responsibility or vested interest in a Departmental directive.

APPENDIX C

AUTHORITIES AND REFERENCES

- GSA, [*GSA Governmentwide Section 508 Accessibility Program*](#) Web site
- Labor Management Relations*, [5 U.S.C. 71](#)
- Section 508 of the *Rehabilitation Act of 1973*, [29 U.S.C. § 794 \(d\)](#), as amended
- USDA, [*Departmental Directives*](#) Web Page
- USDA, [*Template for Departmental Regulation*](#)
- USDA, [*Template for Departmental Manual*](#)
- USDA, [*Template for Departmental Notice*](#)
- USDA, [*Template for Secretary's Memorandum*](#)
- USDA, DM 0100-001, *Preparing Departmental Directives*
- USDA, [DR 4030-001](#), *Section 508*, September 8, 2014
- USDA, [DR 4300-004](#), *Civil Rights Impact Analysis*, October 17, 2016
- USDA, [*Departmental Forms*](#) Web Page
- USDA, [AD-116](#), *Clearance and Approval for Departmental Issuances*
- USDA, [AD-778](#), *Secretary's Memorandum*
- USDA, [AD-811](#), *Departmental Regulation*
- USDA, [AD-812](#), *Departmental Manual*
- USDA, [AD-813](#), *Departmental Notice*
- USDA, [AD-814](#), *Departmental Guidebook*
- USDA, [AD-3108](#), *Note to Reviewers for Draft Departmental Directives*
- USDA, [*Directives Contacts*](#) Web Page