



U.S. Fish and Wildlife Service
Bureau of Land Management
National Park Service
Bureau of Indian Affairs

Federal Subsistence Board Informational Flyer



Forest Service

Contact: Policy Coordinator
(907) 786-3888 or (800) 478-1456
subsistence@fws.gov

How to submit a Request for Reconsideration to the Federal Subsistence Board

Any person who is adversely affected by a new Federal subsistence regulation may request the Federal Subsistence Board (Board) to reconsider its decision by filing a Request for Reconsideration (RFR). A Request for Reconsideration must be submitted in writing to the Federal Subsistence Board within 60 days after a regulation takes effect or is published in the Federal Register, whichever comes first. The written request must provide the Board with enough information to show why the action should be reconsidered.

The Board will accept a Request for Reconsideration only if it:

- *is based upon information not previously considered by the Board;*
- *demonstrates that the information used by the Board is incorrect;*
- *or demonstrates that the Board's interpretation of information, applicable law, or regulation is in error or contrary to existing law.*

These guidelines and requirements are found in 36 CFR 242.20 and 50 CFR100.20. Please note that acceptance of the request only indicates the Board will reconsider the regulatory decision; however, it does not mean the Board will ultimately reverse the decision.

To submit a Request for Reconsideration, please provide the following information:

- Name
- Address
- Telephone number
- Fax number
- E-mail address
- Organization (if applicable)
- Provide the regulation that you wish the Board to reconsider and the date of Federal Register publication of that action
- Provide a detailed statement of how you are adversely affected by the action
- Provide a detailed statement of the issues raised by the Board's action, with specific references to:
 - information not previously considered by the Board

- information used by the Board that is incorrect
- how the Board's interpretation of information, applicable law, or regulation is in error or contrary to existing law
- Describe how you would like the regulation changed

How a Request for Reconsideration is processed:

1. Once a RFR is received by the Board, the U.S. Fish and Wildlife Service, Office of Subsistence Management (OSM), assigns an RFR number and lead analyst.
2. The RFR is also sent out to the applicable Regional Advisory Council(s) and the Alaska Department of Fish and Game (ADF&G) for review (timelines vary depending on volume of requests).
3. The lead analyst prepares a threshold analysis to address if the RFR meets the criteria stated in regulations.
4. The threshold analysis is reviewed by the Interagency Staff Committee (ISC) prior to finalization and presentation to the Board. The threshold analysis is then presented to the Board for action.
5. If the Board decides the RFR does not meet criteria, a letter is sent to the requestor stating why the request was deemed invalid by the Board.
6. If the Board accepts the RFR, the lead analyst will prepare a full analysis of the RFR. The draft full analysis is presented to the affected Council(s), ADF&G, and the ISC for comments and recommendations to the Board.
7. The Board is then presented with the full analysis, comments, and recommendations and makes a final decision.
8. If the request is denied, the decision of the Board represents the final administrative action. If the request is passed, the regulations are revised and the public is notified of the change.

Submit your request by:

Mail:

Office of Subsistence Management
 Attn: Subsistence Policy Coordinator
 1011 East Tudor Road, Mail Stop 121
 Anchorage, Alaska 99503-6199

Fax: (907) 786-3898

E-mail: subsistence@fws.gov

Missing out on the latest Federal subsistence issues? If you'd like to receive emails and notifications on the Federal Subsistence Management Program you may subscribe for regular updates by emailing fws-fsb-subsistence-request@lists.fws.gov. Additional information on the Federal Subsistence Management Program may be found on the web at www.doi.gov/subsistence/index.cfm or by visiting www.facebook.com/subsistencealaska.