

Order

ATF O 1100.168

SUBJECT: DELEGATION ORDER – DELEGATION OF
AUTHORITIES WITHIN THE BUREAU OF ALCOHOL,
TOBACCO, FIREARMS AND EXPLOSIVES

DATE: 11/9/2010
OPI RECERTIFICATION
DATE: 11/9/2015
OPI: 400000

TO: All ATF Employees

1. **PURPOSE.** This order provides a single repository for all delegation of authorities, with the exception of the order of succession, within the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).
2. **BACKGROUND.** Pursuant to the Homeland Security Act of 2002, Public Law 107-296 dated November 25, 2002, ATF was transferred from the Department of the Treasury to the Department of Justice (DOJ). Title 28 U.S.C. § 599A, Bureau of alcohol, tobacco, firearms, and explosives, authorizes the establishment of ATF within DOJ, and 28 CFR §§ 0.130 through 0.133, Functions, delegations, and continuity of regulations of ATF, provides the authority to carry out ATF functions.
3. **REFERENCE.** ATF O 1100.59H, Emergency Order of Succession, dated October 14, 2011, provides the order of succession and delegation of authority in all circumstances, regardless of emergency, in which ATF's Bureau head is absent, becomes disabled, or is otherwise unavailable.
4. **CANCELLATIONS.** The following delegation orders (DOs) are cancelled:
 - a. ATF O 1100.2D, DO – Authority to Sign Official Correspondence;
 - b. ATF O 1100.43C, DO – Authority to Downgrade and/or Declassify National Security Information;
 - c. ATF O 1100.89B, DO – Authority to Approve Expenditures of a Confidential Character;
 - d. ATF O 1100.137, Delegation of Authority Concerning Equal Employment Opportunity;
 - e. ATF O 1100.145B, DO – National Firearms Act (NFA) Information Requested by Federal and State Agencies;
 - f. ATF O 1100.165, DO – Authorization to Approve Law Enforcement Request for Title III Applications;
 - g. ATF O 1110.1A, DO – Authority to Approve Funds for Investigative Purposes;
 - h. ATF O 1120.2A, DO – Authority to Make Determinations on Notices of Clearance, Letters of Clearance, or Denial, and Appeals of Letters of Denial Under 18 U.S.C. 843(h);
 - i. ATF O 1120.3, DO – Authority to Maintain the National Firearms Registration and Transfer Record;
 - j. ATF O 1120.4, DO – Authority to Make Determinations on Applications for Relief from Federal Firearms and/or Explosives Disabilities;

5000 SUBJECT CLASSIFICATION CODE DELEGATION ORDERS

5300 - Firearms and Ammunition Program [Prior DO – ATF O 1120.5]
Specific Subject: Annual Firearms Manufacturing and Exportation Report
OPI: Enforcement Programs and Services

Authority Citation	Authority Narrative	Delegation	Redelegation
18 U.S.C. Chapter 44, Firearms, 28 U.S.C. § 599A, and 18 U.S.C. § 923(g)(5)	The authority to require the filing of ATF Form 5300.11 or ATF E-Form 5300.11, Annual Firearms Manufacturing and Exportation Report Under 18 U.S.C. Chapter 44, Firearms.	Chief, Firearms and Explosives Services Division (EPS)	May not be redelegated

5300 - Firearms and Ammunition Program [Prior DO – ATF O 1130.4]
Specific Subject: Delegation of Certain Authorities of the Director in 27 CFR Parts 447, 478, and 479
OPI: Enforcement Programs and Services

Authority Citation	Authority Narrative	Delegation	Redelegation
Title 27 CFR Part 447, Importation of arms, ammunition and implements of war; Part 478, Commerce in firearms and ammunition; and Part 479, Machine guns, destructive devices, and certain other firearms	<u>A. Under current regulations, the Director has authority to take final action on certain matters relating to:</u>	Deputy Assistant Director (EPS)	May not be redelegated
	1. Title 27 CFR part 478;		
	2. Title 27 CFR part 479; and		
	3. Title 27 CFR part 447.	Branch Chief (Firearms and Explosives Services Division (FESD))	May not be redelegated
	<u>B. Title 27 CFR part 478, to:</u>		
1. Prescribe all forms required by 27 CFR Part 478, under 27 CFR § 478.21.	Branch Chief (FESD)		
2. Approve written applications for alternate methods or procedures, under 27 CFR § 478.22(a).	Branch Chief (FESD)		
3. Withdraw authority for any alternate method or procedure, under 27 CFR § 478.22(a).	Branch Chief (FESD)		
4. Approve written applications for emergency variations, under 27 CFR § 478.22(b).	Branch Chief (FESD)		
5. Withdraw authority for any emergency variations, under 27 CFR § 478.22(b).	Branch Chief (FESD)		