

New ATF Regulations



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On January 13, 2009, the Department of Justice announced the following change to the authority of the Director of the ATF. The change was announced in an interim final rule with a request for comments. Any comments on this proposed rule change must be submitted on or before April 14, 2009.

The Department of Justice is amending the regulations of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”) to delegate to the Director of ATF the authority to serve as the deciding official regarding the denial, suspension, or revocation of federal firearms licenses and the imposition of civil fines. The Director will have the flexibility to delegate to another ATF official the authority to decide a revocation or denial matter, or may exercise that authority himself. Such flexibility will allow ATF to more efficiently decide denial, suspension, and revocation hearings and to decide whether to impose a civil fine, because the Director can redelegate to Headquarters officials, field officials, or some combination thereof, the authority to take action as the final agency decision maker. The aim of the new rule is to give the agency the ability to ensure consistency in decision making and the ability to address case backlogs.

Decision-Making Authority Regarding the Denial, Suspension, or Revocation of a Federal Firearms License, etc., 74 Fed. Reg. 1875 (Jan. 13, 2009)

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