

(Billing Code 4810-31-P)

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Part 200

(T.D. ATF- 414)

[RIN 1512-AB91]

Technical Amendments

**AGENCY:** Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

**ACTION:** Final rule, Treasury decision

**SUMMARY:** This Treasury decision amends the provisions of 27 CFR part 200 to change the title designation “District Director” to “Director of Industry Operations (DIO)” wherever it appears, and to make other necessary conforming amendments. All such changes are to provide clarity and uniformity throughout Title 27 Code of Federal Regulations.

**EFFECTIVE DATE:** September 10, 1999

**FOR FURTHER INFORMATION CONTACT:** Nancy M. Kern, Regulations Division, 650 Massachusetts Avenue, NW, Washington, DC 20226, (202-927-8210).

**SUPPLEMENTARY INFORMATION:**

**Background**

The Bureau of Alcohol, Tobacco and Firearms (ATF) administers regulations published in Chapter 1 of Title 27 Code of Federal Regulations. ATF

determined that the regulations in Part 200 should be revised to reflect the current ATF field structure reorganization, which established the positions of “Director of Industry Operations” for the respective ATF operating Field Divisions, and eliminated the positions of “District Directors” (formerly Regional Directors) for such districts.

These amendments do not make any substantive changes and are only intended to improve the clarity of Title 27.

#### **Paperwork Reduction Act**

The provisions of the Paperwork Reduction Act of 1995, Public Law 104-13, 44 U.S.C. Chapter 35, and its implementing regulations, 5 CFR part 1320, do not apply to this final rule because there are no recordkeeping or reporting requirements.

#### **Regulatory Flexibility Act**

Because no notice of proposed rulemaking is required for this rule, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply.

#### **Executive Order 12866**

This final rule is not subject to the requirements of Executive Order 12866 because the regulations make nonsubstantive technical amendments to previously published regulations.

### **Administrative Procedure Act**

Because this final rule merely makes technical amendments and conforming changes to improve the clarity of the regulations, it is unnecessary to issue this final rule with notice and public procedure under 5 U.S.C. 553(b), or with the 30-day delayed effective date under 5 U.S.C. 553(b).

### **Drafting Information**

The principal author of this document is Nancy M. Kern, Regulations Division, Bureau of Alcohol, Tobacco and Firearms.

### **List of Subjects in 27 CFR 200**

Administrative practice and procedure, Authority delegations.

### **Authority and Issuance**

Title 27, Code of Federal Regulations is amended as follows:

### **PART 200-RULES OF PRACTICE IN PERMIT PROCEEDINGS**

**Paragraph 1.** The authority citation for part 200 continues to read as follows:

AUTHORITY: 26 U.S.C. 7805, 27 U.S.C. 204.

### **Part 200-[AMENDED]**

### **§ 200.5 [Amended]**

**Par. 3.** Section 200.5 is amended by removing the term “District director” and its accompanying definition, and by adding the term “Director of Industry Operations” and its accompanying definition as follows:

\* \* \* \* \*

*Director of Industry Operations.* The principal ATF official in a field operations division responsible for administering the regulations in this part.

\* \* \* \* \*

**Par. 4.** Section 200.5 is further amended by revising the following terms as indicated:

*Attorney for the Government.* The attorney in the appropriate office of Chief Counsel authorized to represent the Director of Industry Operations in the proceeding.

\* \* \* \* \*

*Initial decision.* The decision of the Director of Industry Operations or administrative law judge in a proceeding on the suspension, revocation or annulment of a permit.

\* \* \* \* \*

**Par. 5.** Section 200.25 is amended by removing the words “Regional Director (compliance)” and by adding the words “Director of Industry Operations (DIO)” in place thereof. Section 200.25 is also amended by removing the words “district director” and by adding the words “director of industry operations” in place thereof.

\* \* \* \* \*

**Par. 6.** The following sections of part 200 are amended by removing the words “district director” each place they appear and adding, in place thereof, the words “director of industry operations”:

- (a) Section 200.27;
- (b) Section 200.29;
- (c) Section 200.31;
- (d) Section 200.35;
- (e) Section 200.36;
- (f) Section 200.37;
- (g) Section 200.38;
- (h) Section 200.45;
- (i) Section 200.46;
- (j) Section 200.48;
- (k) Section 200.49;
- (l) Section 200.49a;
- (m) Section 200.49b;
- (n) Section 200.55(a);
- (o) Section 200.57;
- (p) Section 200.59;
- (q) Section 200.60;
- (r) Section 200.61;

- (s) Section 200.62;
- (t) Section 200.64;
- (u) Section 200.65;
- (v) Section 200.70;
- (w) Section 200.71;
- (x) Section 200.72;
- (y) Section 200.73;
- (z) Section 200.75;
- (aa) Section 200.78;
- (bb) Section 200.79;
- (cc) Section 200.80;
- (dd) Section 200.85;
- (ee) Section 200.105;
- (ff) Section 200.106;
- (gg) Section 200.107;
- (hh) Section 200.109;
- (ii) Section 200.110;
- (jj) Section 200.115;
- (kk) Section 200.116;
- (ll) Section 200.117;
- (mm) Section 200.126;

(nn) Section 200.129.

**Par. 7.** In §200.95 remove the words “district directors” each place they appear and add, in place thereof, the words “directors of industry operations”.

**Par. 8.** Sections 200.107(a) and 200.108 are amended by removing the words “district director’s” each place they appear and adding the words “director of industry operations”.

**§ 200.27 [Amended]**

**Par. 9.** The section heading for § 200.27 is amended by removing the words “district director” and adding the words “director of industry operations” in place thereof.

**§ 200.107 [Amended]**

**Par. 10.** The undesignated heading that precedes § 200.107 is amended by removing the words “District Director” and adding the words “Director of Industry Operations” in place thereof.

**§ 200.107a [Amended]**

**Par. 11.** The section heading for § 200.107a is revised by removing the words “District Director’s” and adding the words “Director of Industry Operations” in place thereof.

Signed:

Director

Approved:

Deputy Assistant Secretary

(Regulatory, Tariff and Trade Enforcement)