



DEPARTMENT OF THE TREASURY

Alcohol and Tobacco Tax and Trade Bureau

TTB O 1190.1A

Date: 6/14/2012

Sunset Review: 6/14/2017

Subject: Delegation Order – Deciding Requests under the Freedom of Information Act and the Privacy Act; Authority to Decide Administrative Appeals under the Freedom of Information Act and the Privacy Act

To: All Bureau Employees and All Interested Parties

1. Purpose.

This Order establishes responsibilities for making initial decisions on requests under the Freedom of Information Act (FOIA) and the Privacy Act (PA). It also delegates the authority to decide administrative appeals under the Freedom of Information Act, 5 U.S.C. 552, and the Privacy Act, 5 U.S.C. 552a.

2. Authority.

In addition to section 1512(a) of the Homeland Security Act of 2002 (the "savings clause"), this order affirms and ratifies any action taken that is consistent with this order. Treasury Order No. 120-1 (Revised) dated January 24, 2003 established the Tax and Trade Bureau within the Department of the Treasury and designated it as the Alcohol and Tobacco Tax and Trade Bureau (TTB). It grants the Administrator full authority, powers, and duties to administer the affairs of and to perform the functions of TTB, including, without limitation, all management and administrative authorities and responsibilities similarly granted and assigned to Bureau Heads or Heads of Bureaus in Treasury Orders and Treasury Directives.

3. Background.

The Freedom of Information Act generally provides that any person has the right of access to TTB records, except to the extent that such records (or portions thereof) are protected from disclosure by a specific provision of the FOIA. The Privacy Act is both an access law and a non-disclosure law. Any individual (i.e. U.S. citizen or legal alien) who is the subject of a Privacy Act record or records

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maintained by the Bureau can request access to such records. The Privacy Act requires the Bureau to give access to their records unless the Bureau has exempted the entire system of records from the access provisions.

4. Cancellation.

This Order supersedes TTB O 1190.1 Delegation Order – Deciding Requests under the Freedom of Information Act and the Privacy Act; Authority to Decide Administrative Appeals under the Freedom of Information Act and the Privacy Act, dated January 24, 2003.

5. Ratification.

In addition to section 1512(a) of the Homeland Security Act of 2002, Public Law 107–296, 116 Stat. 2135 (2002), this Order affirms and ratifies any action taken that is consistent with this Order.

6. Delegation.

- a. The Director, Regulations and Rulings Division, is hereby delegated responsibility for making initial decisions on requests under the FOIA or PA and processing such requests.
- b. The Assistant Administrator, Headquarters Operations is hereby delegated authority to decide administrative appeals under the Freedom of Information Act, 5 U.S.C. 552, and the Privacy Act, 5 U.S.C. 552a.

7. Coordination.

The Office of Chief Counsel is responsible for preparing proposed decisions on administrative appeals under the FOIA and PA for consideration of the Assistant Administrator, Headquarters Operations.

8. Submission for FOIA Requests.

All FOIA requests for TTB should be sent to the following address:

Director, Regulations and Rulings Division
Alcohol and Tobacco Tax and Trade Bureau
1310 G Street, NW, Box 12
Washington, DC 20005

FOIA requests for TTB may also be sent by e-mail to TTBFOIA@ttb.gov or by facsimile to (202) 453-2331.

9. **Redelegation.** The authorities delegated in this Order may not be redelegated.

John J. Manfreda
Administrator