



To enhance mission performance, TSA is committed to promoting a culture founded on its values of Integrity, Innovation and Team Spirit.

REVISION: This revised directive supersedes TSA MD 3100.4, *Delegations of Authority*, dated February 15, 2006.

SUMMARY OF CHANGES: The entire Management Directive 3100.4 has been updated to reflect the adding of Authorities in paragraph 3; and new definitions, responsibilities, policy, and procedures within paragraphs 4-7, Delegations of Authority notifications and the new Division/Section names due to TSA reorganization.

1. **PURPOSE:** This directive establishes TSA policy and procedures for issuing, modifying and rescinding Delegations of Authority.
2. **SCOPE:** This directive applies to all TSA offices, organizations, and employees.
3. **AUTHORITIES:**
 - A. Aviation and Transportation Security Act, Pub. L. No. 107-71, 115 Stat. 597 (2001)
 - B. [DHS Delegation No. 7060.2, Delegation to the Administrator of the Transportation Security Administration](#) (November 5, 2003)
 - C. [DHS Directive No. 112-03, Delegations of Authority](#) (June 30, 2008)
 - D. [TSA MD 200.9, Vital Records Program](#) (December 27, 2016)
4. **DEFINITIONS:**
 - A. Delegation of Authority (DOA): A formal document specifying who is authorized to act on behalf of another official for specific purposes or in specific matters. Generally, the officials will be identified by title or position, rather than by name. When necessary due to particular training or qualification requirements, a DOA may be to a specific individual, by name. The term DOA includes the redelegation of authority.
 - B. Delegating Official: A TSA official who designates, in writing, another official to act in his or her stead for specific purposes or in specific matters. Unless otherwise stated, Delegating Officials do not divest themselves of the authority to take action; rather they designate another official, who may also take the same action.
 - C. Delegate: The recipient of a DOA or the official to whom authority to act has been granted by a Delegating Official.
 - D. Delegations of Authority Point of Contact (DOA POC): An individual appointed to serve as an HQ Office's authorized representative and contact for DOAs.

**TSA MANAGEMENT DIRECTIVE No. 3100.4
DELEGATIONS OF AUTHORITY**

- E. General Delegations: A broad delegation of authority from a TSA management official to a subordinate official to plan, execute, oversee, and issue guidance regarding all policy and programs within the subordinate official's scope of responsibility. Unless restricted by law, regulation, or specific delegations of authority, this general delegation of authority is intended to give TSA officials all of the authority necessary to carry out the roles and responsibilities of their respective offices. While TSA Senior Management Officials retain the overall responsibility and accountability for all functions of their offices, they may unless otherwise restricted assign subordinate offices and officials to carry out particular functions and implement and manage particular programs and policies.
- F. Senior Management Official: Any of the following officials with responsibility for and authority over a major TSA organizational element:
- (1) Administrator;
 - (2) Deputy Administrator;
 - (3) Chief of Staff;
 - (4) Chief of Operations;
 - (5) Chief of Mission Support;
 - (6) Chief of Performance & Enterprise Risk;
 - (7) Chief Counsel; and
 - (8) All Assistant Administrators.

5. RESPONSIBILITIES:

- A. Senior Management Officials are responsible for providing broad general delegations to subordinate officials. The Administrator, Deputy Administrator, Chief of Mission Support, and Chief of Operations will provide general delegations to their subordinate officials via changes to TSA Management Directive 100.0, *TSA Roles and Responsibilities*. In addition, Senior Management Officials are responsible for the following duties with respect to the DOAs they initiate:
- (1) Drafting and submitting requests to issue, modify, or rescind DOAs pertaining to their area(s) of responsibility.
 - (2) Submitting draft DOAs in the prescribed format (see **Attachment**), including any necessary supporting documentation, to the Information Management Programs Section (IMPS) for review, coordination, and clearance approval.
 - (3) Reviewing and providing comments to IMPS, as appropriate, on requests to issue, modify, or rescind DOAs to ensure clarity and consistency across TSA areas of responsibility.

**TSA MANAGEMENT DIRECTIVE No. 3100.4
DELEGATIONS OF AUTHORITY**

- (4) Ensuring that each request to issue, modify, or rescind a DOA is reviewed and approved by the Office of Chief Counsel (OCC).

Note: No DOA will be issued, modified, or rescinded without OCC concurrence.

- (5) Notifying the Delegating Official when any authority received by DOA is to be redelegated to a subordinate official.
- (6) Ensuring that copies of their respective DOAs and supporting documents are included as part of their office's Vital Records Program documents.
- (7) Appointing and retaining DOA POCs, via TSA Form 3104, consistent with the criteria outlined in Appendix 1 for such appointments. Each Senior Management Official must designate at least one DOA POC to ensure coverage and representation for the offices and activities within his or her responsibility.

B. Delegating Officials are responsible for the functions in Section 5, Responsibilities, paragraphs A (1) through A (6), inclusive.

C. Office of Information Technology (OIT) is responsible for:

- (1) Maintaining systems accountability and access controls for Delegations of Authority posted and published on TSA sites.
- (2) Ensuring Delegations of Authority published on the TSA Internet and Intranet sites are appropriately converted and accessible in compliance with Section 508 of the Rehabilitation Act and applicable DHS and TSA directives.
- (3) Allocating and securing designated DOA space on the Intranet. All of the most current and approved DOAs will be posted at this designated location.
- (4) Posting and removing DOAs in accordance with OCC and/or IMPS direction.

D. IMPS is responsible for:

- (1) Coordinating proposed DOA action memo clearances within TSA.
- (2) Assigning DOA identification numbers and maintaining an appropriate accountability and control log of all issued, modified, and rescinded DOAs.
- (3) Coordinating the posting and publication of DOAs, as appropriate, typically via the Intranet and TSA Broadcast messages.
- (4) Serving as the repository for DOA records, including the maintenance and storage of current and rescinded DOAs for purposes of the TSA records and Vital Records Program.

E. DOA POCs are responsible for:

**TSA MANAGEMENT DIRECTIVE No. 3100.4
DELEGATIONS OF AUTHORITY**

- (1) Effectively communicating DOA POC rules and responsibilities to their respective Office staffs.
- (2) Processing delegations of authority in compliance with prescribed methods, standards, and procedures.
- (3) Vetting internally with their respective Offices and completing the submission of all draft DOAs with accompanying documentation to IMPS.
- (4) Reporting to IMPS every six months which DOAs are valid and which are rescinded.
- (5) Establishing appropriate Intranet links within their Office's program page to link delegations content, as appropriate.

F. OCC is responsible for:

- (1) Reviewing all requests to issue, modify, or rescind DOAs to ensure legal sufficiency, clarity, and necessity.
- (2) Proposing that DOAs be issued, modified, or rescinded when necessary to protect the legal rights and authorities of TSA and its officials.
- (3) Reporting to IMPS all DOAs that are approved for issuance, modification, or rescission.

6. POLICY:

- A. Whenever possible, grants of authority to subordinate officials will be accomplished through general delegations via modification of TSA Management Directive 100.0, *TSA Roles and Responsibilities*, or through a description of specific responsibilities and authorities contained in a DHS or TSA directive.
- B. DOAs will be used sparingly and only when other means of granting authority are insufficient. Examples of when DOAs may be necessary include, but are not limited to: when re-delegating authority delegated by DHS; when underlying regulations or directives require written DOAs; or when a clear audit trail of authority is essential for fiscal, legal, or other purposes.
- C. All DOAs will be prepared, coordinated, and issued in accordance with this directive, under the management controls and processes established.
- D. Unless DHS requires the use of the format outlined in DHS Directive No. 112-03, all TSA DOAs will be submitted using the format provided in the **Attachment**.
- E. Each DOA will clearly identify the positions/titles of the Delegating Official and the Delegate.

Note: When necessary because of particular training or qualification requirements, a DOA may be to a specific individual, by name.

**TSA MANAGEMENT DIRECTIVE No. 3100.4
DELEGATIONS OF AUTHORITY**

Unless a DOA is by name or otherwise limited in the DOA itself, a DOA remains valid when incumbents change and when acting officials serve in the absence of principal officials.

- F. In the case of reorganization of TSA or offices within TSA, all existing delegations exercised by the former officials will devolve to the successor officials, consistent with the new areas of responsibility. Unless otherwise prohibited by Federal statute or DHS policy, this rule applies until the underlying DOA is modified or rescinded.
 - G. Unless otherwise restricted by the DOA itself, a delegate has the authority to redelegate all of the authorities identified in the DOA.
 - H. Upon assumption of a new position (e.g., through reassignment or new appointment), TSA officials should receive copies of, or web links to, all DOAs in which they are either Delegating Officials or Delegates. Each TSA official is required to become familiar with all DOAs that impact his or her position.
 - I. DOAs may be modified or rescinded only by issuance of another DOA signed by the appropriate Delegating Official or higher authority. Because Delegating Officials are not divested of the authority to take action when they issue a DOA, a Delegating Official may exercise the authority previously delegated at any time without modification to or rescission of the DOA.
 - J. DOAs will not be used as substitutes for designating roles, responsibilities, and authorities more appropriately defined in other documents (e.g., TSA Management Directive 100.0, *TSA Roles and Responsibilities*, Job Analysis Tools, Performance Agreements).
 - K. Within 120 days of assignment, a new Senior Management Official will review DOAs issued by his or her predecessors. If no changes are necessary, the Senior Management Official must communicate that fact to IMPS. If changes are necessary, they will be made by procedures in the following section.
- 7. PROCEDURES:** Subject to the above policies, the DOA process will be managed by IMPS in coordination with the requesting office/delegate. Depending on the nature and complexity of the DOA, IMPS may implement a different format for a particular DOA. The process should be as follows:
- A. When proposing to issue or modify a DOA, the organizational element will provide IMPS with a draft DOA in the format prescribed in the Attachment and an Action Memo as described in the TSA Executive Secretariat's [Correspondence Manual](#). A request to rescind a DOA also requires an Action Memo.
 - B. IMPS will review the proposed DOA and Action Memo for clarity, consistency, and compliance with this directive. IMPS will route the compliant DOA package to OCC.
 - C. OCC will review the proposed DOA and Action Memo for legal sufficiency and clarity. Once approved by OCC, IMPS will assign a DOA number and route the DOA package to obtain necessary concurrences and final signature effecting the delegation.

**TSA MANAGEMENT DIRECTIVE No. 3100.4
DELEGATIONS OF AUTHORITY**

D. IMPS will notify the originating office of approvals or disapprovals and also provide that office with a copy of the signed document if approved.

E. IMPS will maintain the signed original and an electronic copy of approved DOAs and copies of all related documentation concerning the DOA decision process for TSA's Vital Records Program and posting on the Intranet, respectively. Disapprovals will also be documented and recorded.

8. APPROVAL AND EFFECTIVE DATE: This policy is approved and effective the date of signature unless otherwise specified.

APPROVAL

Signed

September 11, 2017

Russell Roberts
(Acting) Assistant Administrator/Chief Information
Officer for Office of Information Technology

Date

EFFECTIVE

Date

Distribution: Assistant Administrators and equivalents, Managers and Supervisors,
Business Management Offices

Point-of-Contact: IMPS, InfoMgtProgs@tsa.dhs.gov

DEPARTMENT OF HOMELAND SECURITY

Transportation Security Administration
Delegations of Authority No. _____

**DELEGATION OF AUTHORITY TO
[ENTER SUBJECT]**

Example of delegations:

By virtue of the authority vested in me by the Aviation and Transportation Security Act (Public Law 107-71), specifically 49 U.S.C. § 46104, and by Department of Homeland Security Delegation Number 7060.2 [REDELEGATIONS SHOULD ALSO CITE INTERMEDIATE REDELEGATIONS, IF ANY], I hereby delegate to the Director, Federal Air Marshal Service, and each Special Agent in Charge the authority to issue administrative subpoenas. An administrative subpoena issued under this delegation shall only be issued after consultation with the Office of Chief Counsel.

Example of re-delegation of multiple authorities:

... I hereby further delegate to the Deputy Administrator of the Transportation Security Administration (TSA) the authority to take the following actions under 49 U.S.C. § 46111:

- To direct notification to the Federal Aviation Administration (FAA) that a holder of an FAA certificate poses or is suspected of posing a security risk, thereby requiring the FAA to act against a certificate issued under Title 49;
- To issue TSA regulations establishing procedures for hearings required by that section, and the taking of an appeal under 49 U.S.C. § 46110 from an adverse decision; and
- To provide an unclassified summary of classified evidence, to the extent required.

Example of limitation on re-delegation:

This delegation may not be further redelegated without my express written authorization.

Name and title of the Delegating Official and the effective date:

Assistant Secretary
Transportation Security Administration
Dated:

Appendix 1

Recommended DOA POC Appointment Criteria

To help ensure that appointees possess the core competencies and qualifications deemed important to successfully perform Delegations of Authority duties, the following knowledge, skills and abilities are recommended for consideration in identifying and selecting DOA POCs, as well as for evaluating their performance in the collateral duty capacity.

- Skill in use of TSA hardware and software systems, tools and select features (e.g., *Word, Excel*) sufficient to draft, edit and finalize documents and forms.
- Ability to effectively review and edit document spelling, content, grammar and punctuation.
- Ability to effectively communicate orally and in writing and to convey administrative and technical information to program officials.
- Ability to conduct basic research sufficient to identify missing information, misinformation and inconsistencies and to follow up as needed.
- Ability to manage and mediate competing interests and issues under tight time constraints while maintaining reasonable quality controls and meeting objectives.
- Knowledge of TSA and office organizations, alignments, functionality and administrative and operational issues.