**Congressional Budget Submission**

Fiscal Year 2014

****

ATF

**UNITED STATES DEPARTMENT OF JUSTICE  
BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES**

***At The Frontline - Against Violent Crime***

**April 2013**

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**I. Overview for the Bureau of Alcohol, Tobacco, Firearms and Explosives**

A. Summary of Budget Request

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) requests $1,229,518,000 for FY 2014, including 5,192 positions and 4,876 full time equivalents (FTE). This request includes a total of $14,587,000 in net adjustments-to-base (ATBs) which will allow ATF to maintain its current mission services. These ATBs will provide the funding to support employee payroll costs for existing staff, as well as resources to support the continued operation of ATFs land mobile radio program. Requested ATBs will also ensure continued refresh of critical technologies procured under the Radio Spectrum relocation initiative, which are vital to law enforcement operations. This request includes program increases of $73,078,000 to support the President’s National Gun Safety Initiative and Administration’s priority to reduce violent crime by increasing the criminal enforcement and inspections capabilities for ATF, increase capacity for the National Integrated Ballistics Information Network (NIBIN) and enhance crime gun tracing activities. ATF will address firearms-related violence through a comprehensive intelligence-driven approach utilizing domain threat assessments to identify specific locations experiencing significant spikes in violence and illegal firearms activities. Electronic copies of the Department of Justice’s Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: <http://www.justice.gov/02organizations/bpp.htm>.

This budget request supports ATF’s capacity to:

1. Engage in critical law enforcement operations, which includes investigating and preventing violent crime and ensuring the proper regulatory oversight of the firearms and explosive industries. ATF’s law enforcement operations focus on:
   * Firearms trafficking;
   * Criminal possession and use of firearms;
   * Diversion of firearms from legal commerce;
   * Criminal groups and gangs;
   * Explosives, bombs and bombings;
   * Diversion of explosives from legal commerce;
   * Criminal use of fire; and
   * Criminal diversion of alcohol and tobacco from legal commerce.
2. Provide vital investigative support services, which include, but are not limited to: leveraging ATF’s forensic expertise and network of assets, which support all aspects of the law enforcement mission of ATF and the Federal Government, addressing public safety issues, and managing Emergency Support Function (ESF) #13, Public Safety and Security, under the National Response Framework (NRF). These critical support services contribute to meeting ATF’s mission of combating and reducing violent crime, as well as promoting public safety through the proper regulatory oversight of the firearms and explosives industries.

During FY 2012, as part of a continuing effort to improve efficiency and respond to identified management and operational vulnerabilities, ATF developed a revised business model entitled Frontline. Frontline is a comprehensive and sustainable business model that will be applied to criminal investigations and industry operations inspections providing a sustainable platform from which ATF will continue to serve as one of the Department of Justice’s leaders in investigating and preventing violent crime.

Frontline represents standardization and accountability at every level of the ATF organization.  The strategy begins with comprehensive, intelligence-driven assessments in each of ATF’s field divisions.  These assessments define the significant violent crime problem(s) within each field division’s area of responsibility and propose a plan of action to mitigate or eliminate these threats. Intelligence and operational experts at all levels support the development of the assessments and evaluate them against ATF’s National Strategic Plan.  Once evaluated and approved for implementation, the assessments are consolidated to define National priorities and guide division-level and Bureau-wide decisions concerning the deployment of resources to achieve operational goals and objectives.  The Frontline Performance Review process is a structured system for use in every field division to continually measure results against objectives to ensure that strategies and tactics are sound and resources are being applied effectively.

**B. Mission and Strategic Goals**

ATF’s Strategic Plan for 2010 – 2016 identified six strategic goals – four of which are mission-related and two of which are management-related. Mission-related strategic goals are further organized into eight core activities that directly align with ATF’s violent crime-related law enforcement and regulatory jurisdiction and responsibilities. These eight core activities will be described later as elements of ATF’s Law Enforcement Operations Decision Unit.

**ATF’s Strategic Goals:**

**The graphic on page 2 identifies ATF's 6 strategic goals in the form of a pyramid.  Mission activities include:  Illegal Firearms Trafficking; Criminal Groups and Gangs; Explosives, Bombs and Bombings; and Fire and Arson.  ATF's supporting management activities include:  Modernizaton and Workforce.**

**Strategic Goal - Illegal Firearms Trafficking:** Reduce violent firearms crimes by strengthening firearms trafficking intelligence gathering, analysis, inspection, and investigative activities.

**Strategic Goal - Criminal Groups and Gangs:** Make our communities safer by expanding our efforts to identify, target, and dismantle those criminal gangs and organizations that utilize firearms, arson, explosives, and alcohol and tobacco diversion in furtherance of violent criminal activity.

**Strategic Goal - Explosives, Bombs, and Bombings:** Advance domestic and international explosives expertise to prevent, detect, and investigate acts of violent crime and terrorism and to enhance public safety.

**Strategic Goal - Fire and Arson:** Advance the science of fire investigation globally, by setting and delivering the highest standards in response, research, information sharing, and training.

**Strategic Goal - Modernization:** Modernize business processes and systems for improved information sharing, knowledge management, and use of innovative technologies to support ATF’s critical mission.

**Strategic Goal - Workforce:** Attract, develop, and retain an expert workforce to execute the ATF mission in the emerging business environment.

ATF’s 2010-2016 Strategic Plan can be found at the following link: [www.atf.gov/publications/general/strategic-plan](http://www.atf.gov/publications/general/strategic-plan)/.

**Policy and Statutory Environment for the ATF Strategy**



National Implementation Plan for War on Terror



Presidential Directives

-

HSPD

-

5 Management of Domestic Incidents

-

HSPD

-

19 Combating Terrorists Use of Explosives

-

PPD

-

39 Policy on Counterterrorism



DOJ Strategic Plan



Presidential Policy Directive 8 – National Preparedness



National Response Framework – ESF #13

Strategy to combat transnational organized crime

**POLICY GUIDANCE**

Gun Control Act

National Firearms Act

Arms Export Control Act

Title XI of the Organized Crime Control Act of 1970

(Including the Safe Explosives Act)

Jenkins Act

Additional Parts of the U.S. Code relating to

explosives, liquor trafficking, contraband

cigarettes, and money laundering

**STATUTES**













**INTERNATIONAL COOPERATION**

G8

United Nations

Organization of American States

Central American Integration System (SICA)

European Union

Organization for Security and Cooperation in Europe

Interpol

Europol

National Ballistics Intelligence Service-(NABIS) (UK)

European Commission – European Anti-Fraud Office-(OLAF)

Caribbean Community (CARICOM)

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**ATF**

**POLICY**

**ENVIRONMENT**

**DOMESTIC & INTERNATIONAL**

**MEMORANDUM OF**

**UNDERSTANDING**

**(MOU)**

**CODE**

**OF FEDERAL**

**REGULATIONS**

**(CFR)**

**C. Challenges**

ATF is facing major resource challenges affecting its ability to meet mission critical goals and objectives due to the impending retirement and attrition of hundreds of special agents in the next few years. ATF has begun addressing these challenges and to take a comprehensive approach towards mitigating infrastructure deficiencies in personnel, oversight and management, and fixed operational costs.

ATF initiated a Voluntary Early Retirement Authority (VERA)/Voluntary Separation Incentive Program (VSIP) resulting in the loss of 164 positions, including 34 special agents and 37 IOIs. ATF also lost 93 technical, professional, and administrative positions. To ensure that critical administrative and oversight functions are maintained, special agents have been pulled away from operational duties to cover these responsibilities. While they are filling vital support needs, the reassignment to primarily administrative duties results in fewer special agents in the field fighting violent crime. This was highlighted in the OIG’s September 2012 report, which repeatedly emphasized that ATF lacked the resources to effectively investigate the scope and nature of complex cases involving firearms trafficking along the Southwest border. [1]  The challenging resource environment also likely contributed to the internal leadership failures that subsequently resulted in great damage to ATF and the Department.

ATF has continued to operate and execute core mission activities, but it has been able to do so by making difficult choices and sacrifices with existing resources. ATF’s ability to sustain existing programs and provide a flexible response to emergent threats to public safety has been accomplished through balancing critical mission needs with available resources.

ATF has been challenged over the last decade to keep pace with the growing threats of violent crime, violent gangs, firearms trafficking and criminal use of explosives.  In addition to the attrition of an increasingly aging special agent population, maintaining critical mission activities with existing resources has also affected ATF’s capacity to provide a more robust training and leadership development curriculum and has created limitations of essential movement of the most dynamic leaders in the organization.  It has also caused delays in properly modernizing essential law enforcement equipment.  These funding issues have affected ATF’s ability to balance mission needs in high priority areas such as taking violent criminals off city streets and stemming the flow of illegally trafficked firearms across domestic and international borders.  The FY 2014 Budget begins to address these resource issues.

ATF has initiated several positive steps to assist the agency with moving forward.  Over the past 18 months, ATF has appointed new leadership to fill crucial supervisory positions in nearly all of our 25 Field Divisions, as well as appointed our strongest and most dynamic and experienced former Special Agents in Charge (SACs) as new Senior Executive Service assistant directors at ATF Headquarters.  ATF has also taken several actions designed to increase oversight, enhance communication, and to ensure close investigative, operational, and strategic coordination between field offices and Headquarters.   These include implementing a new Monitored Case Program, a Self Inspection Program (SIP), and establishing employee advisory groups to advise the ATF Acting Director and Deputy Director on pending agency issues and responding to specific employee concerns.

Second, ATF is challenged by the fact that a large portion of its special agent workforce is approaching retirement. As provided by 5 U.S.C. §8335 and 8425, retirement for Federal law enforcement agents is mandatory at the age of 57. Special agents are eligible for retirement at age 50, provided they have at least 20 years of service. According to a Corporate Executive Board analysis, ATF has experienced the most significant increase in the percent of special agents (Series 1811) over age 50 from 2007 to 2011 as compared to other Federal law enforcement agencies.

Over the next 4 years, an additional 39 percent of special agents will reach retirement eligibility. In the next 5 years, 277 of those special agents will face mandatory retirement. Their experience and capabilities are invaluable to the development of the next generation of ATF special agents and ATF must strategically address this issue now to allow newer special agents to benefit from the existing experience base. All special agents-in-charge (SACs) will be eligible to retire by November 2017. Currently, 63 percent of ATF’s management cadre consists of special agents.

ATF will manage this personnel transition through continued hiring and through succession management and training, during the initial probationary training period for ATF special agents.

Under the Frontline business model ATF will be planning and executing the appropriate responses to intelligence-derived assessments, which will culminate in ATF conducting intelligence-led investigations and inspections consistently throughout the field. This approach is the essence of ATF’s Frontline business model. Targeted, focused investigations and inspections will allow ATF field offices to prioritize their enforcement efforts across the nation in accordance with established strategic goals and plans. These efforts include reinforcing the intelligence capacity in the field divisions and at Bureau Headquarters. To enhance this ability ATF is targeting IT resources to be devoted to the intelligence mission, and pursuing greater connectivity to the larger intelligence and law enforcement community, through the Organized Crime Drug Enforcement Task Force (OCDETF) Fusion Center and the El Paso Intelligence Center, as well as the 50 state fusion centers.

ATF is implementing internal process improvements to address resource placement in order to ensure efficiency in resource allocation. To be successful in the newly adopted Frontline endeavor, ATF will more actively make intelligence-led decisions concerning the deployment of its resources, particularly in the areas of professional development, talent management, temporary duty travel, and permanent change of station (PCS) costs. Transitioning to an intelligence-led approach will require training for all current and newly hired personnel on the integration of law enforcement and intelligence capabilities. The individual skills and talents of ATF’s workforce will be harnessed and managed, including the identification and professional development of future leaders within ATF. Under the intelligence-led approach and Frontline business model, these resources will be strategically deployed to address identified threats across the nation.

**D. FY 2014 Adjustments-to-Base (ATBs)**

ATF requests $14,587,000 in net ATBs to support current services levels in core mission areas of law enforcement operations and investigative support services. These resources are necessary to continue meeting critical Administration priorities in combating firearms violence by gangs, as well as continuing with aggressive firearms trafficking investigative efforts. These investigative efforts include: enforcement of Federal firearms and explosives laws, arson enforcement activities, and regulation of the firearms and explosives industries. ATF is requesting ATBs that support critical base expenses such as funding the government’s share of employee benefits, DHS Security costs, costs for overseas operations and operations and maintenance for wireless communications.

E. FY 2014 Decision Unit Profile:

In FY 2014, ATF is restructuring its Budget Decision Units from Firearms, Arson & Explosives, and Alcohol & Tobacco to a framework consisting of Law Enforcement Operations and Investigative Support Services. This new framework better aligns with ATF’s core mission responsibilities of combating violent crime and protecting the public. Under the new decision unit structure, ATF will also continue to support DOJ’s effort in preventing terrorism. The revised resource alignment is reflected below.

# ATF Resource Profile FY 2014

**Resources in Support of DOJ Strategic Goals 1 & 2**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Decision Unit** | **FY 2012 Enacted FTE**  **(Direct)** | **FY 2012 Enacted ($000)** | | **FY 2013**  **CR**  **FTE**  **(Direct)** | **FY 2013**  **CR**  **($000)** | **FY 2014 Request FTE**  **(Direct)** | **FY 2014 Request ($000)** |
| **Law Enforcement Operations** | **4,345** | **$996,172** | **4,106** | | **$1,002,429** | **4,217** | **$1,063,164** |
| *[Firearms Insp]\** | *[715]* | *[$149,927]* | *[715]* | | *[$149,927]* | *[761]* | *[$153,690]* |
| *[Explosives Insp]\** | *[226]* | *[$52,694]* | *[226]* | | *[$52,694]* | *[240]* | *[$53,882]* |
|  |  |  |  | |  |  |  |
| **Investigative Support Services** | **680** | **$155,828** | **642** | | **$156,851** | **659** | **$166,354** |
| *[Firearms Svcs]\** | *[66]* | *[$16,659]* | *[66]* | | *[$16,659]* | *[74]* | *[$17,286]* |
| *[Explosives Svcs]\** | *[21]* | *[$5,855]* | *[21]* | | *[$5,855]* | *[23]* | *[$6,053]* |
|  |  |  |  | |  |  |  |
| **Total ATF S&E** | **5,025** | **$1,152,000** | **4,748** | | **$1,159,280** | **4,876** | **$1,229,518** |

*\*NOTE: Bracketed figures do not sum to the total for each Decision Unit.*

**By Decision Units and Homeland Security Counterterrorism Crosscut ($000)**

**Decision Units**

Investigative Support Services

14%

Law Enforcement Operations

86%

$1,063,165

$166,353

**ATF Homeland Security Counterterrorism Crosscut**

Other Activities

60%

Counterterrorism

Homeland

Security

40%

$737,711

$491,807

F. Environmental Management

ATF has fully implemented Environmental Management Systems at its four laboratories, including the environmentally-friendly Fire Research Laboratory (FRL). The FRL reuses 75 percent of the water utilized for fire suppression and controls its test fire emissions into the outside environment by using a wet electrostatic precipitator, virtually eliminating the exhaust contaminates.  Additionally, ATF has reviewed its acquisition policy and procedures to ensure compliance with the Department's Green Purchasing Program. Green purchasing training has been conducted for all Contracting Officers and Purchase Card Holders.  ATF is developing policy and procedures to address compliance with Executive Order 13423, as it relates to Toxic and Hazardous Chemical reduction, Sustainable Buildings, Energy Management, Transportation, Recycling, Water Management, Environmental Management Systems, and Electronics Stewardship. More information on Federal Environmental Requirements and DOJ’s Environmental Programs can be found at [www.usdoj.gov\jmd\ep](http://www.usdoj.gov\jmd\ep).

**II. Summary of Program Changes**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Item Name** | **Description** | | | | **Page** |
|  | **Pos.** | **FTE** | **Dollars ($000)** |
| **Enforcement, Tracing, and Inspections** | The requested resources will support increased criminal enforcement and inspections capabilities for ATF, as well as enhance crime gun tracing activities at ATF’s National Tracing Center. | **255** | **128** | **$51,078** | **55** |
| **National Integrated Ballistics Information Network (NIBIN)** | NIBIN is the only automated ballistic imaging network in operation in the U.S. This enhancement will make necessary upgrades to equipment, assist state and local law enforcement with input and analysis of ballistics information, and train state and local partners. | **0** | **0** | **$22,000** | **58** |
| **Administrative Efficiencies** | ATF has achieved administrative efficiencies through management of its contractual services and implementation of the VERA/VSIP authority in FY 2012 to attain cost avoidance through staffing reductions. | **(164)** | **0** | **($7,399)** | **61** |
| **IT Savings** | The Department is implementing cost saving efforts through IT projects that are developing infrastructure to enable DOJ components to better collaborate on IT contracts. | **0** | **0** | **($2,748)** | **63** |

**III. Appropriations Language and Analysis of Appropriations Language**

**Appropriations Language**

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, [$1,153,345,000] *$1,229,518,000*, of which not to exceed $36,000 shall be for official reception and representation expenses, not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by section 924(d)(2) of title 18, United States Code, and not to exceed $20,000,000 shall remain available until expended: Provided, That no funds appropriated herein shall be available for salaries or administrative expenses in connection with consolidating or centralizing, within the Department of Justice, the records, or any portion thereof, of acquisition and disposition of firearms maintained by Federal firearms licensees: [Provided further, That no funds appropriated herein shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to 27 CFR 478.118 or to change the definition of ``Curios or relics'' in 27 CFR 478.11 or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994:] Provided further, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under 18 U.S.C. 925(c): Provided further, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: Provided further, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments: Provided further, That[, during the current fiscal year and in each fiscal year thereafter,] no funds appropriated under this or any other Act may be used to disclose part or all of the contents of the Firearms Trace System database maintained by the National Trace Center of the Bureau of Alcohol, Tobacco, Firearms and Explosives or any information required to be kept by licensees pursuant to section 923(g) of title 18, United States Code, or required to be reported pursuant to paragraphs (3) and (7) of such section, except to: (1) a Federal, State, local, or tribal law enforcement agency, or a Federal, State, or local prosecutor; or (2) a foreign law enforcement agency solely in connection with or for use in a criminal investigation or prosecution; or (3) a Federal agency for a national security or intelligence purpose; unless such disclosure of such data to any of the entities described in (1), (2) or (3) of this proviso would compromise the identity of any undercover law enforcement officer or confidential informant, or interfere with any case under investigation; and no person or entity described in (1), (2) or (3) shall knowingly and publicly disclose such data; and all such data shall be immune from legal process, shall not be subject to subpoena or other discovery, shall be inadmissible in evidence, and shall not be used, relied on, or disclosed in any manner, nor shall testimony or other evidence be permitted based on the data, in a civil action in any State (including the District of Columbia) or Federal court or in an administrative proceeding other than a proceeding commenced by the Bureau of Alcohol, Tobacco, Firearms and Explosives to enforce the provisions of chapter 44 of such title, or a review of such an action or proceeding; except that this proviso shall not be construed to prevent: (A) the disclosure of statistical information concerning total production, importation, and exportation by each licensed importer (as defined in section 921(a)(9) of such title) and licensed manufacturer (as defined in section 921(a)(10) of such title); (B) the sharing or exchange of such information among and between Federal, State, local, or foreign law enforcement agencies, Federal, State, or local prosecutors, and Federal national security, intelligence, or counterterrorism officials; or (C) the publication of annual statistical reports on products regulated by the Bureau of Alcohol, Tobacco, Firearms and Explosives, including total production, importation, and exportation by each licensed importer (as so defined) and licensed manufacturer (as so defined), or statistical aggregate data regarding firearms traffickers and trafficking channels, or firearms misuse, felons, and trafficking investigations: [Provided further, That no funds made available by this or any other Act shall be expended to promulgate or implement any rule requiring a physical inventory of any business licensed under section 923 of title 18, United States Code:] Provided further, That no funds made available by this or any other Act may be used to electronically retrieve information gathered pursuant to 18 U.S.C. 923(g)(4) by name or any personal identification code: Provided further, That no funds authorized or made available under this or any other Act may be used to deny any application for a license under section 923 of title 18, United States Code, or renewal of such a license due to a lack of business activity, provided that the applicant is otherwise eligible to receive such a license, and is eligible to report business income or to claim an income tax deduction for business expenses under the Internal Revenue Code of 1986. **Analysis of Appropriations Language**

The appropriations language proposes to delete a proviso that prohibits ATF from initiating notice and comment rulemaking to explore whether and how FFLs might be required to account for their firearms inventory, as the absence of such accountability undermines ATF’s ability to investigate lost or stolen weapons in a timely manner.

The appropriations language proposes to delete a proviso that prohibits ATF from implementing any amendment or amendments to 27 CFR 478.118 or to change the definition of “Curios or relics” or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994. This restriction limits ATF regulatory ability on some imported firearms, as under the Gun Control Act, firearms classified as curios or relics are subject to fewer restrictions on transfer and sale.

(Cancellation)

Of the unobligated balances from prior year appropriations under this heading, $12,400,000 are hereby permanently cancelled: Provided, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended. (Department of Justice Appropriations Act, 2012.)

**Analysis of Appropriations Language**

The Department requests cancellation of these amounts as prior year unobligated balances. Note: A full year 2013 appropriation for this account was not enacted at the time the budget was prepared; therefore, this account is operating under a continuing resolution

(P.L. 112-175). The amounts included for FY 2013 reflect the annualized level provided by the continuing resolution.

**Violent Crime Reduction Program (VCRP)**

Pursuant to Title 31 USC 1555, remaining balances for the VCRP have had no disbursements made against the appropriation for two consecutive years. Therefore, the funds are being returned to the General Fund of the U.S. Treasury.

**IV. Decision Unit Justification and Performance**

**A. LAW ENFORCEMENT OPERATIONS**

|  |  |  |  |
| --- | --- | --- | --- |
| **LAW ENFORCEMENT OPERATIONS** | **Perm. Pos.** | **FTE** | **Amount** |
| 2012 Enacted | 4,411 | 4,345 | $996,135 |
| 2012 Enacted w/Rescissions | 4,411 | 4,345 | 996,135 |
| 2013 Continuing Resolution | 4,411 | 4,106 | 1,002,430 |
| Adjustments to Base and Technical Adjustments | 0 | 0 | 25,342 |
| 2014 Current Services | 4,411 | 4,106 | 1,027,772 |
| 2014 Program Increases | 221 | 111 | 44,167 |
| 2014 Program Decreases | (142) | 0 | (8,774) |
| 2014 Request | 4,490 | 4,217 | 1,063,165 |
| **Total Change 2013-2014** | 79 | 111 | $60,735 |

|  |  |  |  |
| --- | --- | --- | --- |
| **LAW ENFORCEMENT OPERATIONS Information Technology Breakout** | **Perm. Pos.** | **FTE** | **Amount** |
| 2012 Enacted | 78 | 78 | $106,499 |
| 2012 Enacted w/Rescissions | 78 | 78 | 106,499 |
| 2013 Continuing Resolution | 78 | 78 | 106,499 |
| Adjustments to Base and Technical Adjustments | 0 | 0 | 7,787 |
| 2014 Current Services | 78 | 78 | 114,287 |
| 2014 Program Increases | 0 | 0 | 0 |
| 2014 Program Decreases | 0 | 0 | (2,376) |
| 2014 Request | 78 | 78 | 111,910 |
| **Total Change 2013-2014** | 0 | 0 | $5,411 |

1. **Program Description - Investigating and Preventing Violent Crime**

**Threat.** According to the Federal Bureau of Investigation’s (FBI) Uniform Crime Reports for 2011, there were 122,300 reported robberies with a firearm, 136,371 Aggravated Assaults with a firearm, and 8,583 reported homicides with a firearm. Seventy five people were murdered with fire and 12 with explosives. Information collected regarding the type of weapon showed that firearms were used in 67.7 percent of the Nation’s murders, 41.3 percent of robberies, and 21.2 percent of the aggravated assaults. The prevalent use of firearms in violent crime is consistent and cannot be ignored.

**Response.** As an integral part of the law enforcement community, ATF is dedicated to the reduction of violent crime. Under the intelligence-led Frontline business model, ATF’s programs and initiatives focus on the investigation and prevention of violent crime. The core of Frontline is Assessment, Investigative/Inspection Accountability, and Measurement – AIM. Targeted, focused investigations and inspections allow field offices to prioritize their enforcement efforts across the nation in accordance with established strategic goals and plans.

***Assessment.*** Each field SAC plans his/her field divisions investigative and industry operations activities based on a violent crime assessment. These field commander assessments use data and intelligence to identify violent crime threats within a division’s area of responsibility. This information includes emerging criminal trends, significant criminal activity, issues faced by local industry members, the proximity and priorities of Federal, State, local and other external partners. It also assesses available ATF resources, as well as, unique data and intelligence developed from ATF’s case management system, ATF’s National Tracing System, the National Integrated Ballistic Information Network (NIBIN), the Bomb and Arson Tracking System (BATS), and other intelligence and crime–related data available through Federal, State and local partners. All of this information is used to identify where and how they can maximize ATF’s jurisdiction, authorities and expertise to have a decisive impact in their areas of responsibility. The Frontline model also focuses the ATF industry operations activities. The annual Industry Operations Operating Plan is based on National priorities derived from ATF’s Strategic Plan, statutory requirements, and field division-level priorities identified in the assessments. As such, these efforts are intelligence-driven and risk-based to ensure resources are applied how, and where, they have the greatest ability to reduce crime and safeguard the public.

***Investigative/Inspection Accountability.*** Frontline also establishes and reinforces accountability at all levels, by giving a SAC the necessary tools to prioritize and address the specific violent crime threats in their areas, whether the source is (or sources are) violent repeat offenders, gangs or criminal organizations. The determination to open an investigation/inspection is based upon standardized justification statements articulating that the activity is in line with ATFs priorities as identified in the assessments. Case agents and supervisors conduct continuous reviews throughout the life of an investigation to evaluate anticipated outcomes and impacts when weighted against risk and resource utilization.

***Measurement***. The Frontline Performance Review process is a multi-level mechanism used to evaluate actual performance against divisional violent crime assessments and ATF’s Strategic Management Performance Index. Throughout the course of investigations and inspections, first level supervisors monitor progress and performance to ensure resources are being applied effectively and efficiently. At the conclusion of each investigation and inspection, case agents and investigators develop impact statements that include a self assessment of the goals that were established and review them with their supervisor. Additionally, staff at all levels engage in periodic Performance Review sessions with their peer supervisors, assistant special agents in charge (ASACs) and SACs, who then collaborate to evaluate field-wide performance and provide feedback to the field.

***Core Activities***

1. ***Illegal Firearms Trafficking***

**Threat.** Illegally trafficked firearms are harmful to communities and have a negative impact on interstate and international commerce. Illegal firearms are the “tools of the trade” that drug traffickers, gang members, and other violent criminals use to commit violent crimes against each other as well as against law enforcement officials and innocent civilians.

**Response.** The goal of ATF’s illegal firearms trafficking enforcement efforts is to reduce violent crime by stemming the flow of firearms to violent criminals. ATF identifies, investigates, and arrests individuals and organizations that illegally supply firearms to prohibited individuals. Furthermore, ATF deters the diversion of firearms from lawful commerce into the illegal market with enforcement strategies and technology.

ATF’s active interdiction of firearms trafficking nationwide between FY 2005 and FY 2012 is shown below:

* 13,188 cases involving 27,284 defendants suspected of trafficking over 406,000 firearms have been recommended for prosecution.
* As of September 30, 2012, 19,079 defendants have been arrested, 18,971 defendants have been indicted, 17,610 defendants have been convicted and 16,869 defendants have been sentenced to prison.

ATF defines firearms trafficking as the illegal diversion of firearms out of lawful commerce and into the illegal market for profit, prestige, and power. Guns that have been intentionally diverted onto the street by firearms traffickers are almost always used in furtherance of violent criminal activity. Firearms’ trafficking is a means for drug dealers, gang members, and violent criminals get the guns they need to commit violent crimes.

Firearms’ trafficking is profitable because of the disparity in firearms laws in different jurisdictions. In cities like Washington, DC, Chicago, or New York, local statutes heavily restrict handgun acquisition and possession, but violent crime fuels the demand for easily concealable weapons. For a firearms trafficker who is willing to break the law and exploit the criminal demand for firepower, these represent “market areas.” An inexpensive firearm purchased in another East Coast jurisdiction can be sold for two or three times its actual retail value on the streets of New York City or Washington, DC. Likewise, firearms purchased for a few hundred dollars in Texas or Arizona may command a $1,000 premium in Mexico. Aggressive investigation and prosecution of firearms traffickers reduces violence levels by decreasing the availability of illegally diverted firearms.

Most firearms trafficking schemes fall into a few broad categories; “lying and buying” (the use of falsified identification to obtain firearms) and “straw purchasing” (the use of a network of surrogates to illegally pose as the buyers of firearms) are among the most commonly utilized schemes. Traffickers also exploit gun shows and flea markets, where the availability of firearms combined with the overwhelming volume of legal commerce makes illegal trafficking activity harder to detect. Corrupt gun dealers or corrupt employees at gun shops also act as traffickers, some by not recording firearms they intend to traffic while others add guns to be trafficked onto paperwork associated with legitimate sales.

Internationally, ATF works with other agencies to prevent firearms from reaching the hands of drug traffickers, organized crime members, and terrorist organizations. ATF enforces provisions of the Arms Export Control Act (AECA), has primary jurisdiction over firearms and ammunition imports, and has shared jurisdiction over firearms exports with the Department of Homeland Security (DHS) and the Department of State’s (DOS) Office of Munitions Control.

For example, most of the firearms violence in Mexico is perpetrated by cartels/transnational criminal organizations (TCOs). These Mexican TCOs, are among the leading gun trafficking organizations operating in the U.S., and compete for control of the highly lucrative drug and firearms trafficking routes into and out of the United States. TCOs in Mexico enforce and maintain their narcotics operations by relying on a steady supply of firearms from a variety of legal and illegal sources. A contiguous land border and a U.S. legal retail market for firearms make the border area an attractive source for Mexican cartels to acquire weapons. Intelligence indicates that the Mexican cartels have tasked their financial, distribution, and transportation infrastructures with reaching into the U.S. to acquire firearms and ammunition.

ATF’s active interdiction of firearms trafficking in the Southwest Border States of Arizona, California, New Mexico, and Texas between FY 2005 and FY 2012 is shown below.

* 1,500 cases involving 3,503 defendants have been recommended for prosecution.
* As of September 30, 2012, 2,807defendants have been arrested, 2,823 defendants have been indicted, 1,891 defendants have been convicted, and 1,451 defendants have been sentenced to an average of 120 months incarceration.
* 485 of the cases and 1,614 of the defendants recommended for prosecution involve gang-related offenses.
* 871 cases have charged violations related to the trafficking of an estimated 28,986 firearms. A sub-set of 261 of these cases involved gang- related trafficking of over 8,773 firearms.
* In all investigations, 10,859 firearms and approximately 2,100,180 rounds of ammunition have been seized and are no longer available to violent criminals and gang members and Mexican drug cartels.

ATF’s firearms trafficking strategy complements the continued focus on intelligence and the deployment of resources to specific localities where there is a high incidence of gang and gun violence. This comprehensive approach traces the movement of firearms from legal to illegal commerce, from source area to market area, and from trafficker to triggerman. ATF special agents, IOIs, and Federal prosecutors work together in a source area to deliver a major impact on violent crime and gang violence in the respective market area, often thousands of miles away. These are often complex investigations targeting trafficking networks involving multiple sources, T-III interceptions, undercover surveillance and developing sources of information. ATF supports special agents in the field by providing experienced undercover special agents in order to infiltrate TCOs intent on trafficking weapons within the U.S. and across our southern border. Dismantling a gun trafficking organization wherever it operates, impacts the ability of criminals to threaten or harm our communities across the country.

Finally, ATF has institutionalized several policies and practices, in addition to the Frontline model, that provide the leadership and oversight necessary to ensure that incidents like those that occurred during certain firearms trafficking investigations in Arizona never happen again. These include:

* Clarification of the firearms transfer policy, stressing early interdiction and intervention to prevent criminal misuse of firearms while maximizing public safety.
* A new case monitoring program to ensure and document close investigative, operational and strategic coordination, and enhanced communication between the field and involved Headquarters executives regarding ATF’s most sensitive investigations and inspections. The program provides enhanced oversight at the field division and ATF Headquarters levels on certain categories of investigations with mandated, documented requirements for investigative deconfliction and monthly briefings on each case.
* Revised policies for the use of Confidential Informants and the conduct of undercover operations.
* A reinforcing memorandum to every SAC and his or her subordinate supervisors and special agents stressing the importance of investigative deconfliction and information sharing.
* Establishment of a senior level advisory committee composed of SACs that meets with the Director and Deputy Director on a quarterly basis. This provides a forum to share concerns and gives the SACs a direct line of communication with the executive leadership.
* Providing supplemental training in Phoenix targeted to U.S.-Mexico cross-border firearms trafficking investigations and the legal and practical issues encountered in developing firearms trafficking cases.

1. ***Firearms Criminal Use and Possession***

**Threat.** Firearms violence associated with drug trafficking and violent crime continues to threaten every citizen’s safety, livelihood, and erodes the quality of life in American cities.

**Response.** ATF has long recognized the clear link between the availability of criminally possessed firearms and violent crime. Firearms are the “tools of the trade” for the armed violent offender, the gang member, and the drug dealer. The violent, criminal misuse of firearms is perhaps the greatest single contributor to the erosion of the quality of life in far too many communities. The common denominator in America’s most egregious crimes is an illegally possessed and criminally misused firearm. There is no place for a convicted felon or a juvenile gang member to legally obtain a handgun for use in a street robbery or drive by shooting, indeed Federal law prohibits the possession of firearms by convicted felons or handguns by juveniles. Despite these prohibitions, firearms trafficking (the unlawful diversion of firearms) make guns immediately available to violent criminals. Criminals are in the business of trafficking guns just as criminals are in the business of trafficking drugs.

In FY 2012, ATF recommended the prosecution of 4,199 cases involving 5,339 defendants charged with offenses related to the criminal possession and use of firearms. As of March 2013, 3,728 of the defendants recommended for prosecution have been arrested, 4,032 indicted, 2,326 convicted and 1,224 have been sentenced to prison for an average of 72 months. Many of these cases are still in process within the judicial system. For example, an additional 1,102 of these defendants have been convicted but have not yet received their sentences.

In the cases recommended for prosecution, 448 cases involving 780 defendants allege gang related criminal conduct.

ATF’s regulatory, enforcement and intelligence efforts all enhance one another. When prosecuting a violent offender or conducting a Racketeer Influenced and Corrupt Organizations Act (RICO), prosecution of a gang, ATF always looks into how the prohibited offenders obtained their firearms. This identifies firearms traffickers and leads to trafficking investigations. When ATF inspections uncover suspected firearms trafficking, ATF not only investigates the trafficking but also seeks to uncover the offenders and criminal organizations that obtained guns from that trafficker.

ATF employs a comprehensive, integrated set of programs involving the vigorous enforcement of the firearms laws to remove armed violent offenders from our communities, keep firearms from prohibited possessors, eliminate illegal weapons transfers, halt illegal sources of firearms and pursue outreach and prevention efforts. ATF builds upon traditional enforcement efforts with the use of state-of-the-art ballistic imaging technology, firearms tracing, and intelligence/information sharing.

This is accomplished by:

* Partnering with law enforcement agencies and prosecutors at all levels to develop focused enforcement strategies to investigate, arrest, and prosecute armed violent offenders and illegal domestic and international firearms traffickers.
* Providing assistance and leadership within the law enforcement community to effectively solve violent crimes using specialized resources, techniques, technology, and training.
* Working in cooperation with Federal Firearms Licensees (FFLs) to promote the proper recordkeeping and business practices that help prevent the acquisition of firearms by prohibited persons and illegal firearms traffickers.
* Preventing violence through community outreach.

1. ***Diversion of Firearms from Legal Commerce – Safeguarding the Legal Firearms Industry Through Risked-Based Regulation***

**Threat.** Illegal firearms threaten not only public safety but the entire firearms industry, and the revenue legal commerce generates.

**Response.** ATF has sole Federal regulatory authority over FFLs authorized to engage in the business of manufacturing, importing, or selling firearms in the United States. ATF regulates licenses for those who enter the firearms business, prescribes the manner in which they must operate, and defines the records they must keep for the acquisition and sale of each firearm.

Through this regulatory framework, ATF establishes the “paper trail” that tracks each firearm from its point of manufacture or importation to the point of its first retail sale, a process known as “firearms tracing.” ATF operates the National Tracing Center (NTC), which is the only entity able to trace firearms from their manufacture or importation to the point of first retail sale. Every firearm recovered by law enforcement and subsequently traced, enables ATF to discern patterns that provide invaluable leads to aid in identifying the diversion of firearms into illegal commerce. In addition to ensuring compliance with the Federal requirements for gun sales/purchases and the National Instant Criminal Background Check System, ATF investigations focus on identifying criminals who illegally purchase firearms.

The fair and effective regulation of the firearms industry is a key component of ATF’s firearms enforcement efforts. To this end, ATF investigates FFL applicants to determine eligibility and to educate them on their recordkeeping responsibilities; conducts compliance inspections of current FFLs; and, collaborates with industry on voluntary compliance efforts.

Proper and timely recordkeeping by FFLs is critical to the success of a crime gun trace and is required for all firearms acquired and transferred by licensees. Failing to account for firearms is a serious public safety concern because unaccounted firearms cannot be traced. During compliance inspections conducted in 2012, ATF investigators identified 85,953 firearms that FFLs could not locate in inventory or account for by disposition or theft. By working with industry members, IOIs reduced the 85,953 unaccounted-for firearms to approximately 12,039 unaccounted-for firearms. ATF successfully improved the success rate of potential firearms traces on these weapons by 86 percent.

In FY 2012:

* ATF conducted 11,418 compliance inspections.
  + 48.1 percent of the licensees inspected were determined to be in full compliance with the law and regulations and no violations of any type were cited.
  + 79.5 percent of the licensees inspected as “Compliant” with laws and regulations.
  + 8.1 percent as “At risk”.
  + 9.2 percent as “Non-compliant”.
  + 3.2 percent of compliance inspections did not require a determination of the licensees’ level of compliance (e.g., theft investigations, assists to criminal investigations, etc.).
  + 67 compliance inspections recommended license revocation or denial of an application for renewal of a Federal firearms license due to willful violations, representing less than one percent of the number of licensees inspected.
  + ATF reviewed more than 1.1 million firearms transfer records for legal sufficiency and validated over 332,000 National Instant Check submissions.

ATF IOIs conduct inspections of FFLs to ensure compliance with the law and regulations and assist with business practices designed to improve compliance with the GCA. On rare occasions ATF encounters a licensee who, despite ATF’s efforts, fails to comply with the laws and regulations and who demonstrates a lack of commitment to improving his or her business practices. In such cases where willfulness is demonstrated, ATF’s obligation to protect public safety may require revocation of the Federal firearms license.

ATF regulates the importation of firearms into the United States, registers importers of firearms, ammunition, firearms parts, and other defense articles pursuant to the import provisions of the AECA. ATF also provides technical advice to the public regarding import requirements applicable to firearms or ammunition.

1. ***Criminal Groups and Gangs***

**Threat.** Criminal groups and gangs threaten all communities across the United States. Gangs remain key distributors of narcotics and are sophisticated and flagrant in their use of firearms for violence and intimidation. According to the 2011 National Gang Threat Assessment, gangs are expanding, evolving and posing an increasing threat to US communities nationwide. Gang activity accounts for nearly half of the violent crime in most communities. In several jurisdictions gang activity accounts for 90 percent of violent crime.

**Response.** ATF has long recognized that violent gangs represent a threat to public safety in neighborhoods across the United States. ATF’s core jurisdiction--enforcing laws that prohibit the criminal misuse of firearms and explosives, as well as arson--has placed ATF at the center of gang investigations of groups such as the Jamaican posses, the Crips and Bloods, organized criminal Asian gangs, violent white supremacists, and the Mara Salvatrucha (MS-13). As one of the primary Federal agencies that focus on violent crime, ATF targets and works to disrupt and dismantle these criminal organizations that individually and collectively pose a great threat to the public safety. In addition to enforcing firearms, arson, and explosives laws, ATF’s anti-gang strategy also includes enforcing Federal statutes such as the RICO Act, the Hobbs Act, and the Armed Career Criminal statute.

ATF seeks to focus its extensive and distinct investigative resources on identifying the urban areas experiencing the most violent crime. ATF will then partner with other Federal, state and local law enforcement agencies to weaken and dismantle these armed violent criminal organizations in selected ‘surge’ areas and the “worst of the worst” operating within them. In these selected target areas ATF will, in collaboration with state and local authorities, create a localized strategy and implementation plan. This plan will detail how the violent crime activity will be measured and use standardized metrics to ensure that ATF is effectively and efficiently focusing its investigative efforts where they are most needed.

In FY 2012, ATF recommended the prosecution of 432 cases involving 1,429 defendants as a part of its criminal groups and gangs program area. As of March 2013, 974 of the defendants recommended for prosecution have been arrested, 1,074 indicted, 440 convicted and 176 have been sentenced to prison for an average of 66 months. Many of these cases are still in process within the judicial system. For example, 110 cases involving 336 defendants are still in the pre-indictment stage. An additional 264 of the defendants recommended for prosecution have been convicted but have not yet received their sentences.

Gang related criminal conduct can be found in investigations under many of ATF’s discrete program areas. In FY 2012, across all investigative program areas, ATF recommended the prosecution of 1,743 gang related cases (cases that allege criminal activity in furtherance of a gang’s criminal activities) involving 4,106 defendants for prosecution.

Annually, ATF leads many joint law enforcement operations across the country involving over 800 full-time joint law enforcement officers. Each of these operations involves other Federal, State and/or local law enforcement personnel from its area of responsibility and is designed to address a unique violent crime environment. ATF’s vision is to incorporate its best practices and lessons learned in the most successful of these operations into all ATF led joint law enforcement operations to further strengthen ATF as one of the primary DOJ components addressing violent crime.

As part of ATF’s Frontlinebusiness model, ATF will conduct comprehensive violent crime assessments for each field division area of responsibility, develop intelligence led regional enforcement and deployment strategies, and enhance our mission related performance metrics, oversight and accountability.

1. ***Criminal Use of Explosives***

**Threat.** Criminal bombings and the illegal use of explosives are violent acts that are a threat to our neighborhoods and communities, as well as to our national security at home and abroad.

**Response.** ATF has aligned its mission, resources, and expertise with the National Strategy to Counter Improvised Explosives Devices (IEDs). ATF is a full founding partner in the National Explosives Task Force (NETF). The mission of the NETF is to support the provision of explosives expertise to investigations and ensure coordination of a government effort to deter, prevent, detect, protect against, and respond to the threat posed by terrorist or criminally inspired attacks using explosives in the United States or against U.S. interests abroad. The NETF is the central communication and coordination point for ATF and the FBI for explosives response coordination and intelligence matters. In part, the NETF acts to de-conflict jurisdictional issues between ATF and the FBI related to explosives investigations and monitors adherence to the instant notification policy.

ATF is the only agency with the responsibility and authority to inspect the storage of explosives by Federal explosives licensees and to track thefts, losses, and recoveries of explosives. ATF’s criminal enforcement mission, combined with ATF’s regulatory responsibility, gives ATF a comprehensive perspective on activity involving explosives in this country. This perspective allows ATF to impact public safety through the identification and correction of explosives storage violations that, unchecked, could pose significant risk to the public. It also allows ATF to successfully investigate and prosecute those who use explosives for criminal purposes, and to provide unique explosives-related training to a wide audience of ATF personnel; other Federal, State and local law enforcement personnel; U.S. military personnel; and many international law enforcement and military explosives specialists.

ATF guides and instructs public safety officials, explosives industry members, and state governments on all aspects of explosives law, including the Safe Explosives Act (SEA). This law is intended to make regulation less burdensome and promote compliance with Federal law. ATF’s mission extends to ensuring only qualified and legitimate applicants enter the explosives industry and that licensees keep proper records and use sound business practices to help prevent theft, explosives incidents, or the diversion of explosives to criminal or terrorist purposes.

ATF’s CESs conduct expert explosives crime scene examinations; lend expertise in support of security measures at special events; and assist ATF’s law enforcement counterparts at the Federal, state, local, and international levels in investigations of explosives-related incidents. ATF’s CESs acquired expertise in post-blast analysis through specific training and years of experience in the field. Their training consists of a multiphase program, including a two-year assessment period. This timeframe ensures their continued proficiency in all aspects of explosives handling, instruction, identification, demonstration, and destruction, as well as training in the chemistry of pyrotechnics, hazardous materials incident response operations, advanced explosives destruction techniques, and advanced IEDs.

Explosives Enforcement Officers (EEOs) are ATF’s explosives technology experts. They have extensive knowledge and experience in explosives, explosives weapons systems, and bomb disposal. They render explosive devices safe and/or disassemble explosive and incendiary devices. Likewise, the EEOs author destructive device determinations, coordinate with ATF special agents and prosecutors on strategy related to device determinations, and give expert testimony in support of such determinations in Federal and state criminal court proceedings. EEOs provide expert analysis, onsite investigative technical assistance at bomb scenes, and classify explosives materials for the industry. Determining what constitutes an explosive, incendiary, or destructive device under Federal explosives laws and the NFA involves highly technical examinations and analysis. EEOs also provide assistance and training in all aspects of explosives handling, usage, and destruction; threat vulnerability assessments; and all other explosives-related matters for ATF, Federal, state, local and international law enforcement agencies.

The Combined Explosives Investigation Team (CEIT) is a joint US/Mexico effort in which ATF is the lead U.S. law enforcement organization. The CEIT is instrumental in assisting the Government of Mexico in increasing its capacity to identify explosives, respond to bombings and explosives seizures, and conduct post blast investigations to combat the use of explosives by organized crime. Since becoming operational in July, 2009, there have been 73 CEIT missions in Mexico, including 16 post blast investigations of vehicle borne IEDs.  ATF has trained 257 (eight training courses) members of the CEIT and other Mexican officials in post blast investigation and explosives identification at the ATF National Center for Explosives Training and Research (NCETR) at Redstone Arsenal, Alabama. CEIT training provided to Government of Mexico law enforcement officers ensures that Mexican law enforcement is prepared to collect evidence, and investigate explosive-related incidents in the face of ongoing use of grenades and other military ordinance by drug trafficking organizations.

1. ***Diversion of Explosives from Legal Commerce – Safeguarding the Explosives Industry Through Regulation and Safe Storage of Materials***

**Threat.**  Explosives or explosives materials diverted from legal commerce into the hands of criminal groups and gangs or terrorist organizations constitute a tangible threat to legal commerce and public safety.

**Response.** Federal law requires that any manufacturer, importer, or dealer of explosives must have a Federal Explosives License (FEL) and anyone who acquires for use or transports explosives must hold a Federal explosives permit or license. ATF’s criminal and regulatory programs are a key means by which the U.S. Government enforces Federal explosives laws and prevents criminals and terrorists from obtaining explosives for use in bombings.

On a 3-year cycle, as required by the SEA, ATF’s IOIs conduct compliance inspections of approximately 11,000 explosives licensees and permittees nationwide to detect, investigate and prevent diversion, and promote the safe and secure storage of explosives. The Federal Explosives Licensing Center (FELC) screens license and permit applicants, in conjunction with the FBI, to ensure applicants’ eligibility to lawfully receive and use explosives. It further screens employees of such licensees and permittees to ensure prohibited persons do not have access to explosives. ATF established standards applicable to all licensees and permittees for the storage of explosives materials and related record keeping requirements, which helps ensure that explosives are properly accounted for and tracked.

In FY 2012, ATF:

* Conducted 5,390 explosives licensee and permittee compliance inspections that identified and corrected 1,528 public safety violations;
* Completed 1,249 FEL applicant inspections;
* Processed 4,222 FEL applications (new & renewal);
* Completed 77,965 explosives employee/possessor background checks; and,
* Completed 12,188 explosives responsible persons background checks.

1. ***Criminal Use of Fire***

**Threat.** Loss of lives and property due to arson remains a significant threat to our communities, the business community, and the American people.

**Response.** ATF is the only Federal law enforcement entity with the expertise, experience, and the specialized resources that are necessary to investigate arson crimes.  ATF's combination of Certified Fire Investigators (CFIs), accelerant detection canines, NRT, forensic auditors, and the Fire Research Laboratory (FRL) provide a basis for investigating arson crimes.  The loss of lives and property that result from arson cases in the United States each year remains significant.  As of 2010,  according to the United States Fire Administration (USFA)  and the National Fire Protection Association (NFPA), an estimated average of 306,300 intentionally set fires (arson) are reported to fire departments in the United States each year causing deaths and injuries to 1,800  civilians.  This also results in direct property losses of $1.3 billion annually.

The vast majority of these fires are investigated at the local level and ATF is called in to provide its specialized skill sets when needed by State and local authorities. In FY 2012, ATF initiated 1571 such fire and arson investigations.   In many cases, the unique knowledge, technical resources, forensic capabilities, and jurisdictional authority of the Federal Government are needed to solve crimes and remove arsonists from the communities.

ATFspecial agents investigate potential acts of arson motivated by profit, ideology or other criminal intent.  They also train Federal, state, local, and international law enforcement agencies on how to investigate andsolve such crimes.  ATF is recognized for its expertise in fire investigations, in conducting research to help investigators reconstruct fire and explosives incidents, and in conducting financial investigations to identify illegal arson-for-profit schemes.  Additionally, ATF continues to employ its authorities and assets to investigate and resolve arsons at houses of worship.  ATF’s arrest rate for church arsons is more than twice the national average for such cases.

For over 30 years, ATF has led or participated in formal and informal task forces in major cities with significant arson problems. Each task force is based on the available resources and specific needs of the particular city.  In addition to ATF special agents, CFI’s and ATF forensic auditors, task forces typically include local fire officials, arson investigators, and local police.

ATF’s CFIs are special agents who have completed an extensive two-year training program in advanced fire scene examination with an emphasis on the modern principles of fire dynamics.  They conduct fire scene examinations and render origin and cause determinations on behalf of ATF, provide expert testimony on fire scene determinations, and provide technical support and analysis to assist other special agents and prosecutors with court preparation, presentation of evidence, and technical interpretation of fire-related information.  The CFI’s lend technical guidance in support of field arson investigative activities; conduct arson-related training for other ATF special agents and other Federal, state, and local fire investigators; and conduct research to identify trends and patterns in fire incidents.

As an integral part of ATF’s overall violent crime reduction strategy, ATF provides vital resources to local communities to investigate explosives and fire incidents.  ATF’s arson and explosives NRT was formed in 1978 to help meet the needs of those who are responding to and investigating complex incidents.  The NRT was designed to bring together all of ATF’s expertise and experience to work alongside state and local officials in reconstructing the scene, identifying the seat of the blast or origin of the fire, conducting interviews, sifting through debris to obtain evidence related to the explosion and/or fire, participating in the ensuing investigation, and providing expert court testimony.

The NRT consists of three regional response units.  Each unit is comprised of veteran special agents having post-blast and fire origin and cause expertise, including CESs, CFIs, forensic chemists, EEOs, fire protection engineers, and accelerant–and explosives-detection canines.  Further complementing the team’s efforts are employees who provide intelligence, forensic audit, technical, and legal support.  NRT members are trained in all levels of personal protective equipment, up to and including Level A protection, and are HAZMAT certified.  A fleet of fully equipped response vehicles provides the needed logistical support. In FY 2012, the NRT responded to 15 domestic incidents and one international incident involving 363 deaths, 29 injuries, and $134M in property damage.  15 special agents and two professional support staff are assigned full-time to the NRT, as well as 114 special agents and non-agent personnel who are assigned on a part-time, as needed basis to the NRT.

ATF is accountable to DOJ and Congress for tracking and reporting all house of worship fire or explosion investigations relative to any Federal or state civil rights violations (hate crimes), and continues to respond to all house of worship incidents to determine if the incident is an arson or bombing, conduct any investigations of incidents of Federal interest, and monitor and assist in other investigations of house of worship incidents.

1. ***Criminal Diversion of Tobacco from Legal Commerce***

**Threat.** Illegal diversion of tobacco products deprives governments of revenue (tax losses are estimated in the billions of dollars) and enables organized criminal enterprises (including terrorist organizations) to gain substantial profits.

**Response.**  ATF’s primary jurisdiction relating to tobacco is the Contraband Cigarette Trafficking Act (CCTA), which makes it unlawful for any person to ship, transport, receive, possess, sell, distribute, or purchase more than 10,000 cigarettes that bear no evidence of state tax payment for the state in which the cigarettes are found. The CCTA was enacted to support state and local law enforcement agencies in efforts to stop structured and organized criminal groups that derive significant financial gain through the transportation of contraband tobacco from no- or low-tax locales to high-tax locales. To prevent these crimes, ATF works with other Federal law enforcement and revenue agencies, state and local law enforcement and revenue agencies, and international law enforcement and revenue agencies. ATF often charges defendants with violations other than CCTA violations, ranging from conspiracy to Federal charges of murder-for-hire. Through the successful prosecution and plea agreements in these complex cases involving interstate commerce, states have recovered millions of dollars in excise tax revenues.

Organized criminal groups, including those with ties to terrorist organizations, have increasingly engaged in the illegal trafficking in tobacco products, particularly counterfeit and lawfully manufactured cigarettes. The proliferation of large volume trafficking across international borders and interstate commerce, without payment of tax, provides funding and material support to terrorist organizations and other organized criminal enterprises. ATF has conducted two tobacco diversion investigations that resulted in convictions for Material Support to a Terrorist Organization.

During FY 2012, ATF opened approximately 68 investigations into the diversion of tobacco products, recommending the prosecution of approximately 202 defendants and seizing approximately $34.9 million in valued assets. Recently, ATF has seen a sharp increase in the involvement of organized criminal groups in the diversion of tobacco products. These groups are increasing their involvement due to the huge profits tobacco diversion generates for their criminal organizations. The profits gained through tobacco diversion are then filtered back into their criminal organizations to fund other criminal activities, including other types of fraud and violent crime. These criminal organizations affect the core of national and financial security and the quality of life of all Americans.

In addition, investigations related to the CCTA play a vital role in implementing and overseeing the Prevent All Cigarette Trafficking Act of 2009 (PACT Act), signed by President Obama in March 2010. At its core, the new law provides investigative tools to Federal and state law enforcement agencies to identify and investigate individuals who engage in the sale and shipment of contraband tobacco products directly to the consumer in non–face-to-face transactions. ATF develops the Delivery Seller Noncompliant List mandated by the PACT Act. The list, continually updated, comprises individuals engaged in internet or mail order tobacco transactions in violation of the PACT Act. The Federal listing developed by ATF is distributed to state governments, Tribal governments and to common carriers. The PACT Act prohibits common carriers from delivering packages on behalf of the individuals on the list.

2. Performance Tables - Law Enforcement Operations[[1]](#footnote-1), 2



Note: All program activities shown above support both the Law Enforcement Operations and Investigative Support Services decision units to demonstrate ATF’s actual performance.

2 Note: The sum of the program activity resources and FTE for FY 2012 actuals will not add up to the total for each decision unit, because it does not include administrative overhead.





**B. INVESTIGATIVE SUPPORT SERVICES**

|  |  |  |  |
| --- | --- | --- | --- |
| **INVESTIGATIVE SUPPORT SERVICES** | **Perm. Pos.** | **FTE** | **Amount** |
| 2012 Enacted | 690 | 680 | $155,865 |
| 2012 Enacted w/Rescissions | 690 | 680 | 155,865 |
| 2013 Continuing Resolution | 690 | 642 | 156,850 |
| Adjustments to Base and Technical Adjustments | 0 | 0 | 18,035 |
| 2014 Current Services | 690 | 642 | 138,815 |
| 2014 Program Increases | 34 | 17 | 28,911 |
| 2014 Program Decreases | (22) | 0 | (1,373) |
| 2014 Request | 702 | 659 | 166,353 |
| **Total Change 2013-2014** | 12 | 17 | 9,503 |

|  |  |  |  |
| --- | --- | --- | --- |
| **INVESTIGATIVE SUPPORT SERVICES Information Technology Breakout** | **Perm. Pos.** | **FTE** | **Amount** |
| 2012 Enacted | 12 | 12 | $16,664 |
| 2012 Enacted w/Rescissions | 12 | 12 | 16,664 |
| 2013 Continuing Resolution | 12 | 12 | 16,664 |
| Adjustments to Base and Technical Adjustments | 0 | 0 | 1,219 |
| 2014 Current Services | 12 | 12 | 17,882 |
| 2014 Program Increases | 0 | 0 | 8,000 |
| 2014 Program Decreases | 0 | 0 | (372) |
| 2014 Request | 12 | 12 | 25,511 |
| **Total Change 2013-2014** | 0 | 0 | $8,847 |

1. **Program Description – Delivery of ATF’s Forensic Expertise, Assets and Intelligence to Improve Public Safety**

ATF partners with law enforcement, public safety agencies, communities, and industries to safeguard the public through information and intelligence sharing, training, research, the use of technology, and by its leadership of ESF #13. NIBIN facilitates the sharing of crime gun evidence across Federal, state, local, Tribal and international law enforcement agencies. ATF also operates the NTC, the center primarily responsible for tracing firearms recovered in the use of a crime. In its public safety mission, ATF issues licenses to individuals and businesses through the FFLC and the FELC supporting legal commerce of these regulated commodities. Information sharing activities include working with the Terrorist Explosives Device Analytical Center (TEDAC), the U.S. Bomb Data Center (USBDC), and the NCETR. ATF is devoted to increasing U.S. capabilities at the Federal, state and local level in detecting, deterring and responding to bombings and explosives incidents, which have a major impact on public safety. ATF’s canine training program produces reliable, mobile and accurate explosives and accelerant detection canines that assist law enforcement, fire investigators and military personnel around the world.

***ATF Services At The Frontline Against Violent Crime***

1. ***Firearms and Explosives Licensing and Other Industry Services***

ATF’s FFLC issues licenses to legitimate firearms manufacturers, importers, and dealers. ATF investigates firearms license applicants for Federal prohibitions such as felony convictions, illicit drug use, illegal alien status, mental illness, or minimum age requirement.

**National Firearms Act (NFA) Enforcement.** The NFA requires registration and tax payment for making or transferring machine guns, silencers, short-barreled rifles, short-barreled shotguns, destructive devices, and certain concealable weapons classified as “any other weapons.” The NFA mandates that individuals, firearms manufacturers, and importers register the NFA firearms that they make, manufacture, or import, and that all NFA firearms transfers are approved by ATF in advance.

The graphic on page 32 shows the trend of National Firearms Act (NFA) registrations processed between FY 2008 and FY 2012.  NFA registrations have increased from over 981,000 in FY 2008 to over 1,100,000 by FY 2012.  ATF is responsible for processing all applications to register NFA firearmsATF processes all applications to manufacture, transfer, and register NFA firearms, as well as notices of NFA firearms manufactured or imported. During FY 2012, ATF processed 137,649 NFA applications involving 1,112,041 NFA weapons. The registration information is recorded in the National Firearms Registration and Transfer Record (NFRTR). The NFRTR supports ATF’s efforts to inspect firearms licensees and conduct criminal investigations. ATF has unique statutory authority to classify weapons under the NFA. ATF continually provides technical information to the industry and the public concerning compliance with the NFA.

The number of NFA applications and average processing time has risen every year since 2007, and in 2012 ATF received 152,079 applications and needed approximately 160 days to act on a tax paid application. Tax paid applications are the most complex and labor-intensive type of application, requiring background checks and financial processing, but are also those upon which firearms businesses must rely in order to make retail sales of their inventory. NFA processing delays directly and negatively affect firearms businesses’ ability to deliver their product and remain viable. While market demand for NFA services continues to set annual records, NFA staffing resources have not kept pace with the increased workload. In fact, there are now fewer applications examiners than there were in 2007 to process a workload which, by the end of FY 2012, will have doubled in that same span. With unprecedented market growth, The FY 2014 Budget provides ATF with additional resources to effectively perform its mission responsibilities as well as reduce processing times.

***Importation of Firearms.*** ATF regulates the importation of firearms, ammunition, and other defense articles by issuing import permits. ATF also regulates the importation and possession of firearms and ammunition by non-immigrant aliens. ATF maintains close liaison with the DOS, DOD, and U.S. Customs and Border Protection to ensure that the permits issued do not conflict with the foreign policy and national security interests of the U.S.

The Attorney General has delegated to ATF the authority to administer the permanent importation provisions of the AECA. Under the AECA, ATF regulates the permanent importation of firearms, ammunition, and other defense articles into the U.S. ATF processes applications to import items from domestic businesses, members of the U.S. military returning from abroad with personal firearms, non-immigrant aliens temporarily hunting or attending legal sporting activities in the U.S., and U.S. citizens re-establishing residency after living abroad. Through industry outreach and regulation, ATF provides technical advice to the public regarding import requirements applicable to firearms, ammunition, and implements of war.

To prevent individuals from buying firearms by falsely claiming to be an FFL, ATF provides licensees with access to the “FFL EZ Check” database, which allows FFLs to verify the legitimacy of the licensee before shipping or disposing of a firearm.

1. ***Firearms Tracing***

The graphic on page 33 shows the trend of firearms tracing data at the ATF National Tracing Center (NTC) between between FY 2008 and FY 2012.  Tracing requests have increased from over 312,000 in FY 2008 to over 344,000 by FY 2012.  The NTC is the only respository of crime gun trace data in the U.S.The ATF National Tracing Center (NTC) is the only Federal law enforcement entity that can trace firearms from their manufacture or importation through distribution to the point of initial retail sale. Firearms trace data shows geographic market areas where crime guns are recovered and source areas that provide firearms to those markets.

ATF’s NTC is another key component in fighting violent crime. Each year, the NTC traces hundreds of thousands of recovered crime guns for law enforcement. In FY 2012, the NTC traced 344,477 firearms recovered in crimes for law enforcement agencies in nearly 70 different countries. The NTC anticipates that it will receive about 340,000 trace requests in FY 2013 and about 400,000 trace requests in FY 2014. The NTC is the only repository of crime gun trace data, multiple handgun sales information, demand letter information, FFL theft information, interstate theft information, suspect gun information, and firearms transaction records from out-of-business FFLs.

The trace information allows ATF to link suspects to firearms in criminal investigations for Federal, state, and local law enforcement agencies making the trace requests; to identify illegal firearms traffickers through recurring patterns and trends indicative of illegal firearms trafficking; and provides ATF a means through analysis of the aggregate trace data to help communities develop focused strategies and programs that address specific factors that contribute to armed crime.

Proper and timely recordkeeping by FFLs is critical to the success of a crime gun trace and is required for all firearms transactions by licensees. Failing to maintain accurate records of firearms transactions is a serious public safety concern because guns used in the commission of violent crimes cannot be traced to the retail purchaser. This is a critical nexus in law enforcement between the industry and the tracing that ATF relies on to identify violent criminal activity.

Information gathered from tracing firearms recovered in crimes provides investigative leads that identify illegal firearms traffickers, gang members, straw purchasers, and others involved in violent firearms crime. Firearm trace data identifies “hot spots” of criminal activity and identifies weapons sources even if they are in other states or in another country. ATF uses this data to target and perfect its own criminal investigations, and transmits information to Foreign, Federal, state and local law enforcement. Firearms tracing is an integral part of ATF’s crime solving mission but we provide this service to ALL law enforcement entities, worldwide.

ATF’s NTC performs a number of functions that play a critical role in disrupting the flow of illegal guns and improving FFL compliance with Federal gun laws. Below are some of the key functions of the NTC.

* **Firearms Tracing Program:** The NTC conducts firearms tracing for Federal, state, local and foreign law enforcement agencies in order to produce investigative leads. The NTC traced 344,477 requests in FY 2012.
* **eTrace Program:** This is a web-based firearms tracing system interface that ATF developed to allow law enforcement agencies to securely submit trace requests via the Internet, receive trace results, and perform analysis of the data. eTrace is the primary means through which a law enforcement agency interacts with the NTC. To date, more than 4,400 law enforcement agencies use eTrace to submit their trace requests to the NTC, including law enforcement agencies from 34 foreign countries.
* **FFL Theft Program:** FFLs are required to report the theft or loss of firearms in their inventory to ATF’s NTC within 48 hours so that when they are recovered and traced by a law enforcement agency, the criminal investigations can be coordinated. There is an average of about 19,000 firearms reported stolen or lost each year.
* **Interstate Theft Program:** Interstate carriers can voluntarily report the theft or loss of firearms in transit to ATF’s NTC so that if they are recovered and traced by a law enforcement agency, the criminal investigations can be coordinated. There were about 1,300 firearms reported stolen by interstate carriers in FY 2012.
* **Obliterated Serial Number Program:** Allows law enforcement agencies to submit firearms trace requests to ATF’s NTC with partial or obliterated serial numbers to identify the crime gun and develop investigative leads. The NTC received about 10,700 firearm trace requests in FY 2012 with only partial serial numbers.
* **International Tracing:** ATF traces firearms for foreign law enforcement agencies to provide investigative leads, identify possible firearms traffickers and to determine international firearms trafficking routes. More than 50 countries annually submit trace requests to the NTC.
* **Out-Of-Business Records:** When an FFL discontinues business, it must send its firearms transactions records to the NTC. The NTC receives an average of 1 million out-of-business records per month and is the only repository for these records within the U.S. These records are used to complete trace requests. On average nearly 32 percent of all trace requests have at least one FFL in the chain of distribution that has gone out of business.

1. ***National Integrated Ballistics Information Network (NIBIN)***

The NIBIN Program continues to prove its worth in helping ATF and its law enforcement partners in removing violent offenders from America’s streets. ATF collects, reports, and shares ballistic intelligence to identify, target, disrupt, and dismantle violent gangs and criminal organizations engaged in firearms-related violent crimes.

The NIBIN system is a collection of automated ballistic images of spent ammunition recovered from crime scenes and from crime gun test fires. ATF administers NIBIN for Federal, state, local and Tribal law enforcement agencies in the United States. By searching in an automated environment for potential matches (locally, regionally, or nationally), NIBIN partners are able to discover links between crimes more quickly, including such cross-jurisdictional links that would never have been identified absent the technology.

As with fingerprints, every firearm has unique identifying characteristics. The barrel of a weapon leaves distinct markings on a bullet or projectile, and the breech and firing pin mechanisms also leave distinct markings on the cartridge case. Using these markings, firearm examiners are able to examine bullets and cartridge casings to determine if they were expelled from the same firearm. Historically, this has been a tedious, time-consuming, and in many cases, nearly impossible process. Firearm examiners must compare suspect bullets and cartridge casings recovered at disparate crime scenes or from a recovered firearm to the vast inventory of recovered or test-fired evidentiary projectiles and casings stored in an evidence vault. Through the NIBIN Program, ATF deploys Integrated Ballistic Identification System (IBIS) equipment to Federal, state and local law enforcement agencies for their use in imaging and comparing crime gun evidence. This investment is also utilized as a national database that is real-time and searchable by ATF and over 162 law enforcement locations nationwide for assistance in firearms-related violent crimes.  Additionally, IBIS is now available to all law enforcement including those that do not have access to NIBIN through direct submission to one of ATF’s three laboratories.

NIBIN partners acquire (enter) ballistic information from spent ammunition at crime scenes and crime gun test fires, then search for possible ballistic matches by correlating against thousands of existing images via electronic image comparison. If a high confidence candidate for a match emerges, NIBIN partners assign a firearms examiner to view the original evidence by microscope in order to confirm a match or a “hit.” A hit, technically speaking, is a linking of two separate criminal investigations where no known connection may have previously existed. (*NIBIN cannot be used to capture or store ballistic information acquired at the point of manufacture, importation, or sale; nor can it be used to capture purchaser or date of manufacture or sale information.)*

NIBIN is the only interstate automated ballistic imaging network in operation in the United States and is available to every major population center in the United States. Additional facts related to NIBIN are as follows:

* 148 NIBIN partners have IBIS systems deployed at 199 locations (nearly all crime labs).
* NIBIN contains over 2.1 million ballistic images.
* NIBIN has been used to identify more than 52,100 confirmed hits (linking over 104,200 crimes).
* Over 7,600 law enforcement agencies have participated in NIBIN.

The graphic on page 36 illustrates the number of National Integrated Ballistics Information Network (NIBIN) "hits" that have occurred between FY 2008 and FY 2012.  The number of "hits" has increased between FY 2008, where there were slightly over 5,000, to over 5,700 in FY 2012.NIBIN linked over 5,700 violent incidents last year alone. The use of this technology, in conjunction with great investigative efforts solves crimes, takes violent offenders off the streets, and reduces violent crime in every community.

In an effort to regionalize the NIBIN program, ATF has decreased the number of systems deployed throughout the country. The program has started an initiative to set up regional hubs, or entry locations, at state and local agencies where other departments in their area could use the NIBIN equipment to enter the ballistic evidence into the database. Every major metropolitan area has access to ballistic imaging technology either at a state or local agency or by sending their evidence and test fires to one of the ATF laboratories for entry into the system. ATF supports NIBIN partner agencies, and their combined efforts against violent crime, by purchasing IBIS equipment for deployment, providing regular upgrades and service, and administering the network over which it communicates. NIBIN partners agree to support the program with adequate staffing and resources, to enter as much crime gun evidence as possible into their IBIS systems, to share evidence and intelligence information with other law enforcement agencies, and to abide by ATF regulations for use of the NIBIN system.

1. ***National Center for Explosives Training and Research (NCETR)***

Preventing the criminal use of explosives is one of thecore missions of the ATF, and NCETR serves as the Bureau’s primary source for explosives research, training, and intelligence. ATF is the primary agency responsible for administering and enforcing the regulatory and criminal provisions of the Federal laws pertaining to destructive devices, explosives, and bombs. ATF has unrivaled expertise in the investigation and forensic analysis of explosives incidents arising from criminal or terrorists acts. ATF regularly shares its technical and scientific expertise with Federal, state, local and international law enforcement partners and fire service agencies. ATF further provides one of the most highly proficient and respected explosive incident and arson response capabilities in the world

Established by the Homeland Security Act of 2002, NCETR delivers basic and advanced courses on various explosives topics to ATF personnel, law enforcement partners, the U.S. military, and other Federal agencies. In 2010, NCETR moved from its original site at Fort A.P. Hill in Bowling Green, Virginia, to a permanent location at the Redstone Arsenal in Huntsville, Alabama. This move allowed ATF to consolidate its explosives training and research capabilities into one facility, thereby developing and enhancing our technical, research and training infrastructure.

In total, the property is comprised of the main NCETR building, other supplemental facilities, to include storage for over 100,000 lbs. of explosives, and in excess of 1,000 acres of explosives ranges, with a 50 pound net explosives weight shot limit. This makes NCETR a diverse and versatile resource in the fight against explosives-related violent crime and the government-wide counter-IED effort. This facility brings together ATF’s explosives programs, training, and research activities, allowing for maximum coordination across these inter-related disciplines.  Additionally, several other Federal government agencies are partnering with ATF to conduct explosives training and research at NCETR.

ATF’s plan for NCETR encompasses the government-wide effort to safeguard the public from acts of violence utilizing explosives. NCETR provides basic and advanced explosives training and research that leverages lessons learned and best practices to safeguard the public and reduce deaths and injuries from explosives crimes and accidents and aligns this support with the counter-IED effort. ATF equips its explosive personnel at the NCETR with the tools to respond to criminal activity with layers of specialized personnel training, techniques, technology, and forensic support.

***NCETR Core Capabilities***

* Basic and Advanced Explosives and IED Training;
* Explosives Scene Processing Training;
* Advanced Explosives Disposal Techniques Training;
* Identification, Processing and Disposal of Homemade Explosives (HME) Training;
* Processing of Complex HMEs;
* Post Blast Scenes Training;
* Conducting Explosives and IED Research;
* Explosives Detection Canine Imprinting and Training;
* Explosives Detection Canine Operational Support;
* IED Render-Safe Operational Support to ATF through our EEOs;
* Explosives-Related Subject Matter Expert Support; and
* Explosives Training Facilities and Ranges.

NCETR currently provides and will continue to provide all basic and advanced explosives and IED training for ATF personnel. Additionally, ATF currently provides training in identification, processing and disposal of Homemade Explosives (HME) and Advanced Explosives Disposal Techniques for:

* DOD;
* State and local bomb technicians;
* ATF CESs;
* Special agent bomb technicians;
* Forensic chemists;
* EEOs; and
* FBI bomb technicians.

Beginning in FY 2013, ATF will be partnering with the Department of Defense (DOD) to increase training by 100 percent in future years.

ATF will continue to provide Post Blast Investigation Techniques to ATF special agents, CESs and special agent bomb technicians. ATF has expanded this training to other Federal partners, including DOS, DOD, and to state and local criminal investigators and bomb technicians on a reimbursable basis. ATF will continue to provide this specialized training to personnel from Mexico and other foreign counterparts.

NCETR also has oversight of ATF’s National Canine Training & Operations Center (NCTOC) located in Front Royal, Virginia. ATF’s Canine Program is the only canine program in the United States supported by a laboratory and has the first, and only, Federally accredited explosive detection canine program. The ATF National Forensic Laboratory supports the ATF Canine Program in the research and development of explosive and accelerant compounds and compositions for canine training, third party testing and certification on the mandated odors, instruction into the properties and chemical breakdown of accelerant and explosives and support in all forensic related issues. In 2009, ATF began working with the DOD to provide HME imprint training for Military Working Dogs (MWD) before deployment to Afghanistan, Iraq and other undisclosed locations. To date, ATF has trained over 2,927 MWDs. This effort is of critical importance to combating the IED threat in Afghanistan.

The ATF Canine Program conducts evaluation and analysis of all new and emerging facets within the explosives detection canine arena. In turn, the ATF Canine Program shares this vital information with other handlers and programs in the related fields in a concerted effort to provide the best tools possible for safety and security in the fight against violent crime and terrorism. The ATF Canine Program works in concert with and is supported by, the ATF Explosives Technology Branch, the ATF NCETR, and the USBDC. There are 26 ATF-trained explosives detection canine teams and 58 ATF-trained accelerant detection canine teams currently active in the U.S. There are 127 ATF-trained explosives detection canine teams deployed throughout the U.S. with other Federal, state and local agencies. ATF has trained 381 international canine teams in 21 foreign countries in partnership with the DOS. ATF remains at the forefront of combating violent crime through such innovative programs as training other Federal, state, local, and international law enforcement explosives detection canines in peroxide explosives and standardized national odor recognition testing.

1. ***United States Bomb Data Center (USBDC)***

## ATF has been collecting, storing, and analyzing data on explosives and arson incidents since 1976. ATF, while at the U.S. Department of the Treasury, was mandated by Congress pursuant to Public Law 104-208, the 1997 Omnibus Consolidated Appropriations Act, to establish a national repository for incidents involving arson and the criminal misuse of explosives. This authority, as contained in 18 U.S.C. § 846(b) and delegated to ATF by the Secretary of the Treasury, was moved with ATF to the authority of the Attorney General by the Homeland Security Act of 2002.

The USBDC collects, analyzes, and disseminates timely information and relevant tactical and statistical intelligence within ATF, and to external Federal, state, local, Tribal, military, and international partners. The USBDC provides statistical analyses of current trends and patterns to help prevent criminal misuse of explosives. The U.S. uses approximately six billion pounds of explosive materials annually. Each year, eight billion pounds of ammonium nitrate are produced, of which half is used for explosives.

The USBDC is the sole national repository for incident data in connection with suspicious fires/arsons and the criminal use explosives incidents, and contains information on more than 283,600 such incidents investigated by ATF and other Federal, state, and local law enforcement and fire investigation agencies. The USBDC’s Bomb Arson Tracking System (BATS) is the explosives and arson investigator’s link to the USBDC. Investigators use BATS to perform trend analysis and compare incidents, motives, device components, suspects, and methodologies for possible investigative leads nationwide. Images of arson scenes, IEDs, and crime scenes can be shared through the BATS secure web connection.

Investigators capture details of bomb and arson cases, including the area of origin or device placement, casualties, financial loss, fire descriptors, collateral crimes, device components, and descriptions of how the device was delivered. BATS also functions as a case management system, allowing investigators to build cases in the BATS application while maintaining critical operational security.

The USBDC provides explosives tracing services to authorized law enforcement agencies in the U.S. and other countries. Tracing is the systematic tracking of explosives from manufacturer to purchaser (or possessor) to aid law enforcement officials in identifying suspects involved in criminal violations, establishing stolen status, and proving ownership. Explosives manufacturers, importers, wholesalers, and retail dealers in the U.S. and other countries cooperate by providing, on request, specific information from their records of manufacture, importation, or sale. Because of its licensing authority, ATF is the only Federal agency authorized access to these records.

ATF serves as an elected Secretary for the International Bomb Data Center Working Group (IBDCWG) and the co-representative for the Americas. ATF also serves as the Administrator for the IBDCWG Portal (developed and maintained by the USBDC). Significant ATF partners at the USBDC include the U.S. Secret Service, the U.S. Capitol Police and the DOD.

1. ***Terrorist Explosives Device Analytical Center (TEDAC)***

**Jointly, ATF and the FBI** coordinate and manage TEDAC. The mission of TEDAC is to directly contribute to the eradication of the IED threat. TEDAC informs its partners who, in turn, attempt to disrupt those individuals and networks responsible for the design, development, purchase, assembly, and deployment of IEDs. This is accomplished through scientific and forensic exploitation of IEDs; developing actionable intelligence; forecasting IED threats; and maintaining a repository of IED material obtained from incidents around the world. The TEDAC combines law enforcement, military, and intelligence assets to classify the operation, bomb components, and deployment of IEDs. These efforts help prevent IED attacks, protect U.S. armed forces, and identify those who manufacture and deploy these devices.

TEDAC’s forensic exploitation at the intersection of law enforcement, intelligence, and the military, provides a key perspective from which to research the science and technology of IEDs. The TEDAC research and testing program supports IED detection, countermeasures and post-blast analysis. The TEDAC continues to build depth and breadth within its device collection and develop technical, forensic, and intelligence methods to proactively anticipate new devices and techniques envisioned by our adversaries and to better collaborate with its partners.

1. ***ATF Laboratories***

The ATF laboratory system is comprised of three regional forensic laboratories and a fire research laboratory that provide direct support to ATF special agents and other Federal and state law enforcement agencies in the investigation of violent crimes and other potential threats to public safety. ATF examiners play an integral role supporting violent crime investigations, often times providing the critical link between the crime and the suspect. Laboratory personnel are members of the NRT and provide support to all special agents in the field who are fighting and solving criminal cases. They provide the scientific backbone to the canine program, and HME training, the National Firearms and Toolmark Firearm Examiners Training Academy and other technical training exercises in all mission related functions. All of the ATF laboratories are accredited by the American Society of Crime Laboratory Directors – Laboratory Accreditation Board (ASCLD-LAB) - International, an ISO 17025 standard.

The Forensic Science Laboratories (FSL) supports these investigations through the scientific analysis of evidence. The FSL’s evaluate evidence obtained in criminal investigations involving tobacco, firearms, explosives and suspected arson. Without exception, complex criminal investigations are multi-faceted and require the combined technical expertise of explosives chemists, DNA analysts, document examiners, latent prints examiners, fire scientists and firearms and toolmark examiners, and trace evidence examiners.

The FRL houses fire protection engineers, mechanical engineers, electrical engineers and technicians, and is the only laboratory of its kind in the world. It provides the necessary facilities, equipment, and staff to work on important criminal fire investigation issues such as fire scene reconstructions, flashover studies, validation of fire pattern analysis indicators, impact of accelerants on fire growth and spread, ignition studies and electrical fire cause analysis. The FRL can conduct controlled, scientifically instrumented burns ranging in size from a few inches to a fully equipped two story structure inside the laboratory. Without the FRL, there would be no fire measurement facilities of its kind in the United States, or elsewhere, dedicated to the specific needs of the criminal fire investigation community. The facility was built, equipped, and is wholly owned by ATF. This laboratory is the only Federal laboratory staffed and equipped to conduct the fire research needs cited in the congressionally funded National Academy of Science report “Strengthening Forensic Science in the United States.”

1. ***Financial Investigations***

ATF’s forensic auditors are professionals, expert in the field of forensic accounting and financial investigations. They conduct comprehensive financial investigations for special agents in support of criminal investigations. This includes, but is not limited to, arson-for-profit, alcohol and tobacco diversion, firearms and narcotics trafficking cases, the use of explosives and bombings in the furtherance of financial frauds, counter-terrorism, threats to public safety, as well as investigations into gang and other organized criminal enterprises, and complex investigations involving both domestic and international money laundering.

ATF forensic auditors focus on the financial infrastructure that supports criminal organizations and individuals with the goal of taking the profits of crimes through asset identification and forfeiture as well as identifying and eliminating sources of terrorist financing.  At the conclusion of the financial investigation forensic auditors can provide a written report and expert testimony for the United States Assistant Attorneys and State prosecutors for these cases.

1. ***Collaboration and Partnerships***

ATF is engaged in many cooperative agreements, collaborations and partnerships with other Federal agencies, private industry, and in the international arena. For example, ATF is fully engaged with and provides support to Government anti-terrorism efforts, especially the FBI-led Joint Terrorism Task Forces (JTTFs). ATF participates in all 106 JTTFs, and assigns one ATF special agent to the National JTTF at the National Counter-Terrorism Center. In working with the JTTF, ATF plays an important part in terrorism cases that involve firearms smuggling, bombs, illegal explosive possession, and tobacco diversion. ATF also participates in other multi-agency efforts such as High Intensity Drug Trafficking Area (HIDTA), High Intensity Financial Crime Areas (HIFCA), and the Organized Crime Drug Enforcement Task Force (OCDETF). Through these partnerships, ATF plays a major role in the prevention and investigation of violent firearms crimes involving gangs and organized criminal enterprises, and provides direct investigative expertise to criminal explosives, arson incidents and threats. These collaborative efforts also allow ATF to be a key component in combating organized crime that threatens U.S. national and economic security.

Through partnership with the U.S. Fire Administration’s National Fire Academy (USFA-NFA), ATF has developed a cutting-edge program that offers the best science-based technical fire investigation training available to state and local fire investigators. Since its first pilot delivery in July 2007, ATF has delivered Fire/Arson Origin and Cause training to more than 1,000 state and local fire investigators.

***ATF Interaction with the Firearms Industry.*** ATF updates members of the regulated firearms industry on statutory, regulatory, and policy changes that affect their day-to-day operations and periodically meets with industry associations such as the National Firearms Act Trade and Collectors Association, Firearms and Ammunition Importers Roundtable, National Shooting Sports Foundation, National Pawnbrokers Association, the National Association of Arms Shows, Entertainment Armorers, and similar industry groups (corporate retailers and manufacturers).

ATF regularly publishes pertinent articles in FFL newsletters and provides specific guidance through open letter postings. ATF also conducts seminars for licensees at various locations and provides on-line educational seminars (FFL University). Beginning in 2012, ATF began presenting on-line live webinars for members of the firearms industry. The webinars provide real-time information on conducting firearms businesses in compliance with the law and are presented through the convenience of the FFL’s personal computer. In addition, ATF frequently participates in gun show events throughout the country to answer questions and provide handout material about firearms laws and regulations to the public.

***International Policy.*** At the request of the DOS, ATF serves as an advocate for the firearms policies of the U.S. in international forums such as the United Nations and the Organization of American States. ATF ensures that the international firearms agreements in which the U.S. participates are consistent with U.S. laws, regulations, policies, and practices. The United Nations Program of Action, the Organization of American States Convention on Firearms, and the International Tracing Instrument are just a few of the agreements through which ATF protects the policies of the U.S. in international settings.

ATF fulfills its responsibilities under the National Implementation Plan for the War on Terror by supporting the implementation plan for Homeland Security Presidential Directive 19 (Combating Terrorist Use of Explosives in the U.S.), through ATF’s explosives canine programs, contributions on the TEDAC staff, and by hosting technology resources such as BATS and Dfuze data bases for domestic and international explosive incidents.

ATF communicates with the fire and explosives investigation community through arson and explosives advisory groups, the National Bomb Squad Commander Advisory Board (NBSCAB), and the International Bomb Data Center Working Group (IBDCWG). Each week, the USBDC provides information on ATF’s arson and explosives investigative activity. The advisory reports are distributed to other Federal, state, and local law enforcement agencies. The USBDC also publishes explosives theft advisory reports and periodic advisories highlighting specific or emerging threats to public safety or the bomb technician community.

ATF laboratory experts have played an integral part in international training through active partnerships with the International Law Enforcement Academy (ILEA), Central America Regional Security Initiative (CARSI), International Criminal Investigative Training Assistance Program (ICITAP), and DOS. Due to their recognized leadership worldwide in the profession, ATF forensic examiners have provided scientific and technical training to foreign law enforcement personnel in the Netherlands, Thailand, Canada, Morocco, and Botswana. Laboratory personnel have assessed foreign laboratory capabilities and share their expertise in El Salvador, Costa Rica, and in Russia.

Finally, ATF participates in multi-agency efforts such as the Framework Convention on Tobacco Control, the Federation of Tax Administrators, and the Canada/U.S. working group to address illicit alcohol diversion and contraband cigarette trafficking activity. ATF fosters effective working relationships with alcohol and tobacco industry members as well as law enforcement partnerships with the international law enforcement community.

1. ***Emergency Support Function (ESF) #13***

Ensuring the safety and protection of the public is a critical service needed in the aftermath of any disaster. In October 2008, ATF was officially identified to lead the DOJ efforts to manage ESF #13, one of the 15 emergency support functions established by the National Response Framework (NRF).

Through ESF #13, Federal law enforcement assets will be directed to assist Federal, state, local, and Tribal authorities with public-safety and security-related missions ranging from any serious, but purely local incident, to large-scale terrorist attacks or catastrophic natural disasters. Although any ESF #13 response will be a collaborative effort among partner law enforcement agencies, ATF is responsible for (1) establishing the *all hazards* ESF #13 law enforcement planning for the 50 states and four territories, and (2) managing and coordinating the day-to-day ESF #13 operations between all Federal, state, local, Tribal and territorial public safety entities.  In addition to day-to-day operations, ATF must immediately respond nationally, regionally and locally to any ESF #13 activation until other Federal resources can mobilize and participate.

ATF is an active participant in the revision of the NRF, which includes the ESF #13 Annex, as the Department of Justice lead for Presidential Policy Directive (PPD) – 8 Response planning. To plan and execute the responsibilities under ESF #13, it is imperative to develop a full-time robust plan to adequately prepare a national capability to perform all the functions outlined in the NRF, including the current and future NSF #13 annex and Concept of Operations Plan (CONOPS). Other requirements include conducting nationwide planning activities, maintaining liaisons with Federal, state, local, Tribal and territorial law enforcement agencies, conducting national and regional ESF #13 inter-agency training. ESF #13 has the additional requirements of ensuring a core staffing capability at Federal Emergency Management Agency (FEMA) Joint Field Offices (JFO), the National Response Coordination Center (NRCC) and elsewhere. It is also essential to build relationships in the various FEMA regions, attend regional meetings of first responders, assess shortfalls in Federal, state, local, Tribal and territorial capabilities and work with Federal partners to assess which Federal resources would be best suited to fulfill those needs.

To date, ATF, as the DOJ lead agency, has assigned five supervisory special agents to serve as Regional ESF #13 Coordinators, in five of the ten FEMA regions. Special agents from DEA, FBI, and USMS will serve as Regional ESF #13 Coordinators in the other five regions. As part of this tasking, ATF has started up the National Coordination Center in Washington, D.C. where representatives from two other DOJ components, as well as other agency law enforcement and emergency management officials will be housed. ATF has also engaged a contractor to assist with planning and operations of ESF #13. ATF has seven full-time Headquarters personnel and one additional contractor to assist.

ATF has worked with representatives from the FBI, and other DOJ partners, in planning, executing and maintaining ESF #13 capabilities; this duty plays a role in the protection of the American public from terrorist incidents. During several table top exercises and large scale briefings, the FBI has indicated that they will rely heavily upon ESF #13 following a multi-jurisdictional mass terrorist event. The FBI has indicated that they intend to utilize ESF #13 assets to assist in supplementing FBI investigative measures, scene security concerns, and overall law enforcement support following an event.

Furthermore, ESF #13 assets will undoubtedly be utilized to assist in protecting the nation’s critical infrastructure and key resources when and if a credible threat has been identified by intelligence resources. ATF is also working closely with other members of the DOJ law enforcement family as well as law enforcement representatives from across the government.

ESF #13 is also becoming increasingly important to the planning of National Special Security Events (NSSE). ESF #13 personnel have become intimately involved in the planning for and mitigation of terrorist events relating to NSSE events such as the presidential inauguration(s) and Super Bowls. As the ESF #13 program has developed within ATF, entities such as the White House National Security Staff have begun to integrate ESF #13 into their planning for events and proposed responses.

During ESF #13 activations, ATF is consistently required to provide real-time law enforcement readiness information to all levels of the Federal government. This includes providing information to the White House, DOJ leadership, DHS leadership and FEMA leadership. The roles and responsibilities of ESF #13 are great and require substantial infrastructure development to bring ESF #13 into alignment with the requirements established within the NRF.

2. Performance Tables – Investigative Support Services1, 2, 3



1 Note: Both of the decision units (Law Enforcement Operations and Investigate Support Services) work interdependently to demonstrate ATF’s actual performance.

2 Note: The sum of the program activity resources and FTE for FY 2012 actuals will not add up to the total for each decision unit, because it does not include administrative overhead.

3 Note: NIBIN increases by $22M and Firearms Tracing increases by $8M in FY 2014 enhancements; due to technical adjustments, all program areas are offset for those adjustments.





**C. Performance, Resources, and Strategies**

1. **Performance Plan and Report for Outcomes**

ATF’s performance measures support both the Law Enforcement Operations and the Investigative Support Services decision units. ATF has developed a Performance Measurement Index tool that helps facilitate informed decision making regarding the Agency’s priorities, activities, and resources. The Index compiles multiple performance indicators into a single number to measure performance at both the Bureau-wide and program levels. This is accomplished by aligning ATF’s budget decision units with the Bureau’s performance goal statements, strategic objectives and performance indicators for a comprehensive tracking and measurement of performance across the enterprise.

ATF’s Performance Index measures ATF’s 10 core functions as well as the strategic goals and strategic objectives. ATF’s outcome-based performance goal statements are:

|  |  |
| --- | --- |
| ***Core Function*** | ***Performance Goal Statement*** |
| **Illegal Firearms Trafficking** | Reduce the risk to public safety caused by illegal firearms trafficking |
| **Firearms Criminal Possession and Use** | Reduce the risk to public safety caused by criminal possession and use of firearms |
| **Firearms Industry Operations** | Improve public safety by increasing compliance with Federal laws and regulations by firearms industry members |
| **Criminal Groups and Gangs** | Reduce the risk to public safety caused by criminal organizations and gangs |
| **Explosives, Bombs, and Bombings** | Reduce the risk to public safety caused by bombs and explosives |
| **Explosives Industry Operations** | Improve public safety by increasing compliance with Federal laws and regulations by explosives industry members |
| **Fire and Arson** | Reduce the risk to public safety caused by the criminal use of fire |
| **Alcohol and Tobacco** | Reduce the risk to public safety and reduce the loss of tax revenues caused by contraband alcohol and tobacco trafficking |
| **Modernization** | Modernize business processes and systems for improved mission effectiveness and transparency |
| **Workforce** | Attract, develop, and retain an expert workforce to execute the ATF mission |

In the Index, each performance goal statement aligns with specified strategic objectives and their corresponding performance indicators. This structure allows ATF to evaluate performance and to use performance indicators to track progress against targets.

Performance Indicator

Performance Indicator

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Strategic Objective 1

Firearms

Criminal Possessions

and Use

Strategic Objective 2

Strategic Objective 1

Strategic Objective 1

Strategic Objective 1

Strategic Objective 2

Strategic Objective 1

Strategic Objective 2

Strategic Objective 1

Strategic Objective 1

Strategic Objective 2

Strategic Objective 1

Strategic Objective 1

Strategic Objective 1

Illegal

Firearms Trafficking

Firearms

Industry Operations

Criminal Groups

and Gangs

Explosives, Bombs

and Bombings

Explosives Industry

Operations

Fire and Arson

Alcohol and Tobacco

Modernization

Workforce

Alcohol and Tobacco

Arson and

Explosives

Firearms

ATF

Impact

Applying an index to gauge performance is a widely accepted practice for compiling multiple performance indicators into a single number. As used at ATF, the Index number moves up or down and portrays the progress made against pre-established performance goal statements.

The Index measures progress against quantifiable goals or targets. ATF has established a current or anticipated operating environment. Each element of the Index (performance indicator, strategic objective, performance goal statement, and mission area) is assigned a weight to show its strength relative to the overall Index. The weight assigned to each of the performance indicators is based on the indicator’s effectiveness as a measure of its respective performance goal statement. The weight of each strategic objective is the sum of the weights of the performance indicators that comprise it. The performance goal statements are weighted according to two criteria: impact on mission (e.g., the impact of Illegal Firearms Trafficking on ATF’s firearms mission), and ATF’s current capabilities in the area of the performance goal statement. Weights are assigned to ATF’s mission areas (firearms, arson and explosives, and alcohol and tobacco) in accordance with mission priorities established via the Frontline business process.

The Index compiles mathematical calculations that combine ATF’s actual progress toward targets, and the weight of the performance indicator, strategic objective, performance goal statement, and mission priorities. The calculations to determine the value for each level of ATF’s Performance Index is as follows:

|  |  |
| --- | --- |
| Per Performance Indicator: | Actual ÷ Target x Weight of Performance Indicator |
| Per Strategic Objective: | Sum of Performance Indicator Subtotals |
| Per Performance Goal Statement: | Sum of Strategic Objective Totals x Weight of Performance Goal Statement |
| Per Mission Area: | Sum of Performance Goal Statement Subtotals x Weight of Mission Area |
| ATF Performance Index: | Sum of All Mission Area Subtotals |

The calculations at the performance indicator and strategic objective levels are displayed in the example below.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Example Strategic Objective Calculation** | | | | | |
| **Performance Indicator** | **Actual** | **Target** | **Score**  **(Actual / Target)** | **Weight**  **(Percent)** | **Subtotal**  **(Score x Weight)** |
| A | 65 | 100 | 0.65 | 0.15 | 0.0975 |
| B | 180 | 200 | 0.90 | 0.75 | 0.675 |
| C | 50 | 250 | 0.20 | 0.10 | 0.02 |
| Sum of Subtotals = | | | | | 0.7925 |
| **Example Strategic Objective Value (Sum x 100) =** | | | | | **79.25 %** |

The sum of the strategic objectives respective to each performance goal statement is then multiplied by the weight assigned to the performance goal statement. The sum of the mission area subtotals establishes the score of the ATF Performance Index.

1. **Strategies to Accomplish Outcomes**

ATF’s strategies to investigate and prevent violent crime are focused under the Frontline business model so field-level strategies are intelligence-driven and align with the priorities articulated in ATF’s Strategic Plan. ATF develops customized strategies within each of its 25 field divisions based on assessments of the most significant violent crime threats within their areas of responsibility. The assessments factor in emerging crime trends, significant criminal activity, issues faced by local industry members, the proximity and priorities of Federal, State, local and other external partners, available ATF resources, as well as, unique data and intelligence developed by ATF, and other intelligence and crime–related data available through Federal, State and local partners. All of this information is used to plan the best use of resources at the local and national level for the greatest impact. These efforts are intelligence-driven and risk-based to ensure that resources are applied effectively so that they have the greatest ability to reduce violent crime and safeguard the public.

Once priorities are established, Frontline requires supervisory personnel to evaluate each inspection and investigation, prior to its initiation, to determine that the specific activity is consistent with the field division’s priorities. Throughout the course of investigations and inspections, field supervisors monitor progress and performance to ensure resources continue to be applied appropriately and effectively. At the conclusion of each investigation and inspection, case agents and investigators develop final impact statements, self-assessing whether they have met established goals. First level supervisors engage in periodic performance review sessions with their peer supervisors, ASACs and SACs. SACs then participate in performance review sessions with Headquarters’ deputy assistant directors, who collaborate to evaluate field-wide performance and provide resources, programmatic support and direction to the field.

**V. Program Increases by Item**

**Item Name:**                                      **Enforcement, Inspections and Tracing**

Budget Decision Unit(s):                  Law Enforcement Operations and Investigative Support Services

Strategic Goal(s) and Objective(s):  Strategic Goal 1:  Prevent Terrorism and Promote the Nation’s Security, Objectives 1.1 and 1.2

Strategic Goal 2:  Prevent Crime, Enforce Federal Laws, and Represent the Rights and Interests of the American People, Objectives 2.1 and 2.2

Component Ranking of Item: Item 1 of 2

Program Increase:  Positions: 255; Agents: 160; FTE: 128; Dollars: $51,078,000

**Description of Item:**

ATF requests $51,078,000to support the President’s Gun Safety Initiative and increased violent crime reduction efforts and inspection capabilities for ATF, as well as enhanced crime gun tracing activities at ATF’s National Tracing Center.

**Justification:**

This request includes funding of $37.3 million for 160 additional special agents and 25 intelligence research specialists and supports the President’s Gun Safety Initiative. Through this initiative, ATF will continue to implement, manage and coordinate targeted violent crime reduction operations to address areas of escalating firearms violence throughout the U.S. As one of the primary Federal agencies that focus on violent crime, ATF’s core functions address criminal groups and gangs and the violence perpetrated by these offenders. As such, ATF will focus its distinct investigative resources on identifying and responding to areas experiencing significant increases in firearms violence.

ATF seeks to focus its extensive and distinct investigative resources on assessing violent crime activity across the country and identifying areas experiencing the most violent crime. ATF will partner with other Federal, state and local law enforcement agencies to disrupt and dismantle armed violent criminal organizations in select ‘targeted’ areas and the “worst of the worst” operating within them. In these selected areas ATF will, in collaboration with state and local authorities, create a localized strategy and implementation plan. This plan will detail how the violent crime activity will be measured and use standardized metrics to ensure that ATF is effectively and efficiently focusing its investigative efforts where they are most needed.

Under the Frontline business model ATF will be planning and executing the appropriate responses to intelligence-derived assessments, which will culminate in ATF conducting intelligence-led investigations and inspections consistently throughout the field. This approach is the essence of ATF’s Frontline business model. Targeted, focused investigations and inspections will allow ATF field offices to prioritize their enforcement efforts across the nation in accordance with established strategic goals and plans. These efforts include reinforcing the intelligence capacity in ATF’s field divisions. Under the intelligence-led approach and Frontline business model, these resources will be strategically deployed to address identified threats across the nation.

Funding of $8 million in this request will provide enhanced tracing capabilities at ATF’s National Tracing Center, another key component in fighting violent crime. Each year, the NTC traces hundreds of thousands of recovered crime guns for law enforcement. The NTC is the only repository of crime gun trace data, multiple handgun sales information, demand letter information, FFL theft information, interstate theft information, suspect gun information, and firearms transaction records from out-of-business FFLs. The trace information allows ATF to link suspects to firearms in criminal investigations for Federal, state, and local law enforcement agencies making the trace requests; to identify illegal firearms traffickers through recurring patterns and trends indicative of illegal firearms trafficking; and provides ATF a means through analysis of the aggregate trace data to help communities develop focused strategies and programs that address specific factors that contribute to armed crime.

The requested funding will enhance ATF’s ability to conduct fair and effective regulation the firearms industry. The request includes $4.9 million and 60 additional Industry Operations Investigators (IOIs) that will support Federal Firearms Licensee (FFL) application and compliance inspections, which is a key component of ATF’s firearms enforcement efforts. ATF investigates FFL applicants to determine eligibility and to educate them on their recordkeeping responsibilities; conducts compliance inspections of current FFLs; and, collaborates with industry on voluntary compliance efforts. ATF IOIs conduct inspections of FFLs to ensure compliance with the law and regulations and assist with business practices designed to improve compliance with the Gun Control Act (GCA).

**Impact on Performance:**

As part of ATF’s Frontlinebusiness model, ATF will conduct comprehensive violent crime assessments for each field division area of responsibility and develop intelligence led regional enforcement and deployment strategies to address the entire threat matrix – violent gangs, firearms trafficking, criminal possession and use of firearms and bombings and explosives.

ATF’s crime gun tracing capabilities will be increased with additional capacity and shorter average trace times (in days). Additionally, ATF’s ability to address the increasing number of trace requests each year will be enhanced.

Resources associated with ATF’s industry inspection activities will increase FFL and pawnbroker compliance and deny prohibited persons and terrorists access to firearms. This initiative will enhance public safety by addressing potential interstate trafficking in firearms and the diversion of firearms from legal commerce to prohibited persons.

**Funding**

Base Funding

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| FY 2012 Enacted | | | | FY 2013 President’s Budget | | | | FY 2014 Current Services | | | |
| Pos | Agt | FTE | $(000) | Pos | Agt | FTE | $(000) | Pos | Agt | FTE | $(000) |
| 3,179 | 2,042 | 3,179 | 736,620 | 3,179 | 2,042 | 3,179 | 736,5620 | 2,937 | 1,874 | 2,937 | 743,931 |

Personnel Increase Cost Summary

| Type of Position | Modular Cost per Position ($000) | Number of Positions Requested | FY 2014 Request ($000) | FY 2015 Net Annualization (change from 2014)  ($000) |
| --- | --- | --- | --- | --- |
| Special Agents | 220 | 160 | 35,239 | 822 |
| Industry Operations Investigators | 82 | 60 | 4,951 | 4,432 |
| Intelligence Research Specialists | 82 | 25 | 2,063 | 2,067 |
| Legal Instrument Examiners | 82 | 10 | 825 | 827 |
| **Total Personnel** |  | **255** | **43,078** | **8,148** |

Non-Personnel Increase Cost Summary

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Non-Personnel Item | Unit Cost  ($000) | Quantity | FY 2014 Request  ($000) | FY 2015 Net  Annualization  (Change from 2014)  ($000) |
| Enhanced Tracing Capabilities |  |  | 8,000 | 0 |
| **Total Non-Personnel** |  |  | **8,000** | **0** |

Total Request for this Item

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | Pos | Agt | FTE | Personnel  ($000) | Non-Personnel  ($000) | Total  ($000) |
| Current Services | 2,937 | 1,874 | 2,937 | 483,555 | 260,376 | 743,931 |
| Increases | 255 | 160 | 128 | 43,078 | 8,000 | 51,078 |
| Grand Total | 3,192 | 2,034 | 3,065 | 526,633 | 268,376 | 795,009 |

**Item Name:**                                   **National Integrated Ballistics Information Network (NIBIN)**

Budget Decision Unit(s):                   Investigative Support Services

Strategic Goal(s) and Objective(s):  Strategic Goal 1:  Prevent Terrorism and Promote the Nation’s Security, Objectives 1.1 and 1.2

Strategic Goal 2:  Prevent Crime, Enforce Federal Laws, and Represent the Rights and Interests of the American People, Objectives 2.1 and 2.2

Component Ranking of Item: Item 2 of 2

Program Increase:  Positions: 0; Agents: 0; FTE: 0; Dollars: $22,000,000

**Description of Item:**

ATF requests $22,000,000to significantly expand the NIBIN program and support this ballistics program. This expansion includes enhancements to the equipment, including software upgrades that will enable investigators to extract ballistic intelligence data to target the most violent serial shooters. It also includes replacing equipment that will enable firearms examiners to more easily discern distinct markings on the cartridge casings. Additionally, ATF requests funds to work with the State and local law enforcement agencies and laboratories to collect ballistic hit information to provide leads to Firearms Intelligence Groups for investigations and document successful prosecutions as a result of NIBIN.

**Justification:**

NIBIN is a unique national system for ballistic imaging that is provided and managed by ATF. It is the only system of its type in the U.S. that enables the capture and comparison of images of bullets and cartridges to aid in solving violent crimes that involve the use of firearms.

The ATF Laboratories and its’ partners use Integrated Ballistic Identification Systems (IBIS) to acquire digital images of the markings made on fired ammunition recovered from a crime scene or a crime gun test fire and then compare those images (in a matter of hours) against earlier NIBIN entries via electronic image comparison. If a high-confidence candidate for a match emerges, firearms examiners compare the original evidence with a microscope to confirm the match or NIBIN “hit.” By electronically searching either locally, regionally, or nationally, NIBIN Partners are able to discover links between crimes more quickly, including links that would never have been identified absent the technology.

NIBIN acquisitions are expressly limited to ballistic information from firearms test fires and fired ammunition taken into law enforcement custody pursuant to a criminal investigation.

Of the 175 IBIS instruments currently in service, the vast majority are the newer BrassTRAX systems. There are currently 40 of the older “heritage” equipment units remaining to be replaced. Once the remaining systems are replaced, it will be time to start the cycle again to begin refreshing the older BrassTRAX equipment and looking to installing BulletTRAX equipment at a limited number of sites, including the 3 ATF Laboratories.

Each year, over 180,000 items are entered into NIBIN – about 60,000 items of crime scene evidence, and about 120,000 test fires of weapons seized in crimes. The vast majority of items entered are cartridge casings with a small number of bullets also entered. Since the program’s inception, NIBIN Partners have entered over 2.3 million items into the system, including over 353,000 bullets and over 2 million cartridge cases.

NIBIN generates about 5,500 “hits” annually (for a total of over 50,000 since the beginning of the program) – connecting recovered firearms and crime scene evidence that would not otherwise have been linked.

ATF will utilize the requested funding to increase capacity to work with the State and local law enforcement agencies and laboratories to collect ballistic hit information to provide leads to ATF’s Field Intelligence Groups for investigations and document successful prosecutions as a result of NIBIN. This enhancement is critical to ensure that ballistics intelligence is leveraged to the maximum extent and that NIBIN is optimized as an investigative tool to help link firearms crimes, much like fingerprints and DNA are used as investigative tools to link other types of criminal activities.

**Impact on Performance:**

The NIBIN system is currently the only operating system in the US that affords law enforcement agencies nationwide the ability to match ballistic evidence recovered at literally thousands of crime scenes casing by casing and projectile-by-projectile. This capability was completely unfathomable prior to the existence of the NIBIN network. The current inventory of over 2,300,000 images is an invaluable asset that has realized over 50,000 confirmed matches. The NIBIN program has trimmed back the number of systems in an effort to strengthen the program. Providing the requested resources will allow ATF to reduce violent crime and provide assets that will strengthen the platform. Strengthening the core of the program will enhance law enforcement’s ability to link and solve crimes committed by persons who have demonstrated intent and willingness to use a firearm violently.

**Funding**

Base Funding

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| FY 2012 Enacted | | | | FY 2013 CR | | | | FY 2014 Current Services | | | |
| Pos | Agt | FTE | $(000) | Pos | Agt | FTE | $(000) | Pos | Agt | FTE | $(000) |
| 19 | 7 | 19 | 17,100 | 19 | 7 | 19 | 28,000 | 19 | 7 | 19 | 28,000 |

Personnel Increase Cost Summary

| Type of Position | Modular Cost per Position ($000) | Number of Positions Requested | FY 2014 Request ($000) | FY 2015 Net Annualization (change from 2014)  ($000) |
| --- | --- | --- | --- | --- |
|  |  |  |  |  |
| **Total Personnel** |  |  |  |  |

Non-Personnel Increase Cost Summary

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Non-Personnel Item | Unit Cost  ($000) | Quantity | FY 2014 Request  ($000) | FY 2015 Net  Annualization  (Change from 2014)  ($000) |
| NIBIN Contract Services |  |  | 14,000 | 0 |
| NIBIN Equipment |  |  | 8,000 | 0 |
| **Total Non-Personnel** |  |  | **22,000** | **0** |

Total Request for this Item

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | Pos | Agt | FTE | Personnel  ($000) | Non-Personnel  ($000) | Total  ($000) |
| Current Services | 19 | 7 | 19 | 3,000 | 25,000 | 28,000 |
| Increases | 0 | 0 | 0 | 0 | 22,000 | 22,000 |
| Grand Total | 19 | 7 | 19 | 3,000 | 47,000 | 50,000 |

**VI. Program Offsets by Item**

**Item Name:**                                      **Administrative Efficiencies**

Budget Decision Unit(s):                  Law Enforcement Operations and Investigative Support Services

Strategic Goal(s) and Objective(s):  Strategic Goal 1:  Prevent Terrorism and Promote the Nation’s Security, Objectives 1.1 and 1.2

Strategic Goal 2:  Prevent Crime, Enforce Federal Laws, and Represent the Rights and Interests of the American People, Objectives 2.1 and 2.2

Component Ranking of Item: Item 1 of 2

Program Increase:  Positions: (164); Agents: (34); FTE: 0; Dollars: ($7,399,000)

**Description of Item:**

In FY 2014, ATF will realize a payroll and benefit cost savings of approximately $7.4 million as a result of staffing reductions, including the FY 2012 VERA/VSIP action and hiring freeze, general administrative, program and contract reductions.

**Justification:**

The request proposes $7.4 million in offsets associated with general administrative, program and contract reductions. The offset also includes the reduction of 164 hollow positions, including 34 special agents.

**Impact on Performance:**

The cost savings realized will allow more efficient execution of core programs critical to law enforcement operations and public safety to continue in FY 2014.

**Funding**

Base Funding

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| FY 2012 Enacted | | | | FY 2013 President’s Budget | | | | FY 2014 Current Services | | | |
| Pos | Agt | FTE | $(000) | Pos | Agt | FTE | $(000) | Pos | Agt | FTE | $(000) |
| N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |

Personnel Increase Cost Summary

| Type of Position | Modular Cost per Position ($000) | Number of Positions Requested | FY 2014 Request ($000) | FY 2015 Net Annualization (change from 2014)  ($000) |
| --- | --- | --- | --- | --- |
| Multiple Positions |  | (164) | ($7,399) |  |
| **Total Personnel** |  |  |  |  |

Non-Personnel Increase Cost Summary

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Non-Personnel Item | Unit Cost  ($000) | Quantity | FY 2014 Request  ($000) | FY 2015 Net  Annualization  (Change from 2014)  ($000) |
|  |  |  |  |  |
| **Total Non-Personnel** |  |  |  |  |

Total Request for this Item

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | Pos | Agt | FTE | Personnel  ($000) | Non-Personnel  ($000) | Total  ($000) |
| Current Services | N/A | N/A | N/A | N/A | N/A | N/A |
| Increases | (164) | (34) | 0 | ($7,399) | 0 | ($7,399) |
| Grand Total | (164) | (34) | 0 | ($7,399) | 0 | ($7,399) |

**Item Name:**                                      **Information Technology Savings**

Budget Decision Unit(s):                  Law Enforcement Operations and Investigative Support Services

Strategic Goal(s) and Objective(s):  Strategic Goal 1:  Prevent Terrorism and Promote the Nation’s Security, Objectives 1.1 and 1.2

Strategic Goal 2:  Prevent Crime, Enforce Federal Laws, and Represent the Rights and Interests of the American People, Objectives 2.1 and 2.2

Component Ranking of Item: Item 2 of 2

Program Increase:  Positions: 0; Agents: 0; FTE: 0; Dollars: ($2,748,000)

**Description of Item:**

The IT contract savings offset is a program initiative generated by the SAVE Council with the full support of Departmental Leadership.  It is designed to accomplish two objectives; first, it encourages components to make thoughtful decisions regarding procurement spending and to participate in a Department-wide effort to generate management savings; second, it provides a source of funding, without requiring a program enhancement request, for two major priority initiatives of the Department and the Administration – Cybersecurity and IT Transformation (including email system upgrade and data center consolidation

**Justification:**

As part of its effort to increase IT management efficiency and reform IT management activities, the Department is implementing a cost saving initiative as well as IT transformation projects.  To support cost savings, the Department is developing an infrastructure to enable DOJ components to better collaborate on IT contracting; which should result in lower IT expenditures.  In FY 2014 the Department anticipates realizing savings on all direct non-personnel IT spending through IT contracting collaboration.  These savings will not only support greater management efficiency within components but will also support the IT Reform plan by providing resources to support major initiatives in Cybersecurity, data center consolidation, and enterprise e-mail systems.  The offset to support these initiatives for ATF is $2,748,000.

**Impact on Performance:**

The Department and its components are continually evaluating programs and operations with the goal of achieving economies of scale that result in increase efficiencies, cost savings and cost avoidance. This IT management efficiency will achieve savings, transform IT contracting efforts and effectively reform IT procurement and management.

**Funding**

Base Funding

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| FY 2012 Enacted | | | | FY 2013 President’s Budget | | | | FY 2014 Current Services | | | |
| Pos | Agt | FTE | $(000) | Pos | Agt | FTE | $(000) | Pos | Agt | FTE | $(000) |
| 90 | 0 | 90 | 123,163 | 90 | 0 | 90 | 123,163 | 90 | 0 | 90 | 132,169 |

Personnel Increase Cost Summary

| Type of Position | Modular Cost per Position ($000) | Number of Positions Requested | FY 2014 Request ($000) | FY 2015 Net Annualization (change from 2014)  ($000) |
| --- | --- | --- | --- | --- |
|  |  |  |  |  |
| **Total Personnel** |  |  |  |  |

Non-Personnel Increase Cost Summary

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Non-Personnel Item | Unit Cost  ($000) | Quantity | FY 2014 Request  ($000) | FY 2015 Net  Annualization  (Change from 2014)  ($000) |
| IT Savings |  |  | ($2,748) |  |
| **Total Non-Personnel** |  |  |  |  |

Total Request for this Item

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | Pos | Agt | FTE | Personnel  ($000) | Non-Personnel  ($000) | Total  ($000) |
| Current Services | 90 | 0 | 90 | 0 | 132,169 | 132,169 |
| Increases | 0 | 0 | 0 | 0 | ($2,748) | ($2,748) |
| Grand Total | 90 | 0 | 90 | 0 | 129,421 | 129,421 |

1. [↑](#footnote-ref-1)