



**ATF**

2005 Annual Report

## **Message From the Director**

At the end of each year, many companies report to their stakeholders about their accomplishments and the events of the past year. We at ATF are proud to do the same in this document: to report to the American people about how our work has protected them during this year.

ATF is focused on results. Our programs, such as the Violent Crime Impact Teams (VCIT) active in 22 cities nationwide, are saving lives and producing safer communities. A review of the VCIT program has shown a significant decrease in the number of firearms homicides in VCIT cities. In VCIT and non-VCIT cities alike, our work is making a difference.

In this, our second full fiscal year as a Department of Justice (DOJ) component, we have worked with DOJ and its component agencies on programs such as Project Safe Neighborhoods (PSN) and VCIT to achieve these results: nearly a 50 percent decline in the number of Americans victimized by firearms violence and a decrease in the nationwide rate of violent crime to a 30-year low. Another demonstration of ATF's commitment to results is our productivity in making solid cases against those who threaten our society: in the past year, an average of ten defendants per field agent were referred for prosecution. We achieved these results while

responding to public safety needs in areas devastated by Hurricane Katrina and other natural disasters.

ATF is protecting our Nation from the threat of terrorism. Our counter-terrorism efforts include our regulatory responsibilities for the firearms and explosives industries and our investigations of alcohol and tobacco diversion schemes that can provide funds to terrorists and



# Focused o

organized criminals. We conducted inspections to detect criminal diversion of firearms and explosives and to prevent this diversion through voluntary partnerships with the firearms and explosives industries. For example, in 2005, we went beyond regulatory requirements to educate the explosives and ammonium nitrate industries on emerging threats in a program called "America's Security Begins with You." In addition, we helped to protect Americans serving in Iraq from the threat of improvised explosive devices. We contributed ATF's expertise to the analysis and exploitation of terrorist devices, through

# n Results

investigated and arrested a serial arsonist stalking the Washington, DC, area, and arrested the arsonist who set 27 fires in Connellsville, Pennsylvania, and ATF contributed its expertise to State, local and international investigations of fires. We are also making the best use of technology to share arson and explosives knowledge with the law enforcement and fire service communities. State and local agencies can use ATF's Bomb Arson Tracking System, or BATS, to share case information in real time over the Internet, or to gain access to the wealth of explosives information contained in our U.S. Bomb Data Center.

our participation and leadership in the interagency Terrorist Explosive Device Analytical Center, and we shared our expertise with the Iraqi Police Service.

ATF's investigative skill in arson and explosives is critical to perfecting cases—for ATF, the Department of Justice, and our State and local partner agencies. In the past year, ATF and its local partners



Carl J. Truscott

We have been good stewards of the resources entrusted to us by Congress. These good management practices are reflected by our audit record. ATF has received unqualified, or "clean," audit opinions for each year since independent audits began in 1995. We have also grown strategically according to the precepts of ATF: Our Future Your Role, my message to employees at the start of 2005. We have grown in numbers as well: one of ATF's most important accomplishments this year was a major hiring initiative. We worked to secure our Bureau's future by ensuring that we have the talented and dedicated people we need to carry out our crucial missions.

The accomplishments of the past year are significant—but we have the potential to do even more in the future. Fiscal Year (FY) 2006 will bring a move into ATF's new National Headquarters, the culmination of many years of work. In the new year, we plan additional international cooperation to help us achieve our goals and broaden our opportunities to share our expertise with others. No doubt the future will bring challenges not yet foreseen. I am certain that the men and women of ATF will meet these challenges with courage and determination—the same courage and determination that has been demonstrated over the many years of ATF's distinguished history.

# Our Mission

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) is a principal law enforcement agency within the United States Department of Justice dedicated to preventing terrorism, reducing violent crime, and protecting our Nation. The men and women of ATF perform the dual responsibilities of enforcing Federal criminal laws and regulating the firearms and explosives industries. We are committed to working directly, and through partnerships, to investigate and reduce crime involving firearms and explosives, acts of arson, and illegal trafficking of alcohol and tobacco products.

# Our Values

We value each other and those we serve. We will:

- Uphold the highest standards of excellence and integrity;
- Provide high quality service and promote strong external partnerships;
- Develop a diverse, innovative, and well-trained work force to achieve our goals; and
- Embrace learning and change to meet the challenges of the future.

# Our Vision

Working for a safer and more secure America...  
through innovation and partnerships.

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# 1

database mandated in 2005 by the Department of Justice for analysis of arson and explosives incidents: ATF's Bomb and Arson Tracking System (BATS) is that database





# Counterterrorism Initiatives



is committed to using its statutory jurisdiction and all of its available assets to address threats of violence against our Nation, and to assist other countries with addressing similar threats. Because firearms and explosives are the tools of terrorists, ATF's investigative expertise and technology are essential to the war on terrorism. On both domestic and international fronts, ATF is involved in efforts to prevent the next terrorist act, respond to terrorist incidents, and ensure that knowledge and intelligence information is shared within the law enforcement community.

## Preventing the Next Terrorist Act

ATF's enforcement and regulatory efforts are critical to deny terrorists the tools of their trade. The same activities that help protect the American public from the threat of violent crime also help safeguard it against threats of terrorism.

■ ATF's **firearms and explosives enforcement efforts** are useful against both violent crime and terrorism. ATF enforces Federal firearms laws in order to remove violent offenders, including gang members, from our communities, and keep firearms out of the hands of those who are prohibited by law from possessing them. ATF responds to explosives incidents by providing

specialists who are highly trained in investigating post-blast scenes. ATF is recognized for its expertise in investigating bombings and explosions, and for training Federal, State, local, and international law enforcement agencies to improve their capabilities in solving such crimes. ATF also investigates incidents of explosives stolen or missing from licensees, a particular concern in regard to the threat of terrorist activities.

■ ATF's **firearms regulatory operations** keep weapons out of the hands of violent criminals, terrorists, and those who are prohibited by law from possessing them. ATF regulates the importation of firearms, ammunition, and other defense-related articles, including importation by non-



*ATF National Response Team members suit up before entering a fire scene.*

immigrant aliens. ATF's liaison with other agencies ensures that import permits issued by ATF do not conflict with the foreign policy and national security interests of the United States. During FY 2005, ATF processed 10,758 permanent and 6,464

temporary applications for the importation of firearms, ammunition, and implements of war.

■ ATF works with industry to **enhance public safety through better security of explosives**.

ATF conducted inspections of the explosives and firearms industries to ensure that weapons, explosives and ammonium nitrate were not being diverted for terrorist use. This included examination of records, evaluation of internal controls, and examination of explosives and ammonium nitrate storage facilities. Through its Explosives Threat Assessment and Prevention Strategy (ETAPS), ATF conducts outreach with the regulated explosives industry, as well as industries handling non-regulated commodities such as ammonium nitrate. In 2005, ATF met with State fertilizer control officials and distributed informational material titled "America's Security Begins with You." The information was also distributed to ammonium nitrate distributors across the country to increase awareness about the potential for misuse of these materials. ATF also encouraged industrial users of explosives to enhance security precautions to reduce explosives losses.

■ ATF's **investigations of illegal diversion of tobacco** denies terrorists and criminals financial and material support. Organized crime groups and individuals with ties to terrorist organizations engage in illegal trafficking of tobacco prod-

ucts, and these trafficking operations provide funding to terrorist organizations and more traditional criminal enterprises. ATF investigates these groups and, when appropriate, seizes their assets to prevent criminals from benefiting from the proceeds of crime or using them to finance additional criminal acts. ATF has nearly doubled the number of alcohol and tobacco diversion investigations initiated over the past 5 years.

## Responding to Incidents

■ **ATF is sharing its expertise with interagency groups** that investigate terrorism. The National Joint Terrorism Task Force (NJTTF), headquartered in Washington, DC, is a collective effort of Federal law enforcement agencies working together to facilitate prevention, preemption, deterrence, and investigation of terrorism and activities related to terrorism, occurring in or affecting the United States. ATF has one special agent and one intelligence research specialist assigned as liaisons to the NJTTF and the FBI's Domestic Terrorism Unit (DTU). In 2005, 60 ATF field personnel supported the regional Joint Terrorism Task Forces (JTF), providing investigative, operational, and intelligence support to assist in uncovering and disrupting firearms trafficking schemes; identifying and tracing recovered firearms and explosives; investigating bombings and arsons; and investi-

gating tobacco diversion schemes tied to foreign terrorist organizations.

■ In August 2004, the **Attorney General directed that ATF lead all investigations of explosives incidents**, except those with a terrorist connection. Because of ATF's specialized explosives expertise, the Bureau is in a unique position to contribute to interagency investigations of terrorism and lead all other investigations of explosives incidents. ATF agents complete specialized training to become certified explosives specialists (CES) or certified fire investigators (CFI). Together with ATF's explosives enforcement officers (EEO), these ATF specialists are a cadre of expert first responders with the knowledge and skill to respond to explosives incidents quickly and effectively.

■ ATF's **National Response Team (NRT)** brings definitive expertise and advanced technology to the investigation of fire and explosives incidents. NRT members work alongside State and local officers 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, assisting with the ensuing investigation, and providing expert court testimony. In FY 2005, ATF's NRT responded to 11 major incidents including fatal fires and fires resulting in high

dollar loss. NRT teams respond to an incident within 24 hours. These teams include veteran special agents having post-blast and fire origin-and-cause expertise, including CFIs, CESs, forensic chemists, EEOs, fire research engineers, and accelerant and explosives detection canines.

■ This expertise can be deployed to assist law enforcement in other countries as well. ATF's **International Response Team (IRT)** is deployed at the request of the State Department, and its members are among ATF's most experienced investigators, technicians, engineers, and forensic chemists. Since 1991, the IRT has deployed to incidents such as vehicle bombings in Peru and Macedonia, explosions in Argentina targeting the Israeli Embassy, and other incidents in El Salvador, Ecuador, Paraguay, Surinam, Pakistan, and Korea. In July 2005, the IRT assisted with the investigation of fires at a boys' school in Grenada.

■ Through its participation in the **Combined Explosives Exploitation Cell (CEXC)**, ATF is lending its expertise to benefit U.S. efforts in Iraq. Since March 2005, ATF has deployed personnel to support CEXC activity within the U.S. Military Central Command. ATF explosives experts provide onsite investigative assistance in processing post-blast incidents directed at U.S. and allied forces. The CEXC contingent in Iraq has handled more than 3,600 cases since January 2005. As part of the

# 3,787

**explosives compliance  
inspections of Federal  
explosives licensees  
and permittees  
conducted by ATF**

CExC contingent, ATF has participated in 160 of 184 post-blast responses to incidents in Iraq.

## Sharing Our Counterterrorism Expertise, Merging Our Intelligence Information

- **Explosives detection canines** are a critical asset to law enforcement at home and abroad. ATF's canine training programs produce extremely reliable, mobile, accurate, and durable explosives and accelerant detection tools, capable of assisting law enforcement and fire investigators with the escalating threat faced by communities worldwide. These ATF-trained dogs are located throughout the United States in local police departments, fire departments, fire marshal offices, and Federal and State law enforcement agencies. These canines are routinely used to detect explosives and recover firearms. Since 1990, ATF has trained more than 340 explosives detection canines for foreign countries to be used in the global war on terrorism and to protect U.S. citizens abroad. In FY 2005, ATF trained 34 dogs and handlers for the explosives detection program, and 8 dogs and handlers for the accelerant detection program.
- ATF has also worked in partnership with the bomb squad community to create the latest

version of the **National Odor Recognition Test (NORT)** standards for explosives detection canines. ATF chemists developed the explosives classification system and protocol used for testing. In FY 2005, this test was updated to reflect ATF's operational and testing experience with canines and address the changing explosives threats facing public safety personnel. ATF has begun delivery of NORT to law enforcement agencies throughout the United States, and continues to support these departments and many others through delivery of the test and training that accompanies it. Support includes not only administration of NORT using explosives that represent current threats, but also training for law enforcement agencies on cross contamination, and information on proper handling and storage of explosives samples.

■ ATF is a key participant in the **Terrorist Explosive Device Analytical Center (TEDAC)**. Established on the recommendation of the Technical Support Working Group and the Department of Justice, TEDAC is an interagency forum for the exploitation of terrorist explosives devices, and the dissemination of law enforcement and intelligence information concerning their characteristics. Since FY 2004, at the direction of the Attorney General, ATF has held the position of Deputy Director for TEDAC operations. Throughout FY 2005, ATF has supported

the TEDAC mission with subject-matter and analytical expertise.

■ The **U.S. Bomb Data Center** (formerly the Arson and Explosives National Repository), administered by ATF, is the repository for information on all domestic bombing incidents. The Center's information management system contains more than 110,000 arson and explosives incidents, and provides intelligence to the entire law enforcement community.

■ In FY 2005, ATF continued deployment of the **Bomb and Arson Tracking System (BATS)**, which is a free, Web-based system for other Federal, State, and local agencies investigating arsons, bombings, and other explosives incidents. BATS allows law enforcement agencies to solve arsons and bombings quickly by sharing information with other jurisdictions, making the system critical to the investigation of terrorist incidents.

■ In FY 2005, ATF further distributed the international bombing incident program **DFuze**. This database allows international law enforcement agencies to compare and exchange information on explosives incidents via encrypted messages about incidents, groups or individuals involved, vehicles used, power sources, initiation system, and firearms. DFuze was developed in partnership with the New Scotland Yard Bomb Data

Centre and is already in use in the United Kingdom. Embassies in Mexico City, Mexico, and Bogotá, Colombia, are equipped with DFuze, as are several law enforcement agencies in those countries, to help combat the terrorist misuse of explosives worldwide. In FY 2005, new users include Hong Kong and Singapore, with the United Kingdom greatly expanding DFuze usage throughout its member countries.

■ ATF also works with the Department of State to conduct **antiterrorism assessments outside of the United States**. As part of the State Department team, ATF EEOs assess foreign bomb squads' capabilities, equipment, training, and expertise, and they address vulnerability issues

within U.S. embassies. In 2005, ATF participated in assessments in Afghanistan, Thailand, Barbados, and Trinidad and Tobago.

■ In response to Attorney General Gonzales's request for initiatives to further enhance the Department's counterterrorism efforts, the Deputy Attorney General formed a multi-component **Counterterrorism Working Group (CTWG)** in 2005 to identify, evaluate, and implement potential CT initiatives. ATF is playing an active role in each of the four sub-groups: operations, intelligence, administration, and training.

■ ATF was key to ensuring the success of the **first CTWG initiative**. ATF organized this first-

ever Department-wide conference for United States Marshals, senior Bureau of Prisons officials and special agents in charge from ATF, the FBI, and the Drug Enforcement Administration (DEA). This successful conference, held in Miami in September 2005, focused on the Department's collective counterterrorism efforts and featured remarks by the Attorney General, the DEA Administrator, and the directors of ATF, the FBI, and the United States Marshals Service.

*(Left) Through its participation in the Combined Explosives Exploitation Cell (CEXC), ATF explosives experts provide on-site explosives training for the new Iraqi Police Service. (Center) ATF Special Agents survey the scene of a vehicle explosion. (Right) ATF explosives training for the Iraqi Police Service includes counter-terrorism and post-blast courses.*



# 1,448

convictions of  
firearms traffickers in  
ATF cases in 2005





# Violent Crime Involving Firearms



is committed to the reduction of gun violence, one of the Nation's top domestic law enforcement priorities. The men and women of ATF are the front line in protecting the Nation and carrying out this important mission.

During FY 2005, ATF's efforts resulted in the initiation of 28,526 firearms investigations. The criminal suspects investigated by ATF in FY 2005 include members of street gangs, outlaw motorcycle gangs, and white supremacist organizations, as well as firearms and narcotics traffickers. The collaborative efforts of Federal, State, and local law enforcement agencies nationwide have contributed to significant decreases in violent firearms crime over the last several years. ATF is the lead Federal

agency in these efforts, actively initiating investigations against violent offenders and firearms traffickers and providing key services to its law enforcement partners and the firearms industry.

## Enforcing Federal Firearms Laws

This strategic objective involves the development and strategic deployment of focused activities that lead to the investigation, arrest, and prosecution of violent offenders, persons prohibited from possessing firearms, domestic and international firearms traffickers, violent gangs, and others who attempt to illegally acquire and misuse firearms.

## *Project Safe Neighborhoods*

The President's Project Safe Neighborhoods (PSN) initiative, led by the Department of Justice, is tailored toward the needs of the communities in each U.S. Judicial District across the country. In FY 2005, ATF continued to fight violent firearms crime by focusing on investigating firearms traffickers, armed career criminals, and prohibited possessors; effectively regulating the firearms industry to prevent firearms diversion; and discouraging firearms violence through outreach efforts.

In the first 4 years of PSN, this initiative to target gun crime and violent offenders has contributed to nearly a 50 percent drop in firearms-

related violence. PSN integrates core elements from the most effective regional strategies and applies them to a national gun violence reduction plan, emphasizing partnerships, strategic planning, training, community outreach, and public awareness.

### ***Armed Violent Criminal Apprehension***

ATF's armed violent criminal apprehension efforts under the direction of the Department of Justice seek to identify, investigate, and recommend the prosecution of a wide range of firearms offenders: career criminals who use firearms;

individuals who are actively involved in armed violent criminal activities or armed drug trafficking; and other categories of prohibited persons in possession of firearms (e.g., convicted felons, fugitives from justice, illegal aliens, and individuals convicted of certain domestic violence misdemeanors or subject to qualified domestic violence restraining orders). In FY 2005, ATF-led investigations resulted in the conviction of 8,353 defendants for firearms-related offenses.

Forty-nine percent of the defendants convicted in 2005 were prohibited persons in possession of firearms. ATF had a 170 percent increase in the number of defendants referred for prose-

cution as prohibited persons from FY 2000 to FY 2005. Four percent of the firearms defendants convicted in 2005 were armed career criminals. Over the same 5 years, ATF also saw a 209 percent increase in the number of defendants referred for prosecution under 18 U.S.C. § 924(e), the armed career criminal statute, which mandates a minimum mandatory fifteen-year sentence.

### ***Violent Crime Impact Teams (VCIT)***

In FY 2004, ATF led a Department of Justice pilot program in 15 cities that drew on the combined resources of DOJ and State and local law enforcement officials. Through ATF's VCIT initiative, teams of special agents from ATF, the DEA, and the U.S. Marshals Service worked with local police officers in targeted areas of cities having a high volume of firearms crimes. With the support of the U.S. Attorneys' offices and State attorneys' offices, the VCITs worked to make these cities safer through aggressive investigation and prosecution of those individuals responsible for committing violent crime.

In FY 2005, ATF conducted a review of the VCIT pilot phase (6-month pilot period from June 2004 to November 2004) and found astounding results. Over the review period, firearms homicides decreased 17 percent for all 15 targeted areas and decreased 33 percent



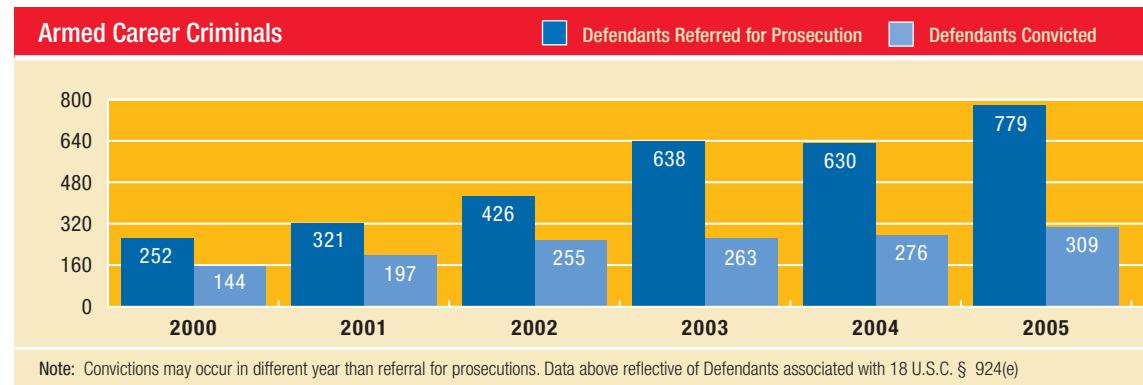
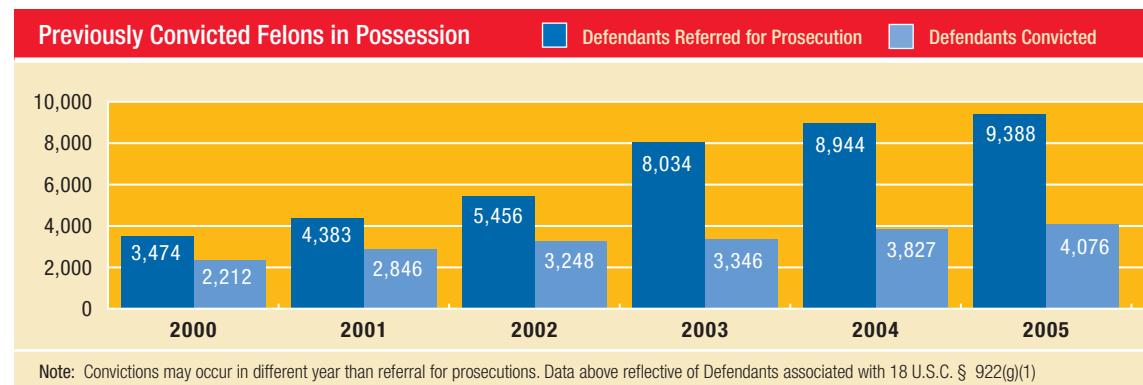
in 13 of the 15 targeted areas. Further data from the Uniform Crime Report shows that this innovative program contributed to the first decline in homicides in 4 years. In the 15 pilot cities alone, there were 180 fewer homicides committed in 2004 than in 2003,

representing 46 percent of the overall decrease in homicides nationwide.

On February 28, 2005, Attorney General Alberto Gonzales, speaking at Stanford University, said: "The President's Project Safe Neighborhoods, which coordinates the efforts

of Federal, State, and local law enforcement to stamp out crimes committed with guns, has been a key reason for that success, and an example of the cooperation the President has demanded. So is our latest Project Safe Neighborhoods inspired initiative, Violent Crime Impact Teams. The VCIT initiative has shown how we can fight crime better, expand freedom, and open new opportunities in communities. To date, our ATF-led Violent Crime Impact Teams have moved into 15 cities in need of anti-crime reinforcements. These teams also include DEA agents; Deputy U.S. Marshals; State troopers and county sheriffs; probation officers; and Federal and State prosecutors. Working together, they have taken the most violent and most dangerous offenders off our streets."

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Working with the Department of Justice, ATF successfully planned and directed the expansion of VCIT into seven additional cities, including Baton Rouge, Louisiana, following Hurricane Katrina, and Laredo, Texas, to combat burgeoning cross-border violence. From the program's inception to the end of FY 2005, teams made more than 7,400 State and Federal arrests and recovered more than 6,200 firearms. Over 1,000 of those arrested were identified as "the worst of the worst" violent criminals in their communities. In FY 2006, the total number of VCIT cities is scheduled to increase to 25.

## VCIT

In October 2004, as part of the VCIT strategy in Columbus, Ohio, ATF worked with the United States Marshals Service



and local law enforcement authorities to conduct numerous investigations involving violent

street level firearm and narcotic traffickers. This initiative relied heavily upon undercover purchases of firearms and drugs and culminated in the Federal indictment and arrest of 70 individuals. Most of those charged are facing 5-year minimum, mandatory sentences, with several facing possible life in prison, on firearm and drug charges. The Columbus VCIT also employed a patrol-based strategy in conjunction with the Special Response Bureau and the Patrol Section of the Columbus Division of Police. This initiative resulted in the arrest of 465 individuals for drug and firearm related charges. In addition, 63 fugitives were arrested and 443 firearms were recovered, along with approximately 5 kilograms of crack cocaine, 90 kilograms of marijuana, and over \$23,000. Additionally, nine individuals previously identified by the VCIT as the "worst of the worst" were also arrested.

## Illegal Firearms Trafficking Enforcement

The goal of ATF's illegal firearms trafficking enforcement efforts is to reduce violent crime by identifying, investigating, and arresting individuals who illegally supply firearms to others prohibited from possessing them and to deter the diversion of firearms from lawful commerce into the illegal market. In FY 2005, ATF referred 3,253 defendants for prosecution in firearms trafficking investigations. This represents a 10 percent increase over FY 2004. Correspondingly, ATF investigations resulted in the conviction of 1,448 firearms traffickers in 2005, an increase of 14 percent over the previous fiscal year.

Internationally, ATF works with other agencies to prevent U.S.-sourced firearms from reaching the hands of drug traffickers, organized criminals, and terrorist organizations. ATF enforces the import provisions of the Arms Export Control Act, administers and enforces the import provisions of the Gun Control Act and the National Firearms Act, and approves registered firearms for export under the National Firearms Act. ATF works closely with U.S. Customs and Border Protection to monitor imports and exports of firearms, ammunition, and other defense articles to ensure that their international movement is consistent with the law.

Historically, ATF's international enforcement

programs have worked to combat international firearms and explosives trafficking, primarily in the western hemisphere. ATF participates in a number of international policy forums such as the Cross Border Crime Forum with Canada, and the Senior Law Enforcement Plenary sessions with Mexico, to address firearms trafficking problems and other significant policy issues common to the United States and its neighbors. In FY 2005, ATF expanded upon relationships with our international partners by establishing an Assistant Country Attaché office in Toronto, Canada, and training more than 500 Mexican law enforcement officers in firearms and explosives identification. ATF was instrumental in obtaining Integrated Ballistic Identification System (IBIS) technology for Mexico, and ATF firearms and toolmark examiners provided the necessary training to the Mexican forensic lab technicians. ATF assisted the Mexican Attorney General's office with the establishment of a weapons database that is frequently used by law enforcement to query for suspect guns. On October 20, 2005, Director Truscott met with the U.S. Ambassador, the Mexican Attorney General, and several Mexican law enforcement officials. After these meetings, each partner issued a joint statement pledging to combat the flow of illegal firearms into Mexico and aligning together against the criminal gangs involved in illegal firearms trafficking.

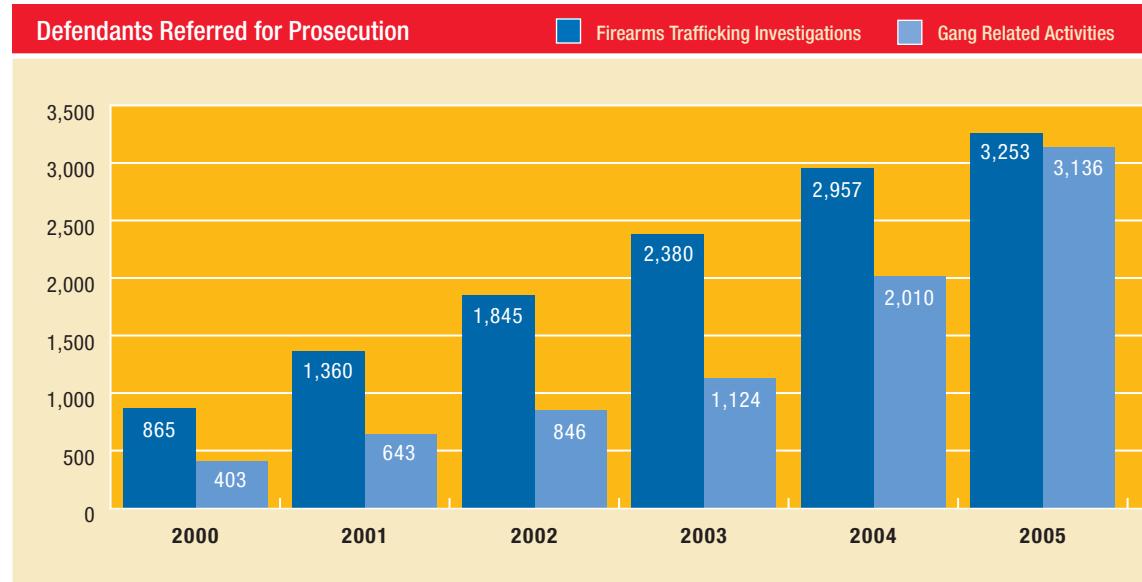
## Gang Strategy

ATF's strategy in combating gangs continues to rely on partnering with local law enforcement and targeting the most egregious violent criminals, using a multi-disciplined approach to attack violent crime by applying the appropriate investigative strategies and Federal statutes, from the Racketeer Influenced and Corrupt Organizations Act (RICO) to the Armed Career Criminal statute. ATF employs a comprehensive law enforcement approach, including prevention,

community outreach, training, intelligence gathering and analysis, and advanced investigative techniques, and coordinates these resources to ensure that they are appropriately utilized in those communities most impacted by gang violence. Across the country, ATF referrals for prosecution of gang-related defendants have surged more than 50 percent, from 2,010 in FY 2004 to 3,136 in FY 2005. Gang-related convictions have increased at an even greater pace, up by 77 percent—resulting in the removal of 1,199 gang members from our communities.

In August 2005, ATF agents worked with their Federal, State, and local counterparts in an operation against members of La Mara Salvatrucha, or MS-13, in Baltimore, Maryland. In the course of the operation, 19 defendants were arrested on charges including murder, kidnapping, robbery, and obstruction of justice. These defendants were indicted on RICO conspiracy charges, marking the first time this statute was used in the Judicial District of Maryland against this increasingly violent national gang.

## National Integrated Ballistic Information Network (NIBIN)



Through its National Integrated Ballistic Information Network (NIBIN) Program, ATF deploys IBIS equipment in Federal, State, and local law enforcement agencies for their use in imaging and comparing crime gun evidence. IBIS equipment allows firearms technicians to acquire digital images of the markings made by a firearm on bullets and cartridge casings; the images then undergo automated initial comparison. If a high-confidence candidate emerges, firearms examiners compare the original evidence to confirm a match. By minimizing the amount of non-matching evidence that firearms examiners must inspect to find a confirmable match, the NIBIN system enables law enforcement agencies to discover links between crimes more quickly, includ-

## NIBIN

**Use of the NIBIN system by a local police department in North Carolina and Federal law enforcement officials assisted in the Federal prosecution and conviction of a felon involved in a shooting and in firearms trafficking. The local police department responded to the scene of a shooting where the suspect was driving a vehicle with two women passengers. The suspect and the driver of another vehicle got into an argument and began firing at one another. The suspect drove away, and local police attempted to stop the vehicle. The suspect refused to stop, wrecked the car and fled on foot. Both women told police they did not know the suspect's identity. Police recovered casings at the scene of the shooting and imaged them into NIBIN. Sixteen months later, a Federal task force investigating firearms trafficking obtained a pistol from a suspected "straw" or unlawful firearms purchaser. The pistol was test fired and imaged into NIBIN, resulting in a link to the earlier shooting. Task force members traced the pistol to the suspect in the shooting 16 months prior. They found that the suspect was a multi-convicted felon. One of the women confirmed that the suspect was in possession of the pistol at the time of the shootout. The suspect was convicted in Federal court and sentenced to nearly four years in prison.**

ing links that would have been lost without the technology. In funding and supporting this program, ATF provides Federal, State, and local law enforcement agencies with valuable access to an effective intelligence tool. The system also makes it possible to share intelligence across jurisdictional boundaries, enabling Federal, State, and local law enforcement agencies to work together to stop violent criminals. NIBIN is presently sharing ballistic information with the Canadian Integrated Ballistic Information Network (CIBIN) as part of a cross-border firearms initiative. In the near future, sharing ballistic information between NIBIN and CIBIN will be done electronically, on a real time basis.

The NIBIN Program currently has 228 sites that have received IBIS equipment. There are 182 agencies participating, and every major population center has access to ballistic imaging technology. Since ATF and its partner agencies began to use this technology, some 942,286 crime scene evidence pieces have been entered, and 12,846 "hits" have been logged, many of them yielding investigative information not obtainable by other means. During FY 2005, NIBIN partner sites acquired 180,729 images and confirmed 3,426 hits on the system. During FY 2004, NIBIN partner sites acquired 160,890 images and confirmed 2,605 hits on the system. These numbers represent an 11 percent increase in image acquisitions into the database and a

24 percent increase in the number of hits confirmed on the system during FY 2005.

## Firearms Tracing

The National Tracing Center (NTC) is the Nation's only firearms tracing facility. The NTC provides investigative leads that assist international, Federal, State, and local law enforcement agencies in the fight against violent crime and terrorism and enhance public safety. The NTC also manages a number of associated programs to support firearms tracing and criminal investigations that involve firearms and firearms related crimes. Programs and services provided include the following:

**Firearms Tracing** is the systematic tracking of the movement of a firearm recovered by law enforcement officials from its first sale by the manufacturer or importer through the distribution chain (wholesaler/retailer) to the first retail purchaser. In FY 2005, ATF conducted more than 260,000 firearms trace requests. ATF prioritizes trace requests so that information is available to investigators in particularly urgent cases.

**eTrace** is a Web-based software application that assists law enforcement agencies in proper identification of firearms, and ensures that trace submissions are processed accurately and expedi-

tiously. To ensure that the greatest benefit is provided, the eTrace program was designed, developed, tested, and piloted with the assistance of a consortium of law enforcement agencies. In 2005, the number of law enforcement agencies using eTrace climbed to 411, with more than 2,700 registered users.

The **Stolen Firearms Program** manages firearms theft/loss reports from Federal firearms licensees, interstate shipments, and the military; makes notifications of thefts and firearms recoveries to ATF field offices and affected law enforcement agencies; and supports investigations of firearms thefts, the use of the National Crime Information Center (NCIC) gun file, and the analysis of theft

patterns. In the Obliterated Serial Number Program, ATF researches and analyzes firearms with obliterated serial numbers and patterns of recoveries to facilitate the tracing process and to develop investigative leads.

**ACCESS 2000** is a partnership between ATF and firearms industry members, such as importers, manufacturers, and wholesalers. It provides the NTC with online access to firearms disposition records from active Federal firearms licensees, to assist in tracing and tracking of crime guns and the apprehension of individuals involved in the illegal sale of firearms.

**Crime gun analysis** is a vital tool to support enforcement initiatives in the field, including

VCIT and PSN. ATF collects, analyzes, and disseminates criminal intelligence information for the purpose of reducing violent crime. In 2005, the Violent Crime Analysis Branch generated 3,779 various reports. ATF provides Federal, State, local, tribal, and international law enforcement agencies with useful and accurate crime gun information within their jurisdiction for the purpose of identifying, interdicting, and prosecuting the sources of crime guns to the criminal

*(Left) ATF Industry Operations Investigators inspect a firearm at a local Federal Firearms Licensee. (Center) A Firearms and Toolmark Examiner examines ballistic evidence to help solve a crime. (Right) ATF Industry Operations Investigators check inventory at a Federal Firearms Licensee.*



# 8,353

convictions in 2005  
of defendants  
arrested by ATF for  
firearms offenses

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element and juveniles, as well as domestic and international firearms trafficking.

### *Brady Act Enforcement Strategy*

The Brady Handgun Violence Prevention Act (Brady Act) requires a check through the National Instant Criminal Background Check System (NICS) for the purchase of every firearm by a non-licensee from a Federal firearms licensee (FFL). While the NICS record check process is performed by the FBI, ATF investigates and enforces Brady Act violations. Under 18 U.S.C. § 922(t), with limited exceptions, a licensee is prohibited from transferring a firearm to an unlicensed person unless the licensee contacts the NICS system and receives a response that he may proceed, or receives no response and 3 days have elapsed since contacting the system. ATF's Brady Operations Branch serves as the liaison with the FBI on NICS matters, responds to FFL inquiries and concerns regarding NICS, and analyzes data from NICS denials to identify firearms trafficking trends. As the lead agency for the enforcement of Federal firearms laws, ATF focuses on prohibited individuals who have obtained or who attempt to obtain firearms from FFLs.

In 2005, ATF field divisions coordinated with the U.S. Attorney's Offices (USAO) from each of the 94 U.S. Judicial Districts to establish new referral criteria for Brady Act violators. The new

criteria provide tailored referrals that meet each USAO's specific prosecutorial guidelines. The result is a more efficient referral process and more productive investigations.

### **Increasing the Rate of Compliance with Firearms Laws and Regulations**

This strategic objective involves the development and deployment of regulatory programs and technology as part of a comprehensive approach to ensuring compliance of industry members to protect the American public.

### *Federal Firearms Licensee Inspections*

Inspections of FFLs are conducted to verify that FFLs are complying with the provisions of the Gun Control Act (GCA) and its implementing regulations, and to detect and prevent the diversion of firearms from legal to illegal commerce. Compliance with the GCA by the firearms industry is essential to assist with nationwide crime control and public safety efforts. During FY 2005, ATF industry operations investigators conducted 11,011 firearms compliance and application inspections. As an added benefit, inspections educate FFLs on the rights and responsibilities associated with conducting a firearms business.

In FY 2005, ATF conducted 3,083 inspections employing a streamlined inspection program designed to identify and examine FFLs that pose the most significant threat of being used by traffickers, as well as those FFLs that are in violation of the law and responsible for the criminal diversion of firearms. These inspections resulted in 1,110 law enforcement referrals; 493 prohibited sales violations (including sales to underage persons or prohibited categories of persons); 3,601 NICS violations; 1,663 unreported multiple sales violations; and 11,086 inventory discrepancies. Inspections resulted in over 700 firearms licensees having violations meriting serious administrative action. Referrals were also made to ATF law enforcement for criminal investigation.

ATF inspections of FFLs have played a vital role developing important firearms trafficking

cases. One such case involved a referral made by industry operations investigators (IOI) to special agents about two individuals who were making suspicious purchases. These individuals were later found to have ties to a known Mexican cocaine smuggling organization that was trafficking narcotics from Mexico through the Rio Grande Valley. Both were suspected to have trafficked more than 20 Alexander Arms, Beowulf, .50 caliber rifles. These rifles are prized by the Mexican drug cartels due to their ability to penetrate engine blocks and armored glass. Investigations are continuing in the case.

ATF works closely with the firearms industry to identify internal control weaknesses in business operations that could lead to the diversion of firearms from legal to illegal sources. These internal control assessments often involve a variety of voluntary actions the licensees can take outside of the regulations, such as training employees to identify firearms trafficking indicators and “straw purchases.” Straw purchases are the acquisitions of firearms from an FFL by an individual (the straw), on behalf of another person, for the purpose of concealing the identity of the true purchaser—a person either prohibited from lawfully acquiring a firearm themselves or otherwise unwilling to have their name associated with the firearm transaction. Other internal control assessments may include FFLs reviewing ATF Forms 4473 to ensure that all information is

properly recorded and that sales are not inadvertently made to prohibited individuals; taking frequent inventories to ensure accountability of product; and implementing security measures to safeguard firearms from theft or loss.

Once ATF conducts a warning conference with a licensee relating to violations of the law or regulations, ATF performs a recall inspection the following year to ensure that the licensee is complying with Federal laws and specific record keeping regulations. In FY 2005, ATF conducted 558 recall inspections. A comparison of the previous inspection results with the recall inspection results showed a 90 percent reduction in inventory discrepancies, an 86 percent decrease in prohibited sales, and a 77 percent reduction on other types of violations. This increase in compliance levels shows the value of not only the ATF inspection program, but the effective partnership ATF is able to foster with licensees to better protect the American public by preventing the diversion of firearms from legal commerce.

During ATF's firearms inspections, the Bureau found that 306 of the 3,083 Federal firearms licensees had 12,274 missing or stolen firearms. The vast majority of these missing or stolen firearms – 11,640 of the 12,274 – were found at 97 licensees. As described above, in each of these types of cases with serious firearms discrepancies, ATF works closely with the industry to identify internal controls weaknesses and to enable indus-

Bringing FFLs into Compliance			
	Initial Inspection	Recall Inspection	Change
<b>Recall Inspections</b>	326	326	N/A
<b>Inventory Discrepancies</b>	2,760	279	-90%
<b>Prohibited Sales</b>	675	95	-86%
<b>Instances of Violations<sup>1</sup></b>	35,152	8,139	-77%

<sup>1</sup> Instances of violations percentage change is a performance measure

try to more readily detect unaccounted firearms, and where appropriate ATF initiates administrative actions such as warning conferences or revocation proceedings.

### **National Firearms Act Enforcement**

The National Firearms Act (NFA) requires that firearms makers, importers, and manufacturers register the NFA firearms they make or import and that NFA firearms transfers be approved in advance by ATF. The NFA also imposes a tax on the making and transfer of NFA firearms and requires manufacturers, importers, and dealers to pay a special occupational tax. Firearms requiring registration and payment of a transfer or making tax include machineguns, silencers, short-barreled rifles and shotguns, destructive devices, and certain concealable weapons classified as "any other weapons." ATF processes all applications to manufacture, transfer, and register NFA firearms and notices of NFA firearms manufactured or imported. The registration information is captured in the National Firearms Registration and Transfer Record (NFRTR), and is used to support ATF's field efforts to inspect firearms licensees and conduct criminal investigations. As of November 30, 2005, there are 1,762,948 firearms registered with the NFA branch. From January 1, 2005, through November 30, 2005, the branch processed

150,913 applications to make, register, or transfer NFA weapons. ATF also continually provides technical information to the industry and the public concerning compliance with the NFA.

### **Importation of Firearms**

ATF regulates the importation of firearms, ammunition, and other defense-related articles through the issuance of import permits. ATF also regulates the importation of firearms and ammunition by non-immigrant aliens. It also maintains close liaison with the Department of State and U.S. Customs and Border Protection, under the Department of Homeland Security, to ensure that the permits issued do not conflict with the foreign policy and national security interests of the United States. During FY 2005, ATF processed 10,758 and 6,464 applications for the permanent and temporary importation of firearms, ammunition, and implements of war, respectively.

### **Preventing Firearms Violence Through Community Outreach**

Effective enforcement and regulatory efforts to reduce firearms violence require partnerships within the law enforcement community and with members of the firearms industry and the public. ATF participates in a variety of outreach activi-

ties with these groups throughout the country. Industry and consumer awareness is an important element of public safety and is a vital component in fostering an environment conducive to reducing violent firearms crime.

### **ATF Partnerships with the Firearms Industry**

ATF is committed to keeping members of the regulated firearms community abreast of statutory, regulatory, and policy changes that may affect their day-to-day operations, and uses several vehicles to achieve these critical goals. During 2005, ATF published and mailed seven open letters to importers of firearms, ammunition, and other regulated commodities to advise them of important issues that could impact their operations. ATF also published pertinent articles in its semi-annual FFL Newsletter and conducted seminars for licensees at various locations.

### **Don't Lie for the Other Guy**

*Don't Lie for the Other Guy* is a successful outreach program developed jointly by ATF and the National Shooting Sports Foundation (NSSF) as a result of findings in the "Following the Gun" report of 2000. Designed to train Federal firearms licensees in the detection and avoidance of illegal straw purchases, *Don't Lie for the Other*

Guy also educates the public about the serious consequences of being involved in straw purchases.

To date, ATF and NSSF have conducted more than 43 “Partnership for Progress Seminars” for thousands of Federal firearms licensees in which *Don’t Lie for the Other Guy* has been the cornerstone of the presentation. Retailers attending these seminars view a video and are exposed to the methods straw purchasers commonly use to illegally obtain firearms for someone who may be prohibited.

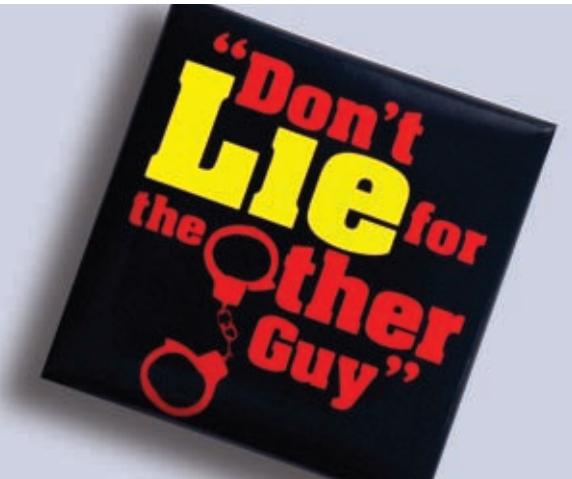
The retailer education kit, which has been distributed to more than 20,000 firearms retailers and to gun show promoters and pawn shops, supports the program’s intent of deterring illegal

purchases. In FY 2005, the National Shooting Sports Foundation shipped more than 5,400 retailer kits. Overall, the *Don’t Lie for the Other Guy* message has reached an estimated 60 million people through this partnership with industry.

*Don’t Lie for the Other Guy* was expanded and placed under the umbrella of Project Safe Neighborhoods, incorporating additional outreach efforts designed to warn the public that participating in a straw purchase is a felony. This public awareness component sends *Don’t Lie for the Other Guy* representatives to ATF-targeted areas to encourage retailers to participate in the program. At the same time, community residents in these selected areas are made aware of the program’s message through billboard advertising,

radio, and TV public service announcements with U.S. Attorneys, and through media coverage of press conferences attended by U.S. Attorneys, ATF, law enforcement, and elected officials. The combination of the retailer education and public awareness components make for a highly visible, powerful message to deter straw purchases.

(Left) A future ATF Special Agent talks with current Special Agents while checking the fit of special gear during the 2005 Department of Justice Kids Day event in Washington, DC. (Center) A pin with the “*Don’t Lie for the Other Guy*” campaign logo. (Right) ATF Industry Operations Investigators conduct inventory during the inspection of a Federal Firearms Licensee.



# 3,693

explosives investigations  
being conducted by  
ATF in 2005





# Explosives- and Fire-Related Crimes



is the Federal agency primarily responsible for administering and enforcing the regulatory and criminal provisions of Federal laws pertaining to destructive devices (bombs), explosives, and arson. ATF has unique expertise in the investigation of fire, arson, and explosives incidents, and shares this expertise with other Federal, State, local, and foreign law enforcement and fire service agencies. Criminal acts that involve explosives or fire put a significant responsibility on law enforcement and ATF is committed to providing state-of-the-art resources to other Federal, State, local, and foreign law enforcement and fire service agencies to assist in deterring or investigating such acts.

ATF's arson and explosives programs and specialized resources are a demonstration of this commitment. These resources draw on ATF's technical knowledge and its expertise in crime scene investigation to promote law enforcement readiness and innovation. They include the National Response Team, certified fire investigators, certified explosives specialists, explosives enforcement officers, and canine teams. Training is a key component to law enforcement readiness and ATF is fully committed to training its criminal investigators to safely respond to any explosives incident or fire scene and conduct a thorough, comprehensive investigation.

ATF's enforcement mission is supported by its efforts to ensure that qualified and legitimate

applicants enter the explosives industry and that licensees employ proper recordkeeping and business practices to help prevent thefts, explosives incidents, and the acquisition of explosives for criminal purposes. ATF works closely with public safety officials, explosives industry members, and State governments to provide guidance and instruction on all aspects of the explosives laws, including the Safe Explosives Act, in an effort to make regulation less burdensome and to promote compliance with Federal regulations.

# 20,536

**defendants recommended  
by ATF for prosecution  
on violations of firearms,  
explosives, arson, alcohol,  
or tobacco laws**

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## **Enforcing Federal Explosives Laws**

ATF protects the Nation from criminal acts through the vigorous application of its specialized explosives and arson assets. These include the National Response Team (NRT) and International Response Team (IRT) Programs; the Certified Explosives Specialist (CES) and Certified Fire Investigator Programs (CFI); and specialized positions such as Explosives Enforcement Officers (EEO); forensic chemists; engineers; forensic auditors; industry operations

investigators; and criminal behavioral analysts, or profilers.

### ***National Response Teams***

ATF's National Response Team (NRT) brings expertise to the investigation of fire and explosives incidents. The NRT is designed to bring together all of ATF's expertise and experience to work alongside State and local officers 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, assisting with the ensuing investigation, and providing expert court testimony.

The NRT is made up of four regional teams. Each regional NRT can respond to an incident within 24 hours and comprises veteran special agents having post-blast and fire origin and cause expertise, including CFIs, CESs, forensic chemists, EEOs, fire research engineers, and accelerant and explosives detection canines. Further complementing the team's efforts are intelligence and audit support, and technical and legal advisors. All 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 39 fully equipped response vehicles provides logistical support.

Since its inception in 1978, the NRT has responded to more than 600 fires and explosion

incidents, including Oklahoma City and the terrorist incidents at the World Trade Center. In FY 2005, the NRT responded to 11 incidents. These incidents included ATF's NRT response to: a building under construction in Edmonds, Washington, that caused an estimated \$13 million in damages; a fire at the Evangelical and Reformers United Church of Christ in Waukesha, Wisconsin, resulting in an estimated \$4.5 million in damages; an investigation of an apartment building fire in Lawrence, Kansas, that killed three people and injured 18 others; a fire at a wine and dry goods distribution center in Vallejo, California, that caused an estimated \$50 million in damages; and a restaurant fire in Fort Scott, Kansas, that resulted in an estimated \$10 million in damages.

### ***International Response Teams***

ATF brings the full weight of its explosives expertise to the investigation of explosives and fire incidents overseas through its International Response Team. Modeled after ATF's highly acclaimed National Response Team, the IRT consists of ATF's most experienced investigators, technicians, and forensic experts. The team is deployed at the request of the State Department. Since 1991, the IRT has deployed 26 times to incidents such as vehicle bombings in Peru and Macedonia, explosions in Argentina targeting

the Israeli Embassy, and other incidents in El Salvador, Ecuador, Surinam, Pakistan, Grenada, and Korea. In July 2005, the IRT assisted with the investigation of fires that occurred at a boys' school in Grenada.

### Certified Fire Investigator Program

ATF's Certified Fire Investigator Program consists of special agents who have undergone an extensive 2-year training program designed to educate them in the field of advanced fire scene examination, with emphasis on modern principles of fire dynamics. The certified fire investigators (CFI) serve as ATF's primary resource in fire-related matters. They conduct fire scene examinations and render origin and cause determinations on behalf of ATF; provide expert testimony on fire scene determinations; 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; lend technical guidance in support of field arson investigative activities; conduct arson-related training for ATF special agents and other Federal, State, and local fire investigators; and conduct research and identify trends and patterns in fire incidents. In FY 2005, there were 4,123 arson investigations. The following cases illustrate the types of fire investigations that ATF conducted during FY 2005.

## FIRE INVESTIGATIONS

**Serial Arson Task Forces:** ATF investigators and forensic laboratory experts worked with a task force of investigators from Washington, DC, and Maryland to identify a serial arsonist in the Virginia/Washington, DC/Maryland area. On April 27, 2005, following a 22-month investigation, the task force arrested a suspect who admitted to setting at least 50 fires in the area. One of the fires resulted in the death of an 89-year-old woman. In June 2005, the suspect, a 50-year-old male from Southeast Washington, DC, pleaded guilty to multiple counts of arson and felony murder. In September 2005, he was sentenced to two consecutive life sentences, plus 136 years in prison.

**Investigations of Murders with Fire Involvement:** Fire, because it is so consuming, is often used to commit or attempt to conceal murders. In 2005, ATF CFIs and the National Laboratory collaborated to prove that a woman killed her husband and burned down the house. The local Sheriff's Department—recognizing inconsistencies in the woman's story—called ATF after a private insurance company investigator determined the fire was set by a heat lamp in the bathroom. After examining the scene and the burn patterns, CFIs ruled out the heat lamp as the cause and determined that the fire had originated near the bed in the master bedroom. ATF's Fire Research Laboratory constructed facsimiles of the burned portion of the residence, and along with the local District Attorney, conducted five test burns that showed patterns consistent with the CFIs' findings. The woman was convicted of murder and later pleaded guilty to arson and fraud.

**Accidental Fires:** Not all of the fires investigated by CFIs are determined to be arson fires. On March 1, 2005, a \$5 million loss was sustained when the 90,000-square-foot Primrose Assisted Living Facility in Billings, Montana, was destroyed by fire. The facility was under construction and about 65 percent completed when the fire occurred. CFIs examined the scene and helped to conduct a large number of interviews. They determined the fire was accidental—ignited by an unattended propane heater.



# **“Of all of the Federal law enforcement agencies, ATF alone is in the field or trenches on all explosives-related calls our Department responds to.”**

Arson and Explosives Programs Customer

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## *Certified Explosives Specialist Program*

In FY 2005, ATF conducted 3,693 explosives investigations. ATF brings multiple resources to these investigations, including certified explosives specialists (CES) and explosives enforcement officers (EEO).

The primary mission of the CES program is to enhance public safety through the enforcement of the Federal explosives laws, to provide credible explosives crime scene examinations, to lend expertise in support of security measures implemented at special events, and to assist ATF's law enforcement counterparts at the Federal, State, local, and international levels in their efforts to investigate explosives-related incidents.

ATF's CESs have developed expertise in post-blast analysis through years of experience in the field. The foundation on which they have built this expertise is their training, which consists of a multi-phase program that instills in them the requisite knowledge to ensure 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 improvised explosive devices. The following cases illustrate the types of explosives investigations that ATF conducted during FY 2005.

## *Explosives Enforcement Officers*

Just as the CESs are ATF's explosives investigation experts, explosives enforcement officers (EEO) are ATF's explosives technology experts. EEOs have extensive experience in explosives and bomb disposal. They render explosive devices safe and/or disassemble explosive and incendiary devices, prepare destructive device determinations, and give expert testimony in support of such determinations in State and Federal criminal court proceedings. EEOs provide expert analysis and onsite investigative technical assistance at bomb scenes and at scenes where explosions of an undetermined nature have occurred. Determining what constitutes an

explosive, incendiary, or destructive device under Federal explosives laws and the National Firearms Act involves highly technical examinations and analysis. EEOs routinely provide expert assistance and testimony in these areas. They 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.

### ***Safe Explosives Act Enforcement***

ATF enforces the Safe Explosives Act, which strengthened Federal explosives laws, expanded

explosives permitting provisions, and expanded the categories of persons prohibited from possessing explosives. In accordance with the Act, in FY 2005, ATF conducted 3,787 explosives compliance inspections. During these inspections, ATF industry operations investigators (IOI) found and had corrected 1,821 public safety violations at 135 of the inspection sites. Additionally, 365 violations were referred for further investigation by law enforcement personnel or other regulatory agencies. One of ATF's greatest strengths is this dual regulatory and criminal enforcement mission. Because ATF is uniquely responsible for regulating the explosives industry, ATF employees regularly interact with those who manufacture, sell, buy, store, and transport explosives in

the United States. This can be extremely valuable in investigations involving stolen explosives.

For example, in 2005, an ATF agent was working with an informant who knew of someone trading drugs for explosives. The ATF agent made an undercover purchase of approximately 20 pounds of high explosives, and ATF traced the materials to a major explosives manufacturer.

*(Left) An ATF Industry Operations Investigator (IOI) analyzes an explosives product to ensure accountability and compliance with regulatory requirements. (Center) An IOI examines an explosives product. (Right) ATF IOIs examine an explosives storage trailer for compliance with regulatory requirements.*



## EXPLOSIVES INVESTIGATIONS

**Task Force Investigations:** A drug dealer in the State of Washington attempted to intimidate a witness to prevent the man from testifying against him. The drug dealer drove past the witness's house and tossed pipe bombs at it, four of which exploded. The local ATF Arson and Explosives Task Force conducted interviews, investigated the scene, and examined the pipe bombs. On January 15, 2005, the drug dealer was sentenced to 4 years and 9 months in prison and 3 years of probation for attempting to intimidate the witness.

**Onsite Investigative Assistance and Explosives Evidence Handling:** The Wyoming Highway Patrol called ATF after making a traffic stop that led to an arrest. During a search of the vehicle and attached trailer, officers found narcotics and a box with a toggle switch. Eventually, nine pipe bombs were recovered from the vehicle, as well as counterfeit credit cards, drivers' licenses, and identification cards. An ATF CES worked with members of the County Bomb Squad to collect and preserve the evidence. In 2005, the two suspects were convicted of multiple charges, including possession of unregistered destructive devices, and were sentenced to 71 and 105 months in prison respectively.

**Onsite Explosives Destruction:** An ATF CES helped to find, identify, and destroy 29 active explosive devices that were discovered at the residence of a Florida man found to be in possession of methamphetamine. The CES, who was the first explosives expert at the scene, noted wires running throughout the residence and over and into the ground outside. The search revealed that the suspect had built an escape hatch in his home from which he could detonate explosive devices throughout the premises. Booby traps, homemade napalm, and a cooler containing the makings of improvised high explosives



were found at the scene. Local bomb squad members were rendering the devices safe when one functioned as designed, causing an explosion and fire. Fortunately, no injuries resulted from this detonation. For safety reasons, the remaining devices were completely destroyed. The CES and local bomb squad members spent 3 days collecting evidence and destroying the devices. The suspect pleaded guilty to multiple Federal charges relating to drugs and explosives, and in April 2005 was sentenced to 45 years in prison.

At about the same time, an ATF IOI examining the manufacturer's records noted that they appeared inaccurate and possibly falsified. A review of documents seized in a subsequent search warrant revealed that an employee had created fraudulent bills of lading in an effort to cover for high explosive material shortages that he discovered during magazine inventories. He created fictitious documents to cover for the loss of more than 17,000 pounds of explosive materials over the course of 14 months. This cooperative effort resulted in charges against the company and the employee, who pleaded guilty to criminal charges.

## Increasing Compliance With Explosives Laws and Regulations

### *Explosives Inspections*

ATF explosives inspection efforts focus on ensuring accountability and preventing diversion of explosive materials from legal to illegal sources. This is accomplished by employee interviews, explosives inventories and record audits, evaluation of industry members' internal controls, and by partnering with the industry to take voluntary measures to help safeguard explosive materials. For example, ATF provides explosives industry members with a vulnerability assessment tool in

**“We briefed a three-story apartment fire on Thursday morning; we had a written report — the complete report — in hand Saturday morning and our arsonist in hand Monday morning [arrested]. We were very pleased.”**

National Response Team Customer

the form of a security checklist that can be used to help ensure that explosive materials and their precursors are properly safeguarded. Some of these security measures include ensuring that access to the keys to magazines is restricted to essential personnel; ensuring that all magazine keys are accounted for; conducting frequent inventories; and training security personnel for emergency situations. Industry operations investigators also protect the public by ensuring that explosives are stored safely in accordance with security/construction requirements and table of distances to public highways, inhabited buildings, and other features. In 2005, 3,787 compliance inspections were conducted, and 1,890 inspections of new applicants were conducted.

### ***Safe Storage***

In 2005, ATF increased its efforts to examine and monitor the storage of explosive materials. ATF enjoys an excellent working relationship with the International Association of Bomb Technicians and Investigators (IABTI) and the National Bomb Squad Commanders Advisory Board (NBSCAB). In 2005, ATF began working with these partners on voluntary explosives magazine inspections, determining locations of explosives storage magazines, and advising State and local agencies on the proper storage of explosives materials. ATF also assisted with the Government Accountability Office (GAO) review of Federal, State, and local law enforcement agencies that store explosives.

### ***“America’s Security Begins With You”***

In 2005, ATF continued its efforts through the Explosives Threat Assessment and Prevention Strategy (ETAPS). The ETAPS program was instituted in 2004 as an increased outreach effort with the regulated explosives industry, as well as retailers of non-regulated commodities such as ammonium nitrate. In 2005, ATF held meetings with State fertilizer control officials and distributed “America’s Security Begins with You” materials, through the field divisions, to ammonium nitrate outlets throughout the country. ATF also conducted meetings with chemical company industry groups attempting to implement voluntary measures similar to “America’s Security

Begins with You"; continued discussions with explosives industry groups to firm up security issues and ask for voluntary security controls outside of the mandatory regulatory controls; and began to develop an explosives industry publication encouraging best business practices to reduce explosives thefts.

### **Preventing Loss**

In 2005, ATF also worked with the Institute of Makers of Explosives (IME) and the International Society of Explosives Engineers (ISEE) and took steps to eliminate explosives losses by examining issues pertaining to the inventory, security, and control of bulk products, including ammonium



*(Left) ATF Fire Research Technicians prepare to extinguish a test fire under the direction of one of seven Fire Research Engineers who support ATF fire investigations using a variety of analytical methods and full-scale simulations at the ATF Fire Research Laboratory. (Center) A Certified Fire Investigator examines charred rubble at a fire scene. (Right) ATF National Response Team members survey a fire scene.*

nitrate. This project will continue into the future and is expected to expand to packaged products as well. These agencies/associations have also been working together to complete an ATF publication titled "Safety and Security of Explosives Materials for Explosives Licensees and Permittees." ATF, IME, and ISEE are working together to increase safety and security and to examine new explosives identification and tracking technologies as they become available.

### **Fostering Innovation and Cooperation in the Fire and Explosives Investigation Community**

ATF works with a variety of customers in providing services such as the NRT, and in providing guidance and advice to our arson programs customers and explosives industry members. A 2005 survey found that customers of ATF's programs and services are generally highly satisfied with ATF and want more of what they are receiving: training, programs, agents, and other ATF expertise.

## ***Arson and Explosives Advisories to Law Enforcement***

ATF communicates with the fire and explosives investigation community through arson and explosives advisories. Each week, an advisory is sent out that provides information on ATF's arson and explosives investigative activity. The advisories are e-mailed to more than 600 Federal, State, and local law enforcement agencies. ATF also publishes explosives theft advisories and periodic advisories highlighting specific or emerging threats to public safety or the bomb technician community. In 2005, ATF published 65 general advisories, seven theft advisories, and eight special advisories to alert law enforcement to potential threats. The special advisories covered topics such as the blast effects of a non-pressure liquid tank (e.g., fuel tankers), foreign explosives, and organic peroxide explosives.

## ***National Consolidated Incident Repositories***

In FY 2005, ATF continued deployment of the Bomb Arson Tracking System (BATS), used as a case management system by Federal, State, and local agencies investigating arsons, bombings, and other explosives incidents. ATF developed BATS to allow law enforcement agencies to track their own investigations and share information

with other jurisdictions easily and quickly to help solve arsons and bombings, and determine national trends and patterns. In FY 2005, ATF added 350 new users and 4,686 incidents to the system. In FY 2005, BATS had a total of 1,439 subscribers from 668 law enforcement agencies.

The BATS system provides an electronic gateway for Federal, State, and local law enforcement and fire service officials to access the information collected in ATF's U.S. Bomb Data Center (formerly the Arson and Explosives National Repository), the repository for all domestic bombing incidents. The Center, with an information management system containing more than 110,000 arson and explosives incidents, provides intelligence to ensure the highest degree of investigative coordination throughout the law enforcement community. The Center also supports CESs and EEOs who are assigned to the Combined Exploitation Cells (CEXC) in Iraq. This information is obtained from Federal, State, and local fire service/law enforcement incident reports, bomb technicians, and explosives investigators. ATF also serves as secretary of the International Bomb Data Center Working Group. The group's diverse membership includes England, Australia, Singapore, Philippines, Hong Kong, and Malaysia.

## ***International Information Sharing through DFuze***

In FY 2005, ATF further distributed the international bombing incident program DFuze. This database allows international law enforcement agencies to compare and exchange information on explosives incidents via encrypted messages about incidents, groups or individuals involved, vehicles used, power sources, initiation system, and firearms. DFuze was developed in partnership with the New Scotland Yard Bomb Data Centre and is already in use in the United Kingdom. Embassies in Mexico City, Mexico, and Bogotá, Colombia, are equipped with DFuze, as are several law enforcement agencies in those countries, to help combat the terrorist misuse of explosives worldwide. In FY 2005, new users include Hong Kong and Singapore, with the United Kingdom greatly expanding DFuze usage throughout its member countries.

# 156,000

Cigarette orders, packaged for delivery to recipients across the United States, that were taken in ATF's largest seizure involving sales of illicit cigarettes.





# Illegal Trafficking of Alcohol and Tobacco Products



enforces Federal criminal statutes that address the diversion of alcohol and tobacco products in avoidance of local, Federal, State, and/or foreign tax revenue, including the Contraband Cigarette Trafficking Act. Criminals, including organized crime groups and individuals with ties to terrorist organizations, have increasingly engaged in illegal trafficking of alcohol and tobacco products. The proliferation of large-volume trafficking across international borders and in interstate commerce to avoid taxes provides funding to terrorist organizations and more traditional criminal enterprises.

To address these problems, ATF conducts criminal and financial investigations and collabora-

rates with other law enforcement entities. Moreover, ATF provides training to other Federal, State, local, tribal, and foreign law enforcement entities to increase their proficiency in investigating these criminal groups.

## Enforcing Laws That Prohibit the Diversion of Alcohol and Tobacco Products From Legitimate Commerce

ATF is responsible for enforcing Federal criminal laws as they relate to alcohol and tobacco diversion. ATF's investigative efforts are directed at reducing the source of funding to criminal and

terrorist organizations. ATF's efforts stem the increasing loss of revenue to affected States and the Federal government. In 2005, ATF conducted the largest tobacco seizure in its history, measured in volume and value. Overall, in FY 2005, ATF achieved the highest level of seizures in its history, seizing currency valued at \$7.3 million and real property valued at \$2.1 million.

## *Alcohol and Tobacco Diversion Programs*

The incentive to evade cigarette taxes has risen dramatically along with tax rates, resulting in billions of dollars of lost revenue from cigarette smuggling, cigarette diversion, stamp counterfeiting, and Internet sales (currently more than

500 known sites). Current investigations have identified instances of terrorist groups forming alliances with tobacco traffickers to generate monies used to support their organizations and activities. Diversion activities often generate tremendous cash profits that are then laundered to disguise the origin of the money and to further other unlawful schemes. Criminal organizations also use these profits to fund other criminal activities, such as smuggling illegal immigrants and trafficking narcotics, firearms, and stolen property.

Although not as common as tobacco diversion, the smuggling of illegal alcohol is a part of the moneymaking schemes used by organized criminal enterprises. The encroachment of organized crime and other groups played a pivotal role in moving alcohol through illegal channels.

Enforcement efforts on both the domestic and

international front have contributed to a reduction of illicit trade associated with tobacco and alcohol diversion.

ATF has nearly doubled the number of alcohol and tobacco diversion investigations initiated over the past five years, from 78 in FY 2000 to 151 in FY 2005. Meanwhile the number of defendants referred for prosecution has increased nearly fourfold over this same time period. To make the best use of limited resources, ATF collaborates with other Federal, State, and local law enforcement and tax agencies for assistance in investigating alcohol and tobacco matters.

### ***Illegal Sales of Cigarettes over the Internet***

Both domestic and international tobacco industry members have encouraged and supported ATF's investigations of cigarettes sold via the Internet.

ATF gained cooperation from major credit card companies, who have agreed to take affirmative action to prevent the illegal sale of cigarettes over the Internet by prohibiting and investigating the use of their credit cards for online cigarette sale transactions.

Otamedia Limited was the largest tobacco seizure in ATF's history. ATF investigated the unlawful sales of cigarettes through a single Internet site that resulted in Federal and State tax revenue losses estimated in excess of \$425 million. ATF seized approximately 156,000 cigarette orders packaged for delivery to persons across the United States. ATF worked with the U.S. Attorney's office to conduct property seizures and to initiate forfeitures and prosecutions.

## **Providing Federal, State, Local, and Foreign Agencies With the Tools Needed to Identify Trafficking Schemes**

ATF collects, evaluates, analyzes, and disseminates alcohol and tobacco intelligence and information. Intelligence information and support is both national and international in scope. During FY 2005, ATF had 452 active tobacco investigations. Some of these multi-jurisdictional investigations involved multi-million dollar trafficking schemes.

ATF maintains a constructive working rela-

<b>Alcohol and Tobacco Diversion</b>					
	FY 00	FY 01	FY 02	FY 03	FY 04
<b>Investigations Initiated</b>	78	91	160	162	161
<b>Defendants Referred for Prosecution</b>	68	52	81	218	212
<b>Defendants Convicted</b>	37	45	20	26	72

Note: Statistics do not have direct corresponding relationship in the same fiscal year because the time period from the initiation of an investigation until conviction may span several years



(Left) An ATF Special Agent assists State and local law enforcement with a vehicle search. (Center) An ATF Forensic Chemist examines tobacco. (Right) ATF Industry Operations Inspectors conduct an inventory of seized tobacco products.

tionship with State and local governments and with members of the tobacco industry. ATF continues to work with them on matters of mutual concern, including counterfeit cigarettes, Internet cigarette sales, and counterfeit tax stamps.

In 2005, ATF employees provided regular briefings on cigarette trafficking trends and schemes to local, State, and Federal law enforcement and regulatory entities. In addition, ATF conducted training sessions on the value and application of intelligence sources and resources to assist agents in alcohol and tobacco investigations.

**ATF has nearly doubled the number of alcohol and tobacco diversion investigations initiated over the past five years.**

# 17%

decrease in homicides resulting from  
ATF's Violent Crime Impact Teams (VCIT)  
pilot program in 15 cities





# Program Support

The following activities play a vital role in supporting ATF's mission to prevent terrorism, reduce violent crime, and protect the Nation. Many of them are cross-cutting activities that support ATF's achievements of its strategic goals in the areas of firearms, explosives and arson, and alcohol tobacco diversion.

## Training

**PSN Training:** Since the initiation of Project Safe Neighborhoods (PSN) in 2001, ATF has remained the primary law enforcement agency in the PSN strategy. ATF, along with other key PSN partners, including DOJ, the International Association of

Chiefs of Police (IACP), the National District Attorneys Association, and the National Crime Prevention Council, delivers training and provides resources for Federal, State, and local law enforcement, and prosecutors throughout the United States and its territories. The main effort of this PSN training mission is PSNET, a 3-day, 3-track training event presented collaboratively by the primary PSN partners. The goal is to improve the level of crime gun interdiction and prosecution through a team-building approach involving Assistant U.S. Attorneys, State and local prosecutors, State and local police, and ATF agents. This course is based on ATF's Firearms Trafficking course and incorporates elements of the IACP Firearms Investigation and Interdiction

Technical Assistance Program. PSNET focuses on investigating and prosecuting the firearms trafficker and armed violent offender. In 2005, Project Safe Neighborhoods training was delivered to 5,914 law enforcement personnel from Federal, State, local, and tribal agencies.

### Explosives and Accelerant Detection Canines:

Since 1991, ATF has trained 488 explosives detection canines and 131 accelerant detection canines. These ATF-trained dogs are located throughout the United States in local police departments, fire departments, fire marshals' offices, and Federal and State law enforcement agencies, including the United States Marshals Service and the FBI. Teams are also located inter-

# ATF trained 944 members of the international law enforcement community, providing courses in the identification of firearms and explosives, trafficking investigative techniques, and post-blast investigations.

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nationally. In FY 2005, ATF trained 34 dogs and handlers for the explosives detection, and 8 dogs and handlers for the accelerant program.

**International Training:** In FY 2005, ATF trained 944 members of the international law enforcement community, providing courses in the identification of firearms and explosives, trafficking investigative techniques, and post-blast investigations. While most of the training was delivered to member countries participating at the International Law Enforcement Academies (ILEA) in Budapest, Bangkok, Gaborone, and Latin America, 267 of these 944 participants were officers from the Iraqi Police Service (IPS) and were trained in Baghdad. ATF also delivered

training in Romania, Colombia, and Mexico. In addition, ATF provided explosives training to Department of State and U.S. Army personnel deploying to Iraq.

**Learning Management System:** ATF launched a new Learning Management System in June 2005. Known as "LearnATF," the new enterprise-wide system supports the Bureau's commitment to maintain a well-trained workforce by providing employees with access to both on-line courses and in-person training opportunities. Using the new system, employees are now able to find and request training, manage their own personal development, and report on their training histories. The Learning Management System can be

accessed by employees 24 hours a day, 7 days a week. ATF's new Learning Management System illustrates ATF's commitment to E-Government, in particular the Office of Personnel Management-led E-Training initiative and the President's Management Agenda (PMA) goal of Strategic Management of Human Capital.

**New Agents and Investigators Training:** The ATF National Academy continued to focus on the effectiveness and timeliness of basic Special Agent (SA) and Industry Operations Investigator (IOI) training conducted at the National Academy. Significant coordination with all ATF organizations that are part of the hiring and initial training processes (Office of Management and the Office of

Professional Responsibility and Security Operations) resulted in new SA and IOI personnel reporting to the National Academy within 2 weeks of being hired. In addition, ATF initiated an evaluation of the Special Agent Basic Training Program, focusing on ensuring that National Academy programs are effectively meeting the needs of SA personnel in their first 3 to 5 years of field work.

## Technical Support Activities

**Special Operations Division:** The Special Operations Division (SOD) administers national support programs for law enforcement field

activities related to critical incident management, undercover investigations, polygraph examinations, and other special enforcement projects and programs. In addition, the Division manages the Victim/Witness Assistance Program and coordinates the Organized Crime and Drug Enforcement Task Force Program (OCDETF), and ATF's support to special events. In FY 2005, SOD provided support to relief efforts for Hurricanes Katrina and Rita and for the Super Bowl in Jacksonville, Florida, among others.

Six Special Agents in Charge (SAC) completed training required to act as Principal Federal Official (PFO) for National Special Security Events, and one SAC served as Federal coordinator for three events.

**Special Response Teams:** ATF's national tactical team program consists of highly trained team members and responds to requests for tactical support throughout the Nation. The basic Special Response Team (SRT) mission is to save lives through the resolution of conflict produced by criminal elements. The Crisis Negotiator Program coordinates a nationwide negotiator team of skilled members who are experts at resolving critical situations. Six new negotiators were added to

*(Left) An ATF Special Agent canine handler conducts training with an explosives detection canine. (Center) A certified explosives specialist sets up a training device. (Right) ATF employees staff the Critical Incident Management Support Team (CIMST) facility at ATF Headquarters.*



(Left) ATF Special Response Team members prepare to deploy for an operation. (Center) An ATF Special Agent partners with local law enforcement to arrest a suspect. (Right) Training and Professional Development Assistant Director Mark Logan addresses State and local law enforcement at the ATF National Firearms Examiner Academy in Ammendale, MD.

the program in FY 2005. These programs assist the Bureau in enhancing agent safety, protecting the Nation, and reducing violent crime. The SRT planned 150 operations in 2005 and executed 101 of these high-risk enforcement actions. In addition to operations conducted throughout the year, during a 30-day period in the aftermath of Hurricanes Katrina and Rita, two SRT teams completed more than 100 operations in the New Orleans, Louisiana, area, augmenting local law



enforcement efforts in both rescue and enforcement. ATF agents made the first Federal arrests and charges for firearms violations during Hurricane Katrina relief efforts; they arrested individuals allegedly responsible for firing upon a helicopter performing rescue operations.

**Firearms Technology:** ATF's staff of firearms enforcement officers serve as ATF's technical authority on firearms. The majority of their workload is dedicated to supporting law enforcement investigations and programs, as well as providing technical services to the firearms industry and members of the public who seek assistance relating to firearms and their classification under Federal laws. In FY 2005, ATF's Firearms

Technology Branch (FTB) examined 1,346 pieces of evidence. Additionally, in FY 2005, FTB prepared 592 technical reports to be used in legal proceedings. These reports consist of evaluations of firearms, including silencers, destructive devices, "any other weapons," and machineguns that may have been involved in illegal activity. In FY 2005, FTB answered 670 individual letters for information about importation, classification, and manufacture of firearms.

**Fire Research Laboratory:** The ATF Laboratory System, accredited by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board since 1984, continues to emphasize the critical role a comprehensive qual-



ty management system plays in delivering authoritative, reliable laboratory findings in support of ATF's mission. The Forensic Science Laboratory – Washington was re-accredited in September 2005. In 2005, the Fire Research Laboratory (FRL) executed a detailed operating plan to commission all its critical systems to comply with International Standards Organization criteria. This compliance is critical in order for the laboratory to be considered a leading international institution in the field of fire research. The FRL continues to work with its Partnership Council, which includes representatives from all the major fire investigation organizations, the insurance industry, and academia to educate the fire investigation community about its capabilities. The education extends to the public sector. The FRL has been featured in several television and news magazine pieces. A recent edition of the National Fire Protection Association (NFPA) Journal included an article titled "NFPA Members Eager to Access Findings From ATF's Fire Research Laboratory" describing the value of FRL work, and the value of the technical information to fire investigations and fire protection.

During FY 2005, Laboratory Services completed more than 2700 cases in support of ATF fire, explosive, and firearms investigations. Support also included 206 days of court testimony, 265 days of crime scene support, and almost a year of technical training provided. In addition, the Fire Research Laboratory provided more than

4500 hours of technical assistance to fire investigators, addressing scientific questions, and evaluating fire development theories. Laboratory Services recently added the forensic analysis of tobacco and the identification of counterfeit and contraband products. This capability will provide ATF full support for its efforts against the illegal diversion of alcohol and tobacco products.

**Forensic Audits:** Financial investigations are an integral tool for some ATF criminal investigations. ATF conducts financial investigations to support all types of criminal investigations, including: Arson and Bombings-for-Profit, Alcohol and Tobacco Diversion, Organized Criminal Enterprises including both firearms and drug trafficking, OCDETF, and Terrorist Financing schemes. During FY 2005, the Financial Investigative Services Division worked on 131 financial investigations. Federal and State prosecutors relied on the results of these financial investigations and the expert testimony of the Bureau's forensic auditors to indict 116 counts of criminal activity, prosecute 105 counts of criminal activity, identify over \$6.7 million in hidden and other assets for seizure and forfeiture, and obtain assessments of over \$4.3 million in fines and restitutions. Defendants in these cases were sentenced to a total of 2,233 months of jail and 354 months of probation.

# \$7,300,000

value of currency seized  
by ATF through asset  
forfeiture cases —  
ATF's largest seizure  
of funds in one year

# The Bureau's organizational structure was modified to elevate and consolidate ATF's efforts in supporting national security through knowledge, information sharing, and the strategic placement of representatives throughout the intelligence community.

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## Inspection, Integrity, Security, Emergency Preparedness

**Inspection Services:** The Office of Professional Responsibility and Security Operations (OPRSO) appraises the effectiveness of operations; assesses the quality of management and supervision; and determines adherence to ATF and DOJ organizational policies, regulations, and procedures. A new inspection process was implemented in 2005. The process ensures that Bureau components act as guardians of ATF's financial, program, and management integrity, utilizing reviews that are honest, fair, thorough, and consistent. OPRSO inspects all administrative and operational activities of ATF field divisions and

Headquarters offices on a 3-year cycle. During FY 2005, OPRSO conducted 18 full-scale inspections; 145 offices in Headquarters and in the field. In coordination with Bureau directorates, OPRSO has facilitated access to critical Bureau functions for reviews and audit consideration by DOJ/Office of the Inspector General (OIG) and the General Accountability Office (GAO). OIG initiated five new audits and program evaluations, and four new reports were issued. In addition, 16 GAO reviews were processed and 16 new GAO reviews initiated. ATF personnel attended all DOJ entrance and exit conferences and facilitated the audit process. With the increased involvement with the OIG and GAO program reviews, ATF leadership approved the establish-

ment of an Audit and Evaluation Branch within OPRSO's Inspection Division.

**Integrity:** OPRSO conducts employee misconduct and integrity investigations, either criminal or administrative, as well as other sensitive investigations assigned by the Director. It also conducts investigations of shooting and use of force incidents. ATF is working to establish an early warning detection system to foresee and document patterns of potential employee misconduct and strengthen adherence to organizational policies and procedures. To establish a baseline, ATF compiled pertinent statistics for the past 5 years on all allegations of misconduct that were reported, investigated, and referred to the Professional

Review Board (PRB) for further action. The PRB acts as a key component in ensuring the fair and consistent treatment of disciplinary matters involving allegations of misconduct.

**Security:** ATF has delegated authority from the Office of Personnel Management to conduct background investigations. In FY 2005, OPRSO conducted 2,554 background investigations for all tentatively selected ATF applicants, contractors, task force officers, and others having access to ATF automated systems, ATF proprietary information, and/or unescorted access to ATF space. OPRSO has responsibility for policy development and oversight of all security issues at ATF. In compliance with Homeland Security Presidential Directive-12, Policy for a Common Identification Standard for Federal Employees and Contractors, OPRSO submitted its implementation and supplementary information documents to DOJ and obtained certification and accreditation to authorize ATF to issue identity credentials.

**Emergency Management:** In FY 2005, ATF enhanced the Emergency Management Program, particularly in the area of the operability and viability of the Headquarters Continuity of Operations Program and Occupant Emergency Planning, by establishing a separate branch and training all essential personnel relative to the

activation process. Under the leadership of OPRSO, the transformation to a new system of continuity of government readiness conditions planning was readily adopted. OPRSO participated in the planning and execution of two field division training exercises and provided operational security for 48 law enforcement callouts.

## Strategic Intelligence

**Office of Strategic Intelligence and Information (OSII):** ATF's critical responsibilities and expertise necessitated the improvement of information and intelligence gathering, analysis, and dissemination functions. In FY 2005, the Bureau's organizational structure was modified to elevate and consolidate ATF's efforts in supporting national security through knowledge, information sharing, and the strategic placement of representatives throughout the intelligence community. ATF completed the implementation of a new directorate, OSII, whose mission is to collect, evaluate, and disseminate timely, accurate, actionable, and focused intelligence to enhance decision making for all ATF customers. Included in OSII's customer base is the larger national intelligence community. Collectively, this directorate provides ATF with the ability to share its knowledge internally, within the law enforcement community and with the intelligence community.

**Case Management Analysis:** N-Force is a computer-based case management system that benefits ATF by enabling automated collection, dissemination, management, and analysis of investigative data. This application was developed primarily with ATF special agents in mind. N-Force assists investigators in gathering, reporting, and accessing investigative case data with the goal of reducing the amount of time special agents spend on administrative functions. N-Force Vault, a new feature added to the system in FY 2005, is a Web-based application to automate the processes required of vault custodians and track the administrative chain of custody for all property items (evidence) taken into ATF custody. This new interface adds to the growing list of business processes that are automated through the National Field Office Case Information System (N-FOCIS), making ATF a more efficient and effective organization.

## Communications

In November 2004, ATF announced the establishment of the Office of Public and Governmental Affairs (PGA) to include the Office of Public Affairs (OPA), the Office of Legislative Affairs (OLA), and a new Liaison Division. These functional areas had been aligned under the Office of the Director prior to moving to PGA.



(Left) Members of the media interview ATF employees during a Field Training Exercise in Los Angeles. (Center) Attorney General Alberto R. Gonzales addresses law enforcement members attending the 2005 International Association of Chiefs of Police annual conference. (Right) An ATF Special Agent canine handler is interviewed by local news media during Public Service Recognition Week activities on the Mall in Washington, DC.

**National Media:** During FY 2005, ATF issued 149 news releases nationwide. ATF's news releases generated more than 8,657 print and broadcast news stories worldwide.

Throughout the fiscal year, OPA worked with national and local media outlets in various markets. OPA's efforts resulted in prominent and extensive print and broadcast coverage by vari-

ous news agencies, including CNN, ABC, NBC, CBS, Fox, NPR, C-SPAN, the Washington Post, New York Times, Washington Times, Chicago Tribune, and Wall Street Journal.

#### **Examples of PGA's successful national and local media campaigns include the following:**

- **Violent Crime Impact Teams (VCIT) Media Coverage:** PGA worked closely with the Department of Justice and ATF Public Information Officers (PIOs) in VCIT cities to proactively publicize the initiative's successes. The efforts resulted in increased print and broadcast media coverage of the VCIT program. PGA coordinated efforts with DOJ/Public Affairs and ATF PIOs to publicize VCIT news conferences with the Deputy Attorney General, ATF Director, and State and/or local law enforcement officials in seven of the original 15 VCIT cities. The news conferences were well attended by local media. The news conference in Columbus, Ohio, was immediately preceded by the apprehension of approximately 36 gang members and received extensive State and local media coverage.
- **Serial Arson Task Force (Maryland/Virginia/Washington, DC) Media Coverage:** The Baltimore and Washington Field Divisions were critical components of the Serial Arson Task Force investigating 43 arson fires in the Maryland, Northern Virginia, and

Washington, DC, metropolitan area over a 30-month period. PGA and the Washington and Baltimore Field Division PIOs fielded calls from multiple media markets and issued Task Force news releases and media advisories related to the investigation. The efforts resulted in extensive and favorable coverage of the investigation through news conferences, live and taped interviews, and the suspect's eventual apprehension, guilty plea, and sentencing.

- **ATF in Iraq:** ATF issued a national news release announcing the memorandum of agreement for ATF personnel to serve with the Combined Explosives Exploitation Cell (CEXC) to help the multinational forces in Iraq counter the threat of deadly bomb attacks. The announcement led to interviews with the Associated Press, Newsweek, and CNN, and received media coverage nationally and internationally.
- **Gangs and MS-13:** During FY 2005, ATF executives, managers, SACs and PIOs participated in gang conferences and enforcement operations in Texas, Ohio, Illinois, California, North Carolina, Florida, Washington, and Maryland. PGA worked closely with the PIOs to provide background information, identify and target media, and coordinate speaking engagements in various venues to highlight ATF's expertise in gang

investigations. OPA worked closely with the Baltimore and Washington Field Divisions to target national and local media during operations involving the notorious MS-13 gang. ATF's participation in these activities generated a variety of local and national print and broadcast news stories about ATF's gang initiatives.

**Congressional Outreach:** PGA staff kept pace with congressional activities and sought out opportunities for ATF to give expert testimony on its missions, programs, and activities supporting DOJ's strategic plan. PGA staff prepared subject-matter experts to testify before Congress, and drafted testimony for senior executives testifying before members of Congress and congressional committees. Examples include:

- **Senate Testimony – ATF's Explosives Detection Canines and Homeland Security:** On Sept. 28, 2005, ATF testified before the House Homeland Security Subcommittee on Management, Integration and Oversight concerning the use of explosives detection canines in homeland security. Committee members were concerned about the availability of explosives detection canines and the lack of uniform odor recognition standards among the many different Federal, State, local, and private canines in service around the country. National and local media cov-

ered the hearing, which generated extensive print and broadcast news stories.

- **Senate Testimony – Animal Liberation Front (ALF) and Earth Liberation Front (ELF):**

On May 18, 2005, ATF testified before the Senate Committee on Environment and Public Works on ATF's significant contributions to the investigation of violent crimes perpetrated by animal rights and environmental extremists. Testimony demonstrated the willingness by ALF/ELF movements to resort to the use of incendiary and explosive devices, and the increase in the number of arsons involving extensive monetary or property loss and bombings occurring since 1999. It was noted in the testimony that between 1999 and 2005, ATF opened 58 investigations related to ALF and ELF acts of violence.

**Liaison Activities:** PGA also engaged in outreach to ATF's international, Federal, State, and local law enforcement counterparts. Outreach activities during the past year included the annual ATF Memorial Observance and Awards Ceremony, DOJ Kids Day, and two IACP conferences.





# Administration

All of ATF's program activities are made more effective by skillfully managing personnel and resources. Innovative personnel practices enable ATF to hire and retain employees critical to our continued success. ATF's new Headquarters will provide a safe and secure environment for employees. Motivating and developing employees will help achieve ATF's mission.

## Management Activities

■ ATF succeeded in a **major hiring initiative**. ATF received more than 50,000 applications for jobs announced in FY 2005. In addition to the

220 "others" (non-special agent/non-industry operations investigators) hired from outside of ATF, 199 new agents and 174 new IOIs were brought on board, for a total of 570 new hires.

■ In FY 2005, significant progress was made on the construction of **ATF's new National Headquarters** in Washington, DC. Ten years after the Oklahoma City bombing, Congress mandated changes upgrading the physical criteria for Federal facilities. ATF's new home is emerging as a testament to facilities that are safer and more secure against terrorist attack, and has helped to provide new design solutions for open yet secure structures in an urban environment.

A unique partnership with the General

Services Administration, under whose helm construction for the new headquarters has been managed, afforded ATF the opportunity to use its expertise in the explosives arena in testing blast resistant elements of the project during FY 2005. In addition, the project design and construction integrates leading-edge approaches in the areas of secure site utilization, glass materials and systems, and environmental technologies. The new building is scheduled to be delivered for ATF's relocation in the final quarter of FY 2006.

■ ATF developed a **Human Capital Strategic Plan** (HCSP) to ensure that the right people with the right skills are in place to contribute to ATF's crucial missions. ATF has outlined how the



(Left) An ATF Special Agent searches for victims in the aftermath of Hurricane Katrina. (Right) ATF employees joined State and local law enforcement for the 2005 Annual Law Enforcement 50K Relay Race during National Police Week activities in Washington, DC.

Bureau plans to recruit and retain enough employees over the next 5 years to fulfill the ever more important missions of reducing violent crime, protecting the Nation, and the increasingly complex task of preventing terrorism. ATF's HCSP will support ATF's vision and mission by establishing a roadmap for comprehensive management of human capital.

■ **In response to Hurricane Katrina**, ATF immediately established a Critical Incident

Management Support Team in Washington, DC, and a Critical Incident Management Response Team in Baton Rouge, Louisiana, to ensure continuity of operations, locate and give aid to local ATF personnel, and assist other Federal, State, and local authorities in recovery and peacekeeping activities. Within days of the hurricane, 167 special agents, including two Special Response Teams, were deployed to the Gulf Coast region. ATF also identified Federal firearms and explosives licensees and permittees impacted by the storm in order to account for missing inventory and secure unattended firearms and explosives.

■ **Seventy-nine ATF employees were directly affected by Hurricane Katrina**, and ATF made

extraordinary efforts to aid those employees. ATF implemented an Employee Assistance Call Center (EACC) on September 19, 2005. The EACC provided employees affected by Hurricane Katrina with assistance in filing temporary change of station vouchers for evacuation travel and subsistence expenses. The EACC also processed temporary change of station actions and addressed pay, leave, legal, and other issues. The intent was for EACC staff members to complete all necessary vouchers for employees on the spot. Initially, all aspects of this mission were operated out of ATF Headquarters. However, at the end of September, a Travel and Relocation employee traveled to Baton Rouge to assist employees in completing vouchers for evacuation travel and subsistence expenses and processing temporary change of station actions, and assisted the 79 ATF employees who were affected by Hurricane Katrina.

■ ATF has a model program for **assessing the capabilities of law enforcement professionals** for promotion to supervisory and managerial positions. The assessment process evaluates the applicant's ability to perform the duties of the position into which they wish to be promoted, by measuring both technical and leadership competencies through a series of job simulations. After evaluation, successful applicants may apply for specific positions. Selections for posi-

tions are made without personal identification of the applicants. The program, validated in 2005 by an independent consultant, provides a promotion process that is objective, valid, and fully supported by outside experts.

■ ATF recognizes that **physical fitness** is important to the health and productivity of each employee. Therefore, ATF employees are encouraged to make physical exercise part of their daily routines and their lives. Fitness centers are available for employee use.

## Funding

Congressional appropriations provide funding to ATF. These appropriations finance operating expenses and the purchase of property and equipment. Appropriations are also provided for specific program objectives. In FY 2005, ATF was appropriated \$878 million for salaries and expenses in the Consolidated Appropriations Act (P.L. 108-447), and \$4 million in the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief (P.L. 109-13).

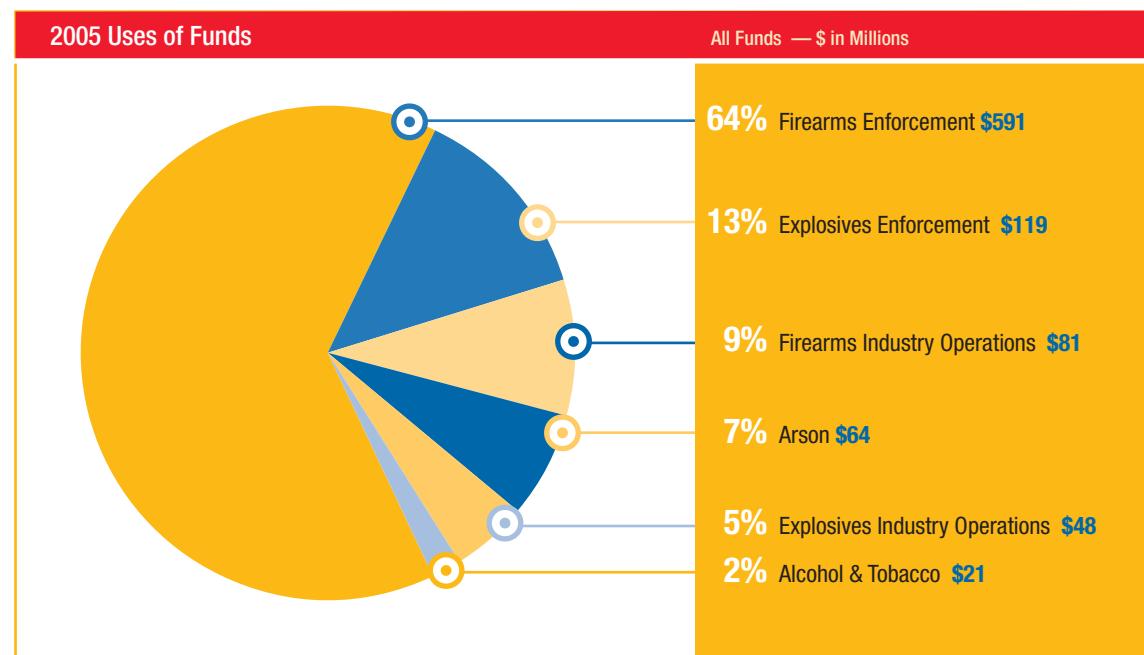
The total FY 2005 budget authority available for use by ATF was \$936.8 million, of which \$12.9 million is permanently not available due to rescissions. Of this amount, Congress appro-

priated \$882.5 million for ATF's operations and an additional \$53.5 million was made available from other sources. These other sources include spending authority from offsetting collections (reimbursements earned from Federal partners) of \$43.5 million, unobligated balances carried forward of \$9 million, and recoveries of prior year obligations of \$1 million.

ATF incurred obligations of \$923.9 million against FY 2005 for a variety of goods and services in support of ATF's mission. The use

of funds by ATF in support of its strategic goals is depicted in the chart below.

ATF received an unqualified opinion on its FY 2005 financial statements from its independent financial auditors; this signifies that ATF's financial statements are materially correct. It means that readers of the financial statements may rely on the information to be accurate and useful. ATF has received unqualified opinions for all years that its financial statements have been independently audited, from FY 1995 through FY 2005.







# Organizational Profile



is a valued part of the Department of Justice (DOJ), and works in partnership with DOJ and its components. ATF contributes to achieving mutual goals as reflected in the DOJ strategic plans. ATF's accomplishments, along with those of other components, were described in the DOJ publication "The People of Justice—Securing Results for the American People" in August 2005. Since becoming part of DOJ, ATF has produced results under the leadership of Attorney General Alberto Gonzales and former Attorney General John Ashcroft and Acting Deputy Attorney General Paul McNulty and former Deputy Attorney General James Comey.

## Personnel

As of September 30, 2005, ATF employed 4,921 people. Of these employees, 2,441 are special agents, who carry out the investigative and law enforcement functions of the Bureau. Another 771 are industry operations investigators. They work with those licensed to receive and sell firearms and explosives, helping to ensure that licensees conform to the laws. The remaining 1,709 carry out ATF's mission as administrative, professional, and technical employees. People with many different skills and specialties contribute their talents to accomplish ATF's goals.

## Field Structure

ATF has offices throughout the United States, to include the U.S. Virgin Islands, Puerto Rico, and Guam. The field structure comprises 23 field divisions, with offices in 276 locations throughout the United States, with a single executive, the SAC, heading each division and having responsibility for all law enforcement and industry regulation within the geographical area. ATF offices are also located overseas at U.S. embassies in Colombia, Mexico, and Canada. ATF has a representative at Interpol Headquarters in Lyon, France, to address the international trafficking of firearms, explosives, alcohol, and tobacco. Since 2003, ATF special agents have been deployed to Iraq to offer explosives training



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(Left) An ATF Special Agent Special Response Team negotiator communicates during an operation. (Center) ATF National Tracing Center employees staff the e-Trace exhibit booth during the 2005 International Association of Chiefs of Police annual conference. (Right) ATF laboratory personnel explain firearms examination to spectators during the 2005 Department of Justice Kids Day.

to the Iraqi Police Service; to assist the Regime Crimes Liaison Office, a multi-agency task force preparing the war crimes tribunals against leaders of the ousted Saddam Hussein regime; as handlers of explosives detection canine teams; to provide explosives investigative assistance to the Department of Defense; and to contribute technical and post-blast expertise to the Combined Explosives Exploitation Cell (CEXC) to benefit U.S. efforts in Iraq.

## Headquarters Structure

ATF Headquarters in Washington, DC, consists of offices that provide oversight of ATF activities and develop major policies and programs relating to the missions. The ATF executive structure consists of the Director, Deputy Director, Chief of Staff, Chief Counsel, and the Assistant Directors for Field Operations, Enforcement Programs and Services, Strategic Intelligence and Information, Professional Responsibility and Security Operations, Public and Governmental Affairs, Management, Science and Technology, and Training and Professional Development.

## Directorates

**Office of the Director** includes the Director, the Deputy Director, Chief of Staff, Executive Assistant, Office of the Ombudsman (resolves the work-related concerns of employees, supervisors, and customers), Office of Equal Opportunity, the Office of Strategic Planning, the Disclosure Division (ATF's Freedom of Information Act officer), and the Bureau Deciding Official (renders final decisions on integrity-related cases reviewed by the Professional Review Board). The Office of the Director provides leadership, direction, and coordination for the agency's numerous operations and programs.

**Office of Field Operations (FO)** implements major enforcement and regulatory initiatives, policies, and programs, and provides strategic direction and oversight to all regulatory and criminal investigative activity in ATF's 23 field divisions.

**Office of Enforcement Programs and Services (EPS)** develops and delivers policy guidance and technical support relative to the firearms, explosives, and arson functions of ATF. This directorate provides vital assistance, internationally and domestically, to the law enforcement community at Federal, State, and local levels through its unique expertise, technology, and Federal jurisdiction to target the criminal misuse of firearms and explosives. EPS regulates firearms and explosives commerce and provides technical guidance to the industry at large. Additionally, EPS develops and delivers policy guidance and technical support regarding criminal and financial investigations into the illegal diversion of tobacco and alcohol products.

**Office of Training and Professional Development (TPD)** serves as the focal point for planned organizational development by fostering a collaborative team approach to achieve consistency in training and development. TPD manages and provides resources for all internal and external training and development for ATF, provides

training to external customers nationwide including other Federal, State, local, and international agencies, and oversees initiatives designed to prevent and reduce violent crime.

**Office of Strategic Intelligence and Information (OSII)** collects, evaluates, and disseminates timely, accurate, actionable, and focused intelligence information to enhance decision making for all Bureau customers. Included in OSII's customer base is the larger national intelligence community. Collectively, this directorate provides ATF with the ability to share its knowledge with other agencies in the law enforcement and intelligence communities.

**Office of Professional Responsibility and Security Operations (OPRSO)** serves as principal assistant to the Director in planning, directing, and coordinating the inspection and internal affairs activities of the Bureau. OPRSO appraises the effectiveness of operations, assesses the quality of management and supervision, and determines adherence to organizational policies, regulations, and procedures. OPRSO is also responsible for conducting employee integrity investigations, emergency preparedness, and security operations.

**Office of Public and Governmental Affairs (PGA)** is the principal advisor to the Office of the

Director on matters relating to the public, media, industry, Congress, and ATF's international, Federal, State and local law enforcement counterparts. By promoting ATF's mission, resources, and accomplishments, PGA enhances public trust and confidence in ATF and increases ATF's visibility.

**Office of Management/Chief Financial Officer (OM/CFO)** oversees ATF's core administrative functions of financial management, human resources, facilities management, safety programs, acquisition, and property management. The Office of Management provides oversight of the New Building Projects Office, the Recruitment and Hiring Center, and the Asset Forfeiture and Seized Property Program, and supports the Professional Review Board and Merit Promotion Board.

**Office of Science and Technology/Chief Information Officer (OST/CIO)** develops, implements, and maintains ATF's information technology resources as well as the National Laboratory Center in Maryland and ATF forensic laboratories in Georgia and California. This office also employs the professional financial investigative auditors who support a variety of criminal, regulatory, and internal programs, as well as a cadre of technical support personnel providing computer forensics, radio communications, and audio/visual support.

# The ATF National Laboratory includes the Fire Research Laboratory, the first and only facility in the world dedicated to fire scene investigations.

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**Office of Chief Counsel (CC)** prepares, reviews, and assists in the preparation of proposed legislation, regulations, and executive orders relating to the laws affecting, and enforced by, the Bureau; makes recommendations to the Department of Justice concerning litigation involving the Bureau; represents the Bureau in administrative proceedings; and provides legal advice and assistance to other Federal, State, and local agencies, including U.S. Attorneys and Justice Department officials, in the prosecution of ATF firearms and explosives cases and cases involving alcohol and tobacco diversion; and serves as technical and legal advisor on State Department delegations to international bodies such as the United Nations, the European Union, the Organization of American States, and the G-8 on matters pertaining to firearms, explosives, and ammunition.

## Facilities

The Bureau operates several service centers and several training facilities designed to support ATF operations and to partner with law enforcement and industry located throughout the United States.

**ATF Laboratory** service centers are located in Ammendale, Maryland; Atlanta, Georgia; and Walnut Creek, California. The laboratory personnel support investigations by conducting forensic examinations on firearms, fire scene evidence, explosive materials, and tobacco products. They provide accurate and authoritative scientific information and expert court testimony. The ATF National Laboratory complex in Maryland includes the Fire Research Laboratory, the first

and only facility in the world dedicated to fire scene investigations, including the ability to reconstruct fire scenes to determine how fires begin and spread. It also includes the Forensic Science Laboratory, which is adding DNA analysis capabilities to support all forensic casework.

**ATF National Academy**, located at the Federal Law Enforcement Training Center in Glynco, Georgia, oversees much of the basic and advanced training for the Bureau's special agents, industry operations investigators, and auditors. State and local law enforcement officials also attend certain ATF-sponsored courses at the Academy, as do foreign officers sponsored through the Department of State. A new academy building is due for completion in 2006.

**National Center for Explosives Training and Research (NCETR)** has primary responsibility for all ATF arson and explosives training programs. This includes curriculum development, course delivery, and management and operation of the explosives range and training facilities at Fort A.P. Hill, Virginia. ATF's appropriations provide an additional \$5 million for site selection, architectural design, site preparation, and a total cost estimate for the construction of a permanent site for NCETR.

**ATF Canine Training Facility and Kennel** is located in Front Royal, Virginia, on the grounds of

the 250-acre U.S. Customs and Border Protection Canine Training Facility. The 14,000-square-foot training building allows for climate controlled year-round training and has office space for a support staff of 30 personnel. The state-of-the-art kennel facility can accommodate 100 canines and incorporates the latest technology in kennel design.

**National Tracing Center (NTC)** in Martinsburg, West Virginia, is the only facility of its kind in the United States that traces the origin and history of firearms used in crimes. NTC provides 24-hour tracing assistance to Federal, State, local, and foreign law enforcement agencies investigating violent crimes involving firearms.

**Federal Firearms Licensing Center (FFLC)** in Atlanta, Georgia, is responsible for reviewing and acting upon applications for the various types of Federal firearms licenses, Federal explosives licenses, and Federal explosives permits. The FFLC coordinates inspection of applicants with appropriate field offices, serves as the official repository of firearms and explosives inspection reports, maintains the Federal firearms licensee database, and provides certification to ATF field personnel on subjects' licensed status. ATF has formally announced the relocation of the FFLC from Atlanta to Martinsburg, West Virginia, and feasibility studies have been conducted. Design of the new building is expected to commence in

January 2006, and building completion is scheduled for late 2007.

**Federal Explosives Licensing Center (FELC)** in Martinsburg, West Virginia, was established in FY 2005. Currently, explosives licensing responsibilities are being transferred from the FFLC to the FELC. After the transition, the FELC will have sole responsibility for reviewing and acting upon applications for the various types of Federal explosives licenses and Federal explosives permits.

(Left) ATF Firearms vault at the National Tracing Center, Martinsburg, WV.  
(Center) ATF National Headquarters under construction in Washington, DC.  
(Right) ATF National Laboratory Center, Ammendale, MD.



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