

**Statement of Michael J. Sullivan  
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**Before the House Committee on Appropriations  
Subcommittee on Commerce, Justice, Science and Related Agencies**

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Chairman Mollohan, Congressman Frelinghuysen, and distinguished Members of the Subcommittee, I am pleased to appear before you today to discuss the President's Fiscal Year (FY) 2009 budget request for the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). I very much appreciate the Subcommittee's support of ATF and the interest you have taken in our mission and programs. The men and women of ATF recognize and are grateful for your commitment and contributions to the law enforcement community.

**ATF's MISSION**

As you know, ATF is a law enforcement agency within the Department of Justice (DOJ). We are dedicated to reducing violent crime, preventing terrorism and protecting our Nation. We have the dual responsibilities of enforcing Federal criminal laws and regulating the firearms and explosives industries. The combined efforts of our special agents and industry operations investigators (IOIs) allow ATF to effectively identify, investigate and recommend for prosecution violators of Federal firearms and explosives laws, as well as to ensure that Federal firearms and explosives licensees are operating within established rules and regulations. As firearms and explosives are among the preferred tools of terrorists, ATF's expertise and jurisdiction in those issues play an important role in the United States' efforts to prevent and respond to acts of terrorism.

In pursuit of our mission, ATF actively fosters partnerships with the firearms and explosives industries and other Federal, State, local and international law enforcement agencies. Such partnerships, which are fundamental to our strategic approach, greatly increase the efficiency and effectiveness of all parties involved. We are particularly proud of the outstanding relationship we have developed with local law enforcement agencies throughout the country and will work to make those relationships even stronger.

**RECENT ACCOMPLISHMENTS**

ATF's expertise in investigating firearms crimes, bombings and arson is a valuable asset in the Federal government's efforts to keep citizens and their neighborhoods safe. Over the past twenty years, ATF has increased its efficiency and workload, targeting its resources to address changing needs across the country. Doing more with less, working smarter, measuring success, enhancing accountability, and

thinking outside the box to develop and evaluate effective and new approaches to our mission—these are the hallmarks of ATF. And the results have led to safer communities and an improved quality of life for our law abiding citizens.

A noteworthy example of our efforts is the recent roundup of violent gang members operating in Baltimore, Hagerstown and the Eastern Shore of Maryland. On the morning of February 25th, ATF's Baltimore Violent Crime Impact Team (VCIT) lead more than 100 law enforcement personnel, including ATF agents and State and local police officers to execute seven search warrants and 22 arrest warrants on members of the Tree Top Piru Bloods (TTP Bloods) gang. The operation was the culmination of a long-term joint investigation by ATF, the U.S. Attorney, the Baltimore City State's Attorney, the Baltimore City and County Police Departments, and numerous other local law enforcement agencies throughout Maryland. In total, 28 individuals were indicted as a result of the investigation for charges that include racketeering, drug trafficking and gun crimes. Moreover, the indictments include allegations of five murders in Maryland and conspiracy to obstruct a State murder trial. The defendants charged with drug trafficking face a maximum penalty of life in jail, while the defendants charged with racketeering face a maximum penalty of 20 years in prison.

In New Jersey, ATF conducted Operation First Blood, an OCDETF case, in partnership with the Essex County/Federal Gang Suppression Task Force. This investigation targeted the violent criminal activity of various "sets" of the Bloods street gang operating in the areas of Newark and Asbury Park, New Jersey. Over the course of this year-long investigation, 13 firearms were purchased, including three assault weapons and one machine gun. The investigation culminated in the arrest of 25 individuals for various Federal and State firearm and narcotics violations.

These cases demonstrate how ATF focuses our investigative resources towards dismantling violent street gangs and other criminal organization and their leaders. This was a strategic operation that went beyond street level arrests, inflicting a significant blow to a violent narcotics gang in Baltimore. It also demonstrates the strength of our partnerships with local, State and Federal law enforcement and prosecutors.

The power of ATF's partnerships is also illustrated by the success of Project Safe Neighborhoods, an ongoing and comprehensive initiative to reduce gun and gang crime in America. This initiative has brought together ATF's resources and skills with state and local law enforcement, as well as community partners, and has led to more than a 100% increase in federal firearms prosecutions during the seven years since its inception, when compared with the seven years prior.

I now would like to take this opportunity to highlight some of our accomplishments over the last fiscal year. In FY 2007, ATF initiated criminal investigations in the following areas:

- 4,381 gang-related investigations;
- 25,695 firearms cases, including illegal possession and firearms trafficking;
- 3,421 arson and explosives cases, including bombing and attempted bombing cases;

- 134 alcohol and tobacco diversion cases (including 4 cases linked to terrorist activity) ; and
- 25 explosives thefts.

ATF's VCITs program partners our special agents with State and local law enforcement to focus on bringing to justice the "worst of the worst" violent offenders. With the recent announcement of the opening of the Jackson, Mississippi VCIT, ATF is now operating 30 VCITs across the Nation with a 31<sup>st</sup> VCIT planned for Memphis, Tennessee.

In FY 2007, ATF explosives detection canine teams participated in 549 investigative searches, safeguarded over 16 million spectators at major events, and recovered 405 firearms, more than 24,000 shell casings, 92 pounds of explosives, more than 25,000 pounds of low explosives, and 238 homemade explosive devices.

In addition, our analytical, forensic and technical staffs were extremely active in supporting criminal investigations this past fiscal year. The National Tracing Center (NTC) performed traces on more than 285,000 firearms for our agents and our law enforcement partners. Our National Integrated Ballistic Information Network (NIBIN) imaged over 200,000 bullets and casings, which resulted in over 5,000 matches. Our state-of-the-art laboratories—which examine forensic evidence such as ballistics and DNA, as well as reconstruct and test arson scenarios—completed examinations for 2,696 cases. These scientific efforts are crucial to the success of our enforcement mission.

ATF's regulatory enforcement operations staff—which inspect Federal firearms and explosives licensees (FFLs and FELs)—verify that licensees are in compliance with Federal regulations and help detect and prevent the diversion of firearms and explosives into illegal commerce. In FY 2007, ATF conducted 15,280 inspections of FFLs and 3,291 inspections of FELs. We also processed:

- 556,779 National Firearms Act (NFA) registrations;
- 37,119 FFL applications and renewals;
- 3,823 FEL applications and renewals; and
- 10,324 import permit applications.

In addition to providing training for our own employees, ATF shares our specialized investigative knowledge and experience through extensive and sophisticated training courses offered to all levels of government, both domestic and international. In FY 2007, we provided PSN training for 5,283 Assistant U.S. Attorneys, State and local prosecutors, State and local police officers and sheriffs, and ATF special agents. We provided training for 1,313 members of the international law enforcement community. We also trained:

- Approximately 2,200 military personnel in post-blast investigative techniques, including training conducted in Iraq and Afghanistan, and in collaboration with the Joint Improvised Explosive Device Defeat Organization at Fort Irwin, California;

- Nearly 600 law enforcement personnel, including 440 State and local investigators and bomb squad personnel, in explosives-related courses, including post-blast investigations;
- Approximately 500 explosives detection canine teams on National Odor Recognition Testing (NORT) and approximately 600 on peroxide-based explosives; NORT also includes the Scientific Working Group on Dog and Orthogonal Detectors Guidelines (SWGDOG) certification;
- 517 personnel in arson-related courses; and
- 114 U.S. Marshal Court Security Officers on improvised explosive device (IED) familiarization and security.

While the list of ATF activities I have just noted is far from comprehensive, it is intended to provide the Subcommittee with a sampling of the depth and breadth of our operations. Mr. Chairman, with this Subcommittee's support, we will build upon these accomplishments.

ATF is moving forward with the construction of a permanent facility to house the National Center for Explosives Training and Research (NCETR) at Redstone Arsenal in Huntsville, Alabama, with completion of the facility anticipated in FY 2010. With NCETR, we will have an unprecedented opportunity to align national explosives-training activities with cutting-edge research and information-sharing capabilities. NCETR will create a unique and dynamic environment designed to promote training and research partnership and to ensure that law-enforcement officers, emergency-responders, and other specialists benefit from explosives training that is informed by the most current scientific research and intelligence. The NCETR will play an important role in ensuring that our Nation is fully prepared to prevent and respond to IED attacks.

### **FY 2009 BUDGET REQUEST**

I would like to thank the Subcommittee for their support of ATF during the FY 2008 budget process. ATF is aware of the competing priorities that faced the Subcommittee and appreciates the funding it received. For FY 2009, ATF is requesting \$1,027,814,000 and 4,978 positions, of which 2,428 are agents. This request includes \$1,026,866,000 and 4,966 positions for current services, as well as \$948,000 and 12 positions for program improvements. These necessary funds will allow ATF to continue to protect our neighborhoods from the scourge of violent crime and safeguard our Nation from the threat of terrorism. The additional funding we are seeking in FY 2009 will enhance our ability to inspect the firearms industry to help reduce illicit firearms trafficking along the Southwestern Border of the United States.

### **SOUTHWEST BORDER INITIATIVE**

The U.S.-Mexican border is the principal arrival zone for most illicit drugs smuggled into the United States, as well as the predominant staging area for the subsequent distribution of drugs throughout the country. Firearms are an integral part of

these criminal enterprises. They are the “tools of the trade” that drug traffickers use against each other as well as against Mexican and American law enforcement officials and innocent civilians on both sides of the border. Our investigations reveal that Mexican drug traffickers have aggressively turned to the United States as a source of firearms. As a result, firearms now are being routinely transported from the United States into Mexico. This issue, which obviously affects citizens of both countries, was highlighted earlier this year in discussion between Attorney General Mukasey and Mexican Attorney General Eduardo Medina-Mora Icaza. Stemming the flow of trafficked firearms across the border is an important priority for the Department and one that ATF is uniquely suited to address.

ATF has been investigating firearms trafficking and working on the Southwest Border for more than 30 years. As the sole agency that regulates Federal Firearm Licenses (FFL), we are continually locating, investigating and eliminating sources of illicitly trafficked firearms and the networks that are used to traffic them. While most FFLs are law abiding small business owners, we are mindful that corrupt dealers do exist. Unfortunately, this minority of FFLs can greatly impact the violence along the border and in Mexico.

Project Gunrunner is ATF’s ongoing Southwest Border strategy to combat firearms-related violence perpetrated by warring drug trafficking organizations in border cities such as Laredo, Texas, and Nuevo Laredo, Mexico. It is a comprehensive investigative, enforcement and interdiction strategy, incorporating our expertise, regulatory authority and investigative resources to attack the problem domestically and internationally. It includes special agents and IOIs dedicated to the issue, as well as outreach efforts with the firearms industry and other law enforcement agencies to reinforce the importance of identifying and reporting suspected illegal purchases and other sources of firearms intended for Mexico.

Through bilateral forums, such as the annual Senior Law Enforcement Plenary sessions with Mexico, ATF and the Mexican government jointly develop operational strategies and policies to minimize the firearms-related violence afflicting communities on both sides of the border. ATF’s Mexico City Office has developed working partnerships with Mexican law enforcement counterparts, and in FY 2008, is providing training and other assets, such as ATF’s eTrace system, to help the Mexican government effectively counteract the firearms-related violence caused by drug traffickers. Currently, ATF has a request pending before Congress for an additional \$4.5 million to develop Spanish eTrace and deploy it to Mexico. Specifically, the deployment of eTrace in Mexico is being expanded to the nine U.S. Consulates and 31 Mexican States. We also are increasing our presence with additional special agents stationed in border cities in Mexico such as Monterrey.

On January 31<sup>st</sup>, Attorney General Michael B. Mukasey announced the Administration’s Southwest Border Initiative, a comprehensive, Department-wide plan to combat the flow of illegal immigration, drugs, crime proceeds and firearms across the Southwestern Border of the United States. New funding for the initiative is included in the Department’s FY 2009 budget request. The \$948,000 and 12 IOIs ATF is requesting as part of this initiative will assist in the implementation of a focused inspection program

to identify suspicious purchasers, traffickers and non-compliant licensees that may be sources of illegally trafficked firearms used by violent criminals.

Specifically, the additional IOIs will work to identify and prioritize for inspection those FFLs with a history of noncompliance that represents a risk to public safety. Moreover, utilizing ATF trace data analyses, they will prioritize for inspection those FFLs with numerous unsuccessful traces and a large volume of firearms recoveries in the targeted high-crime areas. This focused inspection effort will assist in the identification and investigation of straw purchasers and the traffickers who employ them. In addition, the IOIs will work to improve relations with firearms industry members, enhance voluntary compliance, and promote licensees' assistance in preventing firearms diversion by conducting training and outreach activities with FFLs in the targeted areas.

I also would like to note that, as part of Project Gunrunner, ATF plans to add additional special agents, IOIs and analyst positions from our base resources. Specifically, we will be assigning to the region 35 newly-hired special agents and reassigning 15 IOIs and a number of senior special agents. We also will add four intelligence research specialists (IRSs) and two investigative assistants to the El Paso Intelligence Center (EPIC) to support the initiative, along with one additional IRS for each of the four border field divisions. These research specialists and investigative assistants will enhance the 12 requested IOIs' and the 15 reassigned IOIs' ability to conduct firearms industry inspections and assist agents with criminal investigations.

## **CLOSING**

Chairman Mollohan, Congressman Frelinghuysen, distinguished Members of the Subcommittee, on behalf of the men and women of ATF, I again thank you and your staff for your support of our crucial work. With the backing of this Subcommittee, ATF can continue to build on our accomplishments, making our Nation even more secure. The funding we have requested for FY 2009, including the increase for operations along the Southwest Border, is an important investment in this cause. We look forward to working with you in pursuit of our shared goals.