

# APPENDIX A

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## FY 2003, FY 2004 PERFORMANCE PLAN: BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES (ATF)

### Mission

Until the passage of the Homeland Security Act of 2002, the Bureau of Alcohol, Tobacco, and Firearms was a law enforcement bureau of the Department of the Treasury dedicated to enforcing federal laws and regulations and collecting revenue relating to alcohol, tobacco products, firearms and explosives. With the passage of the Homeland Security Act of 2002, the regulatory and revenue collecting functions relating to alcohol and tobacco were realigned to the newly created Alcohol and Tobacco Tax and Trade Bureau within the Department of the Treasury, and ATF was realigned as a bureau to the Department of Justice with responsibility for enforcement of the federal laws relating to alcohol, tobacco products, firearms and explosives. The Bureau is undergoing a major restructuring as well as taking on new responsibility for regulating intrastate commerce of explosives and explosives training and research. As ATF is the lead federal agency responsible for regulating the explosives industry, this legislation places significant added responsibility upon ATF to ensure that America's homeland is safe.

The Homeland Security Act amends Title XI of the Organized Crime Control Act of 1970 (known as the Safe Explosives Act). The Safe Explosives Act is intended to reduce the availability of explosives to felons and other prohibited persons, and to require that all persons obtaining explosive materials obtain a federal permit. This is a new statutory mission for the Federal Government, designated by the Act as the responsibility of ATF. The requirements of the Act are regulatory in nature and are not currently being accomplished by any federal entity. In addition, the Act authorizes the establishment, maintenance and operation of an Explosives Training and Research Center at Fort AP Hill. ATF provides advanced and specialized training programs for federal, state, local, international law enforcement agencies and industry, and offers comprehensive training for all aspects of explosives detection, handling, and destruction.

ATF's primary responsibility is the enforcement of federal firearms laws. As such, it relies heavily of

the network of partnerships it has formed with state and local law enforcement agencies as part of the President's Project Safe Neighborhoods (PSN) initiative. PSN is tailored toward the needs of each of the 94 individual judicial districts and communities across the country. ATF's Integrated Violence Reduction Strategy (IVRS) – which combines enforcement efforts, the use of state-of-the-art information and technology, and community outreach and prevention – is a primary element of the PSN initiative. ATF has added nearly 300 new agents to focus on firearms enforcement as part of PSN.

Explosives and firearms are the preferred tools of the terrorist; therefore, ATF plays a key role in the fight against terrorism. ATF is in a unique position of not only being the agency responsible for regulating the explosives industry, but also of having the requisite expertise and authority to investigate explosives-related crimes. The new law will assist ATF in helping to prevent terrorist and criminal access to explosives by requiring background checks for all employees of explosives permittees and licensees who will have possess explosives materials.

Combating terrorist financing is also an essential component of the fight against terrorism. The events of September 11, 2001, have highlighted the importance of ATF's program responsibilities in the areas of firearms trafficking, and explosives accountability. Operations and intelligence data in these areas have shown that criminal elements, including terrorist organizations, are making a shift to tobacco and alcohol commodities to fund their criminal activities. Several ATF cases involving tobacco diversion have been linked to international terrorist organizations such as Hezbollah and al Qaeda.

As team players in the fight against terrorist financing, ATF is engaged in ongoing efforts to reduce the rising trend of illegal diversion of

distilled spirits and tobacco products. “Diversion” schemes generate tremendous cash profits. Teams of ATF auditors, special agents and inspectors perform complex investigations of multi-state criminal violations of the Contraband Cigarette Trafficking Act, Federal Alcohol Administration Act and sections of the Internal Revenue Code. In addition, there has been a marked increase in tobacco diversion by organized criminal groups. Profits from diversion are then laundered to disguise the origin of the money and to further the unlawful schemes. These profits are often used by criminal organizations to further other criminal activities such as smuggling illegal aliens, funding terrorist groups, narcotics and firearms trafficking, and trafficking in stolen properties.

### ATF Strategic Goals

ATF has two strategic goals and a new management goal that support the Bureau’s overall mission. The first of these goals, *Reduce Violent Crime*, is an integrated enforcement strategy with the goal of reducing the future number of violent crimes through the enforcement of Federal firearms, explosives, and arson laws. The second goal, *Protect the Public*, is ATF’s strategy to complement enforcement efforts with training and prevention strategies. Under this goal, ATF assures integrity of products in the marketplace, ensures compliance with laws and regulations by regulated industries, and provides information to the public. This activity uses community, law enforcement, and industry partnerships and ATF programs to reduce public safety risks and potential consumer deception.

## RESOURCES

Appropriation	FY 2003	FY 2003	FY 2004	FY 2004
	FTE	Request \$ (millions)	FTE	Request \$ (millions)
Reduce Violent Crime	4,309	748	4,356	783
Protect the Public	373	66	416	69
<b>TOTAL ATF</b>	<b>4,682</b>	<b>\$814</b>	<b>4,772</b>	<b>\$852</b>

<b>Required Skills</b>	The Bureau requires skilled law enforcement agents, inspectors, intelligence research specialists, canine handlers, explosives enforcement officers, attorneys, certified fire investigators, chemists, forensic analysts and other technical forensics laboratory personnel, and support personnel.
<b>Information Technology Utilized</b>	ATF programs in this area are supported by: the ATF Virtual Private Network (VPN) which provides secure remote access with over 1500 simultaneous connections to the ATF IT resources for mission critical data and business applications from the field; AEXIS, an investigative database system developed to aid in investigating, prosecuting and tracking all fire, arson and explosives incidents including recovered and stolen explosives. AEXIS can also identify and track explosives from manufacturer to dealer to suspect/consumer; N-FOCIS, the National Field Office Case Information System—a secure centralized information repository that serves as the bureaus case management system for investigations and inspections; the National Tracing Center’s Firearms Tracing System database used to trace crime guns; and the FBI’s National Instant Criminal Background Check System (NICS), from which ATF receives referrals on prohibited persons who attempt to purchase firearms.

## ATF STRATEGIC GOAL: REDUCE VIOLENT CRIME

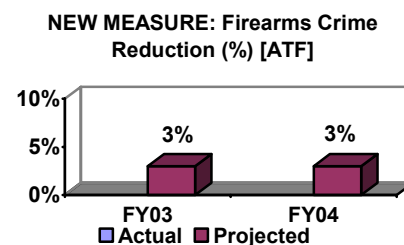
Reduce the future number of violent crimes through the enforcement of Federal firearms, explosives, and arson laws.

### Background/Program Objectives:

There are approximately 6 billion pounds of explosives produced in the U.S. every year. The potential threat to public safety from criminal or terrorist theft and misuse of these explosives cannot be overstated. ATF serves as the nation's expert on the highly regulated consumer products of firearms and explosives and represents a unique federal resource for providing investigative and regulatory functions; and technical, scientific, and legal expertise relating to these products. This unique combination of tools and skills allows ATF to provide a focused, flexible, and balanced approach to protecting the public's legitimate access to these commodities while fighting unlawful use and trafficking.

The function of this program area is to counter violence through an integrated approach of effective enforcement of the Federal firearms, explosives, and arson laws; regulation of the firearms and explosives industries (in conjunction with the "Protect the Public" activity); and prevention efforts. The key to this effort is the PSN initiative to help federal, state, and local law enforcement and communities join together to combat gun crimes. ATF uses its unique jurisdiction, skills, and assets to assist federal, state, local, and foreign law enforcement in the fight against crime and violence, including acts of terrorism. We will measure reductions in instances of violations among Federal firearms licensees to ensure that our regulatory efforts (i.e., inspections and education) are having the desired impact. Where problems are discovered, appropriate action will be taken. In terms of customer service, we will strive to maintain a high satisfaction rate among those who benefit from our fire and explosion investigation capabilities through the National Response Team, as well as improve our ability to provide expeditious firearms tracing results to requesting agencies.

ATF has developed an Integrated Violence Reduction Strategy (IVRS) to address firearms violence nationwide. Using the component programs of IVRS in collaborative partnerships within the nationwide PSN initiative, ATF works to prevent armed offenders from victimizing the American public. One such component of IVRS is the Armed Violent Criminal Apprehension Program. Also through IVRS, ATF works closely with other law enforcement agencies to shut down illegal gun markets, ensure industry compliance with applicable laws and regulations, and aggressively pursue persons who use firearms in the commission of crime or illegally possess firearms. ATF is in the forefront of efforts to keep juveniles from unlawfully acquiring and possessing firearms. Intensified firearms enforcement efforts, such as the Youth Crime Gun Interdiction Initiative (YCGII), are helping increase tracing of recovered crime guns. YCGII is an integral part of ATF's IVRS strategy and PSN initiatives. It utilizes ATF's firearms tracing system and the efforts of ATF special agents, inspectors, and support personnel to follow leads generated by comprehensive crime gun tracing.



**Data Collection and Storage:** Data are obtained from customized runs from the FBI Uniform Crime Report database, captured by the FBI from police departments nationwide.

**Data Validation and Verification:** Data are verified by the FBI when the Uniform Crime Reports are published.

**Data Limitations:** Under development.

**Performance:**

**Performance Measure:** NEW MEASURE: Firearms Crime Reduction [ATF] (NOTE: This measure displays the average percent of violent firearms crime reduction from the previous calendar year in selected metro areas with a substantial ATF presence and a generally higher level of activity as compared to similar areas without substantial ATF presence).

**FY 2003 Performance Target:**

3% reduction

**FY 2004 Performance Target:**

3% reduction

**Strategies to Achieve the FY 2003/FY 2004 Goal:**

ATF's goal to reduce violent crime is accomplished by conducting ATF investigative and regulatory activity, by providing services—such as crime gun tracing and automatic ballistics comparison units—to other law enforcement agencies, and by providing outreach through local school systems.

Because of the extremely high and unacceptable risk, we believe that more comprehensive enforcement and regulatory efforts are essential to public safety. Our responsibilities for public safety make it essential to perform 100 percent investigation of all explosives thefts reported and to strive for 100 percent inspection of all explosives licensees every year. ATF's National Response Teams (NRT) will continue to respond to significant explosives/fire incidents within 24 hours of request. Partnerships established with state and local agencies will assist with counterterrorism measures, such as searches and security sweeps at special events. This expanded program will allow ATF to perform diagnostic field evaluations of ATF-certified teams belonging to other federal, state, and local agencies. ATF's certified fire investigators are requested to provide expert testimony and technical support and analysis in support of investigative and prosecutorial efforts. ATF's certified explosives specialists are requested to assist in post-blast analysis, explosives identification, destruction, and instruction. Investigating explosives-related incidents and offenses safeguards the public from future explosive incidents by facilitating the apprehension of bombers.

ATF's IVRS is a key component of PSN. Through IVRS, ATF works closely with other law enforcement agencies to shut down illegal gun markets, ensure industry compliance with applicable laws and regulations, and aggressively pursue persons who use firearms in the commission of crime or who illegally possess firearms. ATF is also in the forefront of efforts to keep juveniles from unlawfully acquiring and possessing firearms. For example, intensified firearms enforcement efforts, such as the YCGII, are helping increase tracing of recovered crime guns.

ATF's National Tracing Center provides 24-hour assistance to federal, state, local, and foreign enforcement agencies in tracing crime guns and is the only facility of its kind in the world. To further ATF's ability to trace crime guns and identify illegal trafficking schemes, the National Tracing Center is working with firearms manufacturers and wholesalers through electronic linkups to speed trace completion time and reduce costs associated with traces. ATF's National Integrated Ballistic Information Network (NIBIN) program was developed to coordinate federal, state, and local law enforcement ballistics efforts. The NIBIN Program employs the Integrated Ballistics Identification System (IBIS) to compare images of ballistic evidence (projectiles and cartridge casings) obtained from crime scenes and recovered firearms. The system generates and maintains large ballistic image databases. As new images of evidence or test-fires of seized firearms are added to the database, the system searches the expanded database for matching images, making connection of weapons to criminals easier.

ATF helps reduce violent crime by continuing the growth of education programs to promote awareness to the public. ATF also collaborates with schools and other community organizations to encourage, develop, and participate in enforcement and educational efforts to identify and reduce violent behavior. For example, the Gang Resistance Education and Training (G.R.E.A.T.) program trains law enforcement officers to provide instruction in gang awareness and antiviolence techniques by instilling in youths the ability to make responsible decisions, set goals for themselves, and resolve conflicts without resorting to violence.

**Crosscutting Activities:**

ATF assists federal, state, local, and foreign law enforcement in the fight against crime and violence, including acts of terrorism. The bulk of ATF's cooperative activity is in support of PSN. ATF's National Tracing Center provides 24-hour assistance to federal, state, local, and foreign enforcement agencies in tracing crime guns. ATF's NIBIN program was developed to coordinate federal, state, and local law enforcement ballistics efforts. Through the G.R.E.A.T. program ATF provides funding to over 200 law enforcement agencies nationwide to implement the program. In addition, ATF provides training on explosives detection, handling, and destruction to other countries including Poland, Egypt, South Africa, Ukraine, Kazakhstan, Colombia, Bangladesh, Mexico, and others.

## ATF STRATEGIC GOAL: PROTECT THE PUBLIC

Protect the public and prevent consumer deception in ATF's regulated commodities.

### Background/Program Objectives:

ATF complements reducing violent crime with training and prevention strategies through law enforcement, industry regulation, industry partnerships, technology, and reducing public safety risk and consumer deception on regulated commodities. Innovation, partnerships, and open communication are employed to fully achieve this strategic goal. ATF works with industry, state governments, and others to make regulation less burdensome. ATF trains, informs, and assists these industry members and government agencies, as well as the public, with the goal of protecting the public and preventing consumer deception.

Ensuring compliance with laws and regulations through education, inspection, and investigation is an integral part of protecting the public. With existing resources, ATF will continue to inspect at least 50 percent of the explosives industry. Based on experience at this inspection level, we expect to respond to and ensure corrective actions are carried out for about 850 unsafe explosives storage conditions in FY 2003.

### Performance:

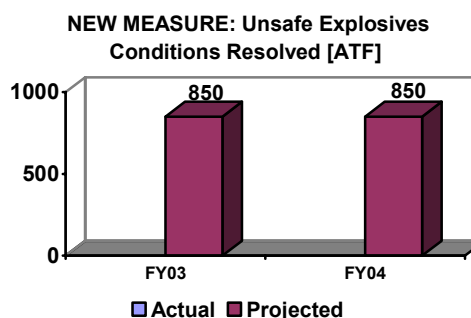
**Performance Measure:** NEW MEASURE: Unsafe Explosives Conditions Discovered and Resolved by Inspections [ATF] (NOTE: This measure reflects the number of corrections made to unsafe conditions found during inspection activities.)

**FY 2003 Performance Target:** 850

**FY 2004 Performance Target:** 850

### Strategies to Achieve the FY 2003/FY 2004 Goal:

Informing the public on ATF policies, federal laws and regulations, product safety, and theft prevention will remain an important element for securing the safety of the public. ATF works with industry, state governments, and others to make regulation less burdensome. ATF trains, informs, and assists these industry members and government agencies, as well as the public, with the goal of protecting the public and preventing consumer deception. Specifically, continued liaison efforts with explosives industry members, explosives licensees/permittees, and public safety



**Data Collection and Storage:** Data is collected via ATF's regulatory management information system and is obtained through inspection reports from ATF field divisions on the results of explosives inspections.

**Data Validation and Verification:** Data are verified through ATF's on-going quality assurance and internal inspection efforts.

**Data Limitations:** Under development.

agencies have become extremely important to mitigate the possibility of terrorists obtaining explosives through the legal explosives industry.

### Crosscutting Activities:

ATF will continue its liaison with other Government agencies working toward a common goal of ensuring safety in the explosives industry. These partnerships include those with the Department of Transportation and the Consumer Product Safety Commission. ATF will maintain our liaison with the National Shooting Sports Foundation and the Firearms and Ammunition Imports Roundtable and will continue our open communication at firearms industry shows and conventions.