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Because this report contains information classified as "Secret" by the Federal Bureau of Investigation (FBI), we had to redact (white out) certain tables and graphs. Many of these exhibits include information about the number of FBI personnel assigned to national security matters for fiscal years 1996 through 2001. According to the FBI and the Central Intelligence Agency, this information must be classified under guidelines issued by the Director of Central Intelligence.



FEDERAL BUREAU OF INVESTIGATION CASEWORK AND HUMAN RESOURCE ALLOCATION

U.S. Department of Justice
Office of the Inspector General
Audit Division

Audit Report 03-37
September 2003

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**FEDERAL BUREAU OF INVESTIGATION
CASEWORK AND HUMAN RESOURCE ALLOCATION**

EXECUTIVE SUMMARY

The Federal Bureau of Investigation (FBI) is the principal investigative arm of the Department of Justice (Department). The agency's mission is to investigate violations of federal criminal law, protect the U.S. from foreign intelligence and terrorist activities, and provide leadership and assistance to other law enforcement agencies. In the aftermath of the terrorist attacks of September 11, 2001 (hereafter referred to as 9/11), the FBI reallocated its resources to focus more on international and domestic terrorism in order to detect and deter future terrorist acts.

The FBI Director issued a memorandum to all employees in May 2002 reprioritizing the agency's mission, indicating that the FBI would emphasize prevention rather than prosecution by shifting its organizational focus from traditional reactive law enforcement operations to prioritizing intelligence gathering and analysis. The Director noted that counterterrorism is the top priority of every FBI field office. Subsequent to this memorandum, the Director reprogrammed agents assigned in various other law enforcement areas into terrorism-related programs.

This Office of the Inspector General (OIG) review examined the FBI's use of personnel resources in its investigative programs over an almost 7-year period, six years before the 9/11 terrorist attacks and nine months after the attacks.¹ In addition, we reviewed the FBI's planned allocation of resources during this same October 1995 to June 2002 time period. We also examined the types and numbers of cases the FBI investigated during this period.

Perhaps as important as the results of this review is the fact that this type of detailed statistical analysis of FBI planning, resource usage, and casework had never been undertaken by the FBI. While much of the data examined in this review concerns the period pre-9/11, we believe this review provides helpful information into how the FBI allocated its agent and support resources before, during, and shortly after the 9/11 attacks. We also believe that this analysis, and the techniques used in this analysis, will prove helpful to the FBI as it continues to revisit the balance between its terrorism and non-terrorism-related responsibilities. Details of our audit objectives, scope, and methodology can be found in Appendix I.

¹ As of June 1, 2002, the FBI employed 26,735 people, of which 11,267 were special agents.

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FBI Priorities

According to the FBI's 5-year strategic plan issued in May 1998, the Bureau's highest priority is national and economic security. This is defined as "foreign intelligence, terrorist, and criminal activities that directly threaten the national or economic security of the United States." The strategic plan further states that as a national organization, the FBI must first address those issues that are national in scope and those crimes that threaten the security of the nation. The FBI's plan identified three general functional areas that describe and prioritize the variety of threats that it must address to realize the goal of enhanced national and individual security.

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TIER ONE: National and Economic Security

Foreign intelligence, terrorist, and criminal activities that directly threaten the national or economic security of the United States.

STRATEGIC GOALS

- Identify, prevent, defeat intelligence operations that constitute a threat to U.S. national security.
- Prevent, disrupt, defeat terrorist operations before they occur.
- Deter and prevent criminal conspiracies from defrauding major U.S. industries and the U.S. government.
- Deter the unlawful exploitation of emerging technologies by foreign powers, terrorists, and criminal elements.

TIER TWO: Criminal Enterprises and Public Integrity

Crimes that affect public safety or undermine the integrity of American society.

STRATEGIC GOALS

- Identify, disrupt, and dismantle organized criminal enterprises.
- Identify, disrupt, and dismantle targeted international and national drug trafficking organizations.
- Reduce public corruption at all levels of government.
- Deter civil rights violations.

TIER THREE: Individuals and Property

Crimes that affect individuals and crimes against property.

STRATEGIC GOAL

- Reduce the impact of the most significant crimes that affect individuals and property.

Source: FBI Strategic Plan 1998 – 2003

FBI Programs

As of June 2002, the FBI classified its investigative activities into ten programs according to the nature of the work. Within each of these programs, the activities are further categorized by an investigative

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classification and, if appropriate, a sub-program. The programs and their areas of responsibility, as illustrated by the sub-program and investigative classification examples listed, are as follows:

| ACRONYM | PROGRAM NAME | SUB-PROGRAM AND CLASSIFICATION EXAMPLES |
|----------------|---|---|
| NFIP | National Foreign Intelligence | Foreign Counterintelligence FBI Security International Terrorism |
| NIPCIP | National Infrastructure Protection/Computer Intrusion | Computer Intrusion Criminal Matters Protection of Transportation Facilities |
| DT | Domestic Terrorism | Counterterrorism Preparedness Weapons of Mass Destruction |
| WCC | White Collar Crime | Bankruptcy Fraud Health Care Fraud Wire and Mail Fraud |
| OC/D | Organized Crime/Drugs | Mexican/Criminal Syndicates Asian Criminal Enterprise |
| VCMO | Violent Crimes & Major Offenders | Fugitives Violent Gangs Crimes Against Children |
| CR | Civil Rights | Racial Discrimination Involuntary Servitude and Slavery |
| APP | Applicant Matters | Background Investigations Recruitment and Processing Investigations of White House Staff & Visitors |
| TRAIN | Training | Federal Training State and Local Training |
| MISC | Miscellaneous Matters | Freedom of Information Act Issues Public Relations Matters |

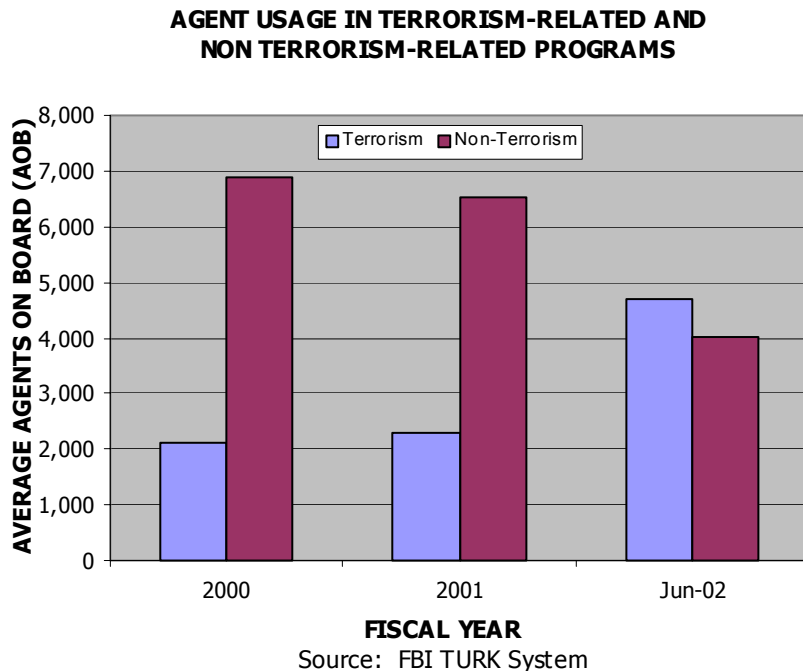
Source: FBI Finance Division and FY 2002 Investigative Classifications booklet

The FBI's Utilization of Personnel Resources

Although the strategic plan consistently identified national security issues as the FBI's highest priority, prior to 9/11 the Bureau devoted significantly more special agent resources to traditional law enforcement

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activities such as white collar crime, organized crime, drug, and violent crime investigations than to domestic and international terrorism issues. In fact, as shown in the table to the right,² in fiscal year (FY) 2000 (the last full fiscal year prior to 9/11) the FBI utilized 6,815 agents in non terrorism-related criminal investigative programs: 2,426 in White Collar Crime (WCC), 2,172 in Organized Crime/Drugs (OC/D), 2,055 in Violent Crimes and Major Offenders (VCMO), and 162 in Civil Rights (CR). In comparison, a total of 2,126 agents worked in the FBI's three programs related to terrorism.



Similarly, in FY 2001 the FBI's non-terrorism programs continued to dominate agent utilization. This situation changed dramatically in FY 2002 when the number of FBI special agents working on terrorism-related matters more than doubled from the previous year, to 4,680, while the number dedicated to non-terrorism matters fell from 6,449 to 3,976.

In comparison to agent utilization, an analysis of the FBI's utilization of its support personnel over the same period revealed that the Bureau's use of these resources has been in line with its strategic plan since the beginning of our review period in FY 1996; NFIP³ has consistently utilized more

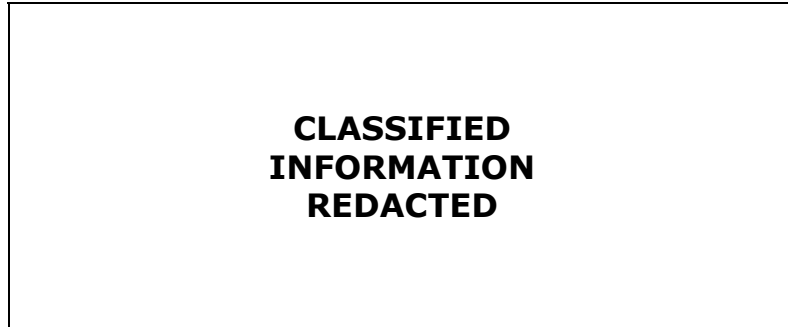
² Our analyses of resource utilization are based upon information contained in the FBI's Time Utilization and Recordkeeping (TURK) system, a module of the payroll system. The TURK system contains data on non-supervisory, non-Headquarters personnel utilization (Average On Board) and work hours expended. The data is captured in 13 TURK periods in each fiscal year, with each TURK period consisting of two, two-week pay periods.

³ The FBI's international terrorism efforts are consolidated in the National Foreign Intelligence Program (NFIP).

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support personnel resources than any other program. In fact, when all other programs are combined, NFIP continues to lead in the utilization of support

**SUPPORT PERSONNEL UTILIZATION
NFIP vs. ALL OTHER PROGRAMS
FY 1996 THROUGH 2001**



personnel resources. However, even when support personnel are added to special agents, the FBI's terrorism-related programs utilized significantly fewer personnel resources in FYs 2000 and 2001 than those not related to terrorism. However, the increase in agents working terrorism matters in FY 2002, combined with the already significant number of support staff

Source: FBI TURK System

related to these programs, brought the Bureau's resource utilization more in line with its strategic plan.

FBI Response to 9/11

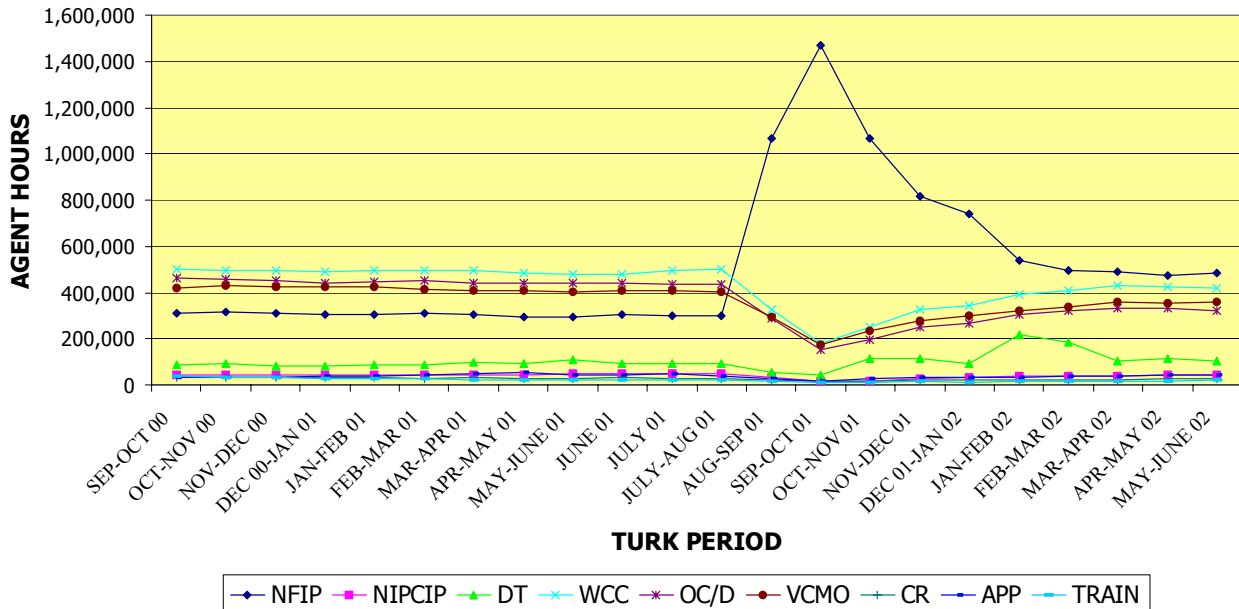
After 9/11, a large number of FBI personnel were immediately assigned to investigate the attacks. In addition, the newly-appointed FBI Director⁴ announced that the agency would be undergoing a restructuring, national security would be the agency's top priority, additional agents would be assigned to international and domestic terrorism issues, and the FBI's investigative efforts would be reprioritized.

The FBI's investigation of the 9/11 terrorist attacks, called PENTTBOMB, used enormous personnel resources – as of June 1, 2002, Bureau personnel had charged almost four million work hours to this case, consisting of approximately 3.6 million hours charged by special agents and over 400,000 hours charged by support personnel. The majority of these hours were charged in the weeks immediately following 9/11; after this initial burst of investigative activity the number of work hours expended on terrorism-related matters began decreasing. However, the level of effort expended in the FBI's National Foreign Intelligence Program as of June 1, 2002, remained dramatically higher than the level of effort put forth prior to 9/11. In fact, while most other programs experienced a decrease in agent work hours, NFIP saw an increase of 62 percent from August 2001 to June 1, 2002.

⁴ Robert S. Mueller, III was sworn in as FBI Director on September 4, 2001.

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**AGENT HOURS BY FBI PROGRAM AREA
SEPTEMBER 2000 TO JUNE 1, 2002**



Source: FBI TURK System

Following 9/11, the FBI also took steps to devote additional resources to international and domestic terrorism matters in general, not just to the investigation of the terrorist attacks. In December 2001 the FBI Director announced a reorganization of the Bureau and created Executive Assistant Director positions to minimize the supervisory span of control of executive management. Following this, the Director released a list in May 2002 that reprioritized the Bureau's activities. Although making anti-terrorism work its main priority was reflective of strategic priorities already in place, the ranking of other FBI work was new. For example, combating white collar crime, parts of which were formerly a top strategic priority, fell below that of work related to terrorism, computer security, public corruption, civil rights, and organized crime.

**FBI PRIORITIES
May 2002**

1. Protect the U.S. from terrorist attack
2. Protect the U.S. against foreign intelligence operations and espionage
3. Protect the U.S. against cyber-based attacks and high-technology crimes
4. Combat public corruption at all levels
5. Protect civil rights
6. Combat transnational and national criminal organizations and enterprises
7. Combat major white collar crime
8. Combat significant violent crime
9. Support federal, state, local, and international partners
10. Upgrade technology to successfully perform the FBI's mission

Source: <http://www.fbi.gov>

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In support of these new priorities, the Director adjusted staffing numbers for each of the investigative program areas, moving agent positions into its NFIP and Domestic Terrorism (DT) programs. This realignment of agent resources, along with new agent positions provided in the FY 2002 budget, resulted in the FBI dedicating 685 additional agents to terrorism-related matters in FY 2002. Primarily, these agents were moved from drug investigations within the FBI's Organized Crime/Drugs program; however, agent positions also were reassigned from its Violent Crimes and Major Offenders (VCMO) and White Collar Crime (WCC) programs.

As shown in the graph on the previous page, the increases in NFIP began in the TURK period in which 9/11 occurred. The increases in agent hours dedicated to terrorism-related matters were a direct result of the catastrophic events of that day. Had 9/11 not occurred, the data indicates that agent utilization in NFIP would have remained unchanged in FY 2001. Consequently, without this major terrorist event, Bureau-wide agent utilization would have remained the same and would not have begun to come into alignment with the strategic plan.

A Program-by-Program Look at the FBI

Before 9/11 and the related FBI restructuring, not only did NFIP utilize a smaller *number* of agent resources than the WCC and VCMO programs, it also utilized a smaller *percentage* of its allocated personnel than these other programs. The FBI's Resource Management and Allocation (RMA) office allocates the Bureau's human resources and establishes Funded Staffing Levels (FSLs) for agents and support. Under this system, each FSL equals one person. Program Managers then monitor human resource utilization by comparing Average On Board (AOB) numbers to the number of allocated FSLs. If the AOB number is less than the FSL, the FBI is using fewer human resources than it was allocated, thus *underutilizing*. If the AOB is greater than the FSL, the FBI is using more human resources than allocated for a particular program area, or *overutilizing*.

Using data from the FBI's TURK system, we calculated annual AOB totals for special agent personnel⁵ for the FBI as a whole and for the individual FBI programs. We then compared the annualized AOB data to the annual FSL data for FYs 1996 through 2001. We found that the FBI generally underutilized its agent resources in FYs 1996 through 2001; an occurrence that most FBI officials we interviewed attributed to vacancies. The following matrix provides a summary of our program-level analysis. The

⁵ We did not perform this analysis for support personnel because support personnel are allocated by type (clerical/administrative, investigative, and technical), not by investigative programs.

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yellow shading indicates underutilization while the blue shading indicates overutilization.

FBI SPECIAL AGENT UTILIZATION

| PROGRAM FY | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | Utilization Rate ⁶ |
|---------------------------|------|------|------|------|------|------|----------------------------------|
| FBI-WIDE | U | U | U | U | U | O | 97.8% |
| NFIP | U | U | U | U | U | O | 89.8% |
| NIPCIP⁷ | NA | NA | NA | U | O | O | 91.6% |
| DT | O | U | U | U | O | U | 90.5% |
| WCC | U | U | U | U | U | U | 95.5% |
| OC/D | U | U | U | U | U | U | 91.2% |
| VCMO | O | O | O | O | O | O | 105.6% |
| CR | U | U | O | O | O | U | 103.6% |
| APPLICANTS | O | O | O | O | O | O | 245.2% |
| TRAINING | O | O | O | O | O | O | 146.7% |

Source: FBI TURK system and FSL data

Our comparison of agent resource utilization at the program level revealed that although utilization varied among criminal investigative programs, only the VCMO program lacked a period of underutilization that reflected the trend for the Bureau as a whole. Instead, the VCMO program overutilized its agent resources for each year in the reviewed timeframe. In addition, the terrorism-related programs (NFIP, NIPCIP, and DT) and the Organized Crime/Drugs (OC/D) program underutilized its agent resources at a rate much greater than the overall Bureau-wide underutilization.

Further, the non-criminal investigative programs of Applicant Matters and Training utilized considerably more resources than allocated on a consistent basis.⁸ According to FBI officials, this occurred because these programs support all other programs. For example, the officials advised that much of the work in the Applicant program was dedicated to the recruitment and hiring of new personnel for all areas, and personnel in all programs charged time to Training, regardless of the program to which they were dedicated. We have recommended that the FBI examine the planning factors

⁶ We calculated the utilization rate by dividing the total AOB by the total FSL for the review period.

⁷ The National Infrastructure Protection/Computer Intrusion Program was created in FY 1999.

⁸ Examples of the work performed within these programs are provided in the table on page iv.

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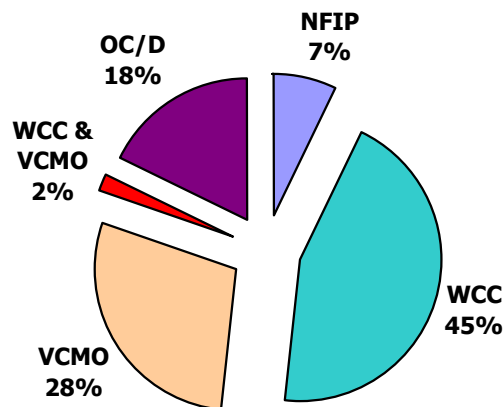
and processes for these programs and make necessary adjustments to more closely approximate the agent resources they need.

FBI Field Offices: Investigative Programs Receiving the Most Resources

The historical trend of low agent resource utilization in the FBI’s terrorism-related programs also is evident in the results of our analysis of FBI field office data. To determine how the FBI’s program-specific work has been distributed throughout the FBI’s field structure, we conducted an annual (by fiscal year) analysis of resource utilization by program for each of the FBI’s 56 field offices. For each office, we determined the program that utilized the most agent resources for the most fiscal years during the seven fiscal year periods reviewed, and characterized the office by that program designation. For example, we designated the Albany Field Office as a WCC office, and the Washington, D.C., Field Office as an NFIP office because of the programs in which the predominance of its agent resources were utilized from FY 1996 through June 1, 2002.

Of the 56 FBI field offices, 25 offices expended the most special agent resources in WCC; 16 offices focused on VCMO; 10 offices worked more in OC/D; and the predominant program in 4 offices was NFIP. In the remaining office, agent utilization was distributed evenly between the VCMO and WCC programs. As shown in the following chart, the predominant program in 75 percent of the FBI’s field offices was either WCC or VCMO.

**PREDOMINANT PROGRAMS FOR FBI FIELD OFFICES
OCTOBER 1, 1995 through JUNE 1, 2002**



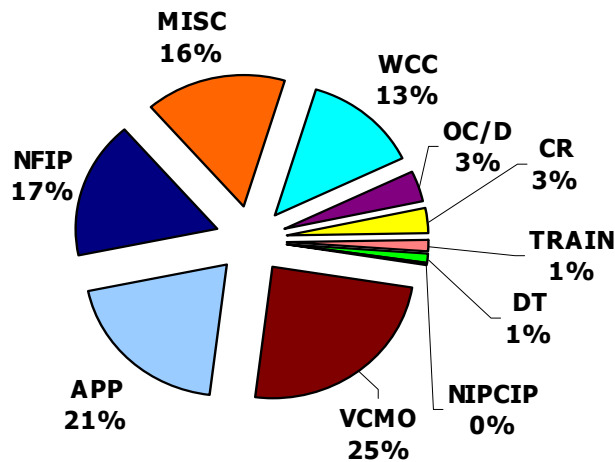
Source: FBI TURK System

Universe of FBI Cases

In addition to our analysis of the FBI’s human resource allocation and utilization, we also obtained, from the Bureau’s Automated Case Support (ACS) system,⁹ data of all cases recorded between October 1, 1995, and June 14, 2002. This reflected all cases that were opened during our review period, as well as those that were opened prior to the start of the review period but remained open as of October 1, 1995.

Our analysis of FBI casework revealed that the VCMO program accounted for the most cases worked¹⁰ during this timeframe. In fact, one quarter of all the cases the FBI worked during that period were in VCMO. NFIP accounted for 17 percent of the cases while the Domestic Terrorism (DT) program made up only one percent during the same time period. This distribution of cases is shown in the following chart.

**BREAKDOWN OF FBI CASES
OCTOBER 1995 through JUNE 2002**



Source: FBI ACS System

⁹ ACS is a centralized electronic case management system used by the FBI. It contains both historical and current case data for all FBI cases, except those that have been destroyed or archived.

¹⁰ We defined a case as “worked” if it was open at any time during our review period.

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Following 9/11 and the FBI's increased attention to national security-related matters, the FBI began opening more terrorism-related investigations. While the average number of case openings per month in the VCMO, WCC, OC/D, and Civil Rights (CR) programs decreased in FY 2002, the average monthly case opening rate in the NFIP and DT programs increased.

Our review of FBI casework also revealed trends in case openings and closings unrelated to 9/11. In general, we identified a downward trend in both the number of cases opened and closed per month. Specifically, between FYs 1997 and 2001 we identified a one-third reduction in case openings, from an average of just over 12,000 cases opened per month in FY 1997 to a little more than 8,000 in FY 2001. This trend reversed in the first eight months of FY 2002 when about 2,000 additional cases per month were opened, many of which were in the NFIP and DT programs.

Our review of case closings revealed a similar trend. Excluding FY 1999, the FBI consistently closed fewer cases per month in each successive fiscal year from 1998 to June 2002. We excluded the FY 1999 data because in April 1999 the FBI administratively closed a large number of inactive cases in preparation for its Year 2000 computer systems conversion.

In reviewing FBI casework, it is important to note that cases in different programs vary significantly in importance and resource commitment. We reviewed the time FBI personnel spent investigating certain significant investigations designated as major cases.¹¹ These are investigations, which, at their outset, are of national importance and/or indicate the potential for a massive commitment of manpower throughout FBI field offices.

Using data from the TURK system, we calculated the hours charged by FBI personnel from October 1995 through June 2002 to all major cases. As detailed in the following table, we found that, by a large margin, the major case utilizing the most combined agent and support resources during that time period has been the investigation of the attacks on 9/11. Further review revealed that 11 of the top 15 major cases, in terms of total FBI personnel hours worked (special agent and support personnel), from October 1995 through June 2002 are related to terrorism.

¹¹ The FBI designates major cases to track the time spent on large, national investigations. Aside from these major cases, the FBI does not track time by individual cases.

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TOP 15 FBI MAJOR CASES¹² OCTOBER 1995 THROUGH JUNE 2002¹³

| RANK | MAJOR CASE | HOURS¹⁴ |
|-------------|--|---------------------------|
| 1 | <i>PENTTBOMB</i> | 3,994,968 |
| 2 | INNOCENT IMAGES | 628,255 |
| 3 | CAMP CON | 332,378 |
| 4 | <i>2002 OLYMPIC WINTER GAMES</i> | 297,075 |
| 5 | <i>OKBOMB</i> | 294,157 |
| 6 | SW BORDER PROJECT/PUBLIC CORRUPTION | 274,450 |
| 7 | <i>UNABOM</i> | 223,586 |
| 8 | <i>SANDBOMB</i> | 213,145 |
| 9 | <i>CENTBOM</i> | 179,265 |
| 10 | <i>THUNDER ROLL</i> | 166,682 |
| 11 | AMADO CARRILLO FUENTES INITIATIVE | 147,429 |
| 12 | <i>KENBOM</i> | 145,645 |
| 13 | <i>1996 SUMMER OLYMPICS</i> | 143,163 |
| 14 | <i>AMERITHRAX</i> | 116,575 |
| 15 | <i>USAMA BIN LADEN¹⁵</i> | 92,569 |

Source: FBI TURK System and FBI Finance Division

Conclusions and Recommendations

The FBI's 1998 5-year strategic plan stated that preventing and defeating foreign intelligence, terrorist, and criminal activities that directly threaten the national security of the United States were the Bureau's highest priorities. However, prior to the 9/11 terrorist attacks the FBI utilized more of its agent resources in the White Collar Crime (WCC), Violent Crimes and Major Offenders (VCMO), and Organized Crime/Drugs (OC/D) programs than in programs related to terrorism. To its credit, the Bureau responded to the 9/11 tragedy with an unprecedented level of effort. Additionally, as time progressed and the amount of resources dedicated to the PENTTBOMB investigation decreased, FBI personnel continued to devote more time to terrorism-related matters in general than any other single area, thus bringing the Bureau's operations into closer alignment with its strategic plan.

We believe the FBI needs to ensure that its operational priorities, in terms of human resource utilization and investigations, consistently coincide with the priorities that are established through the strategic planning

¹² A description of these major cases appears in Appendix II.

¹³ Terrorism-related cases are identified in bolded italics.

¹⁴ The hours shown do not necessarily represent total hours charged to these cases. Instead, the number reflects the hours charged during our review period of October 1, 1995, through June 1, 2002.

¹⁵ This case was opened on May 14, 1999.

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process. Based on the issues we identified in this report, we offer seven recommendations to improve the FBI's management of human resources and casework. Our recommendations focus on encouraging the FBI to review systematically its personnel allocation process and its methods for evaluating human resource utilization. The FBI should also examine the decreasing rate of case openings and closings and the increasing population of open cases to identify the causes of these recent trends. We believe it is important that the FBI closely review the information we have provided and address weaknesses in its human resource allocation and utilization processes as well as the recent trends in its casework, to help ensure that Bureau activities do not differ widely from its strategic plan.

**FEDERAL BUREAU OF INVESTIGATION CASEWORK AND
HUMAN RESOURCE ALLOCATION**

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CHAPTER 1: INTRODUCTION

The Federal Bureau of Investigation's (FBI) mission is to protect the U.S. from foreign intelligence and terrorist activities, investigate violations of federal criminal law, and provide leadership and assistance to other law enforcement agencies. It is the principal investigative arm of the Department of Justice (Department) and has the broadest jurisdiction of any federal criminal justice agency. It is authorized to investigate more than 200 categories of federal crimes. The FBI's criminal investigative functions fall into the categories of counterterrorism, including cyber crime; foreign counterintelligence; organized crime/drugs; violent crimes and major offenders; white collar crime; and civil rights.¹⁶

As of June 1, 2002, the FBI employed 26,735 people, of which 11,267 were special agents. The remaining employees are professional and administrative personnel such as translators, intelligence specialists, mechanics, and administrative assistants.

Our audit objectives were to: 1) review the FBI's allocation and utilization of human resources in its investigative programs from FY 1996 through June 2002, and 2) determine the types and number of cases investigated over the same time period. Additional information on our audit objectives, scope, and methodology is contained in Appendix I.

Jurisdiction and Span of Control

The FBI does not have one specific statutory charter. The agency derives its authority primarily from Title 28 of the Code of Federal Regulations (CFR) and Titles 18 and 28 of the U.S. Code. Title 28 of the CFR grants the FBI Director the authority to investigate violations of laws, including criminal drug laws, except in cases in which such responsibility is by statute or otherwise specifically assigned to another investigative agency. It also makes the FBI Director's authority regarding criminal drug laws concurrent to that of the Administrator of the Drug Enforcement Administration (DEA). Title 28 of the CFR also mandates that the FBI exercise lead agency responsibility when investigating crimes in its jurisdiction that involve terrorist activities or acts in preparation of terrorist activities within U.S. jurisdiction. This includes the collection, coordination, analysis, management, and dissemination of intelligence and criminal information.

¹⁶ These categories, and other non-criminal investigative activities, are described in more detail in the section entitled Investigative Programs, Sub-Programs, and Classifications on page 15.

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Many of the FBI's other functions, including much of its national security and counterintelligence activities, are authorized by Executive Order or Congressional mandate. Congressional directives sometimes result in the FBI having the authority to investigate crimes for which other federal agencies also have jurisdiction. For example, the FBI and Internal Revenue Service both have the authority to conduct investigations of federal gambling violations. In addition, the FBI, the United States Marshals Service (USMS), and the Federal Bureau of Prisons each have jurisdiction over violations of federal escape and rescue statutes. The FBI has entered into agreements with other federal agencies to reduce duplication of effort by sharing information, defining jurisdictional issues, and delineating agency responsibilities.

Because federal and state laws address similar criminal activity, FBI investigative activities overlap with those of state and local law enforcement agencies. For example, there are similar state and federal laws related to carjacking, fraud, child support matters, automobile theft, and drug crimes.

FBI Reorganization

On November 8, 2001, the Attorney General responded to the September 11, 2001 attacks (hereafter referred to as 9/11) by announcing reforms and restructuring within the Department of Justice. Specifically, he stated that the Department's first and overriding priority was now defending the nation against terrorist attacks. He further directed that the FBI be reformed to put prevention of terrorism at the center of its law enforcement and national security efforts.

In December 2001, the FBI announced a restructuring of its organization. Recognizing new areas of importance, it created a Chief Information Officer position, Cyber Division, Security Division, Office of Intelligence, Office of Law Enforcement Coordination, and Records Management Division. In May 2002, the FBI created a new Investigative Technologies Division and transferred to it some technical investigative functions from the Laboratory Division. In addition, to reduce the bottleneck of information and work flowing into the Deputy Director's office, the Director created Executive Assistant Director positions that oversee 13 divisions and 4 offices, most of which are located at FBI Headquarters.

Counterterrorism and Counterintelligence Branch – Consisting of the Counterterrorism and Counterintelligence Divisions, this branch is responsible for national security initiatives. The Counterintelligence Division investigates violations of espionage statutes. The Counterterrorism Division's activities include threat assessments, investigations, and responses to threats and attacks against critical infrastructure, as well as the coordination of federal efforts to assist state and local first responders.

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Law Enforcement Services Branch – This branch includes FBI activities that support its investigative functions, such as the forensic laboratory, criminal justice information services (e.g., National Crime Information Center, Fingerprint Identification Program, and Uniform Crime Reporting), and the training academy. In addition, this branch is responsible for facilitating coordination and information sharing with other law enforcement agencies, both foreign and domestic.

Administration Branch – FBI functions related to budgetary and fiscal matters, information resources and management, personnel, and internal security are housed in this branch.

Cyber and Criminal Investigative Divisions – The Cyber Division addresses criminal investigations where information technology is the principal instrument of criminal activity. The Criminal Investigative Division includes the programs related to the FBI's traditional law enforcement activities, namely: financial/white collar crime (e.g., public corruption; economic crimes; and health care, internet, and government fraud); organized crime (e.g., drug matters, racketeering, and money laundering); violent crimes and major offenders (e.g., fugitive apprehension, gangs, kidnappings, bank robberies, and serial murders); and civil rights violations.

In addition to the reorganization of FBI activities described above, in FY 2003 the FBI Director announced that he had proposed the creation of a new Executive Assistant Director for Intelligence position. This proposal places the Office of Intelligence under the supervision of this new Executive Assistant Director and includes a plan to elevate intelligence work within the FBI to a status comparable to that currently given to national security and criminal investigative matters. The Attorney General approved this proposal on May 21, 2003.

These branches and their respective divisions and offices provide guidance for 56 field offices, approximately 400 satellite offices (called resident agencies), and four specialized field installations located throughout the U.S., as well as more than 40 foreign liaison posts known as Legal Attachés. Within these branches are the investigative programs under which all of the FBI's cases are classified. As of June 2002, the FBI categorized each of its investigations under one of the following ten programs:

- National Foreign Intelligence
- Domestic Terrorism
- National Infrastructure/Computer Intrusion
- Organized Crime/Drugs
- Violent Crimes & Major Offenders
- White Collar Crime
- Civil Rights
- Applicant Matters
- Training
- Miscellaneous

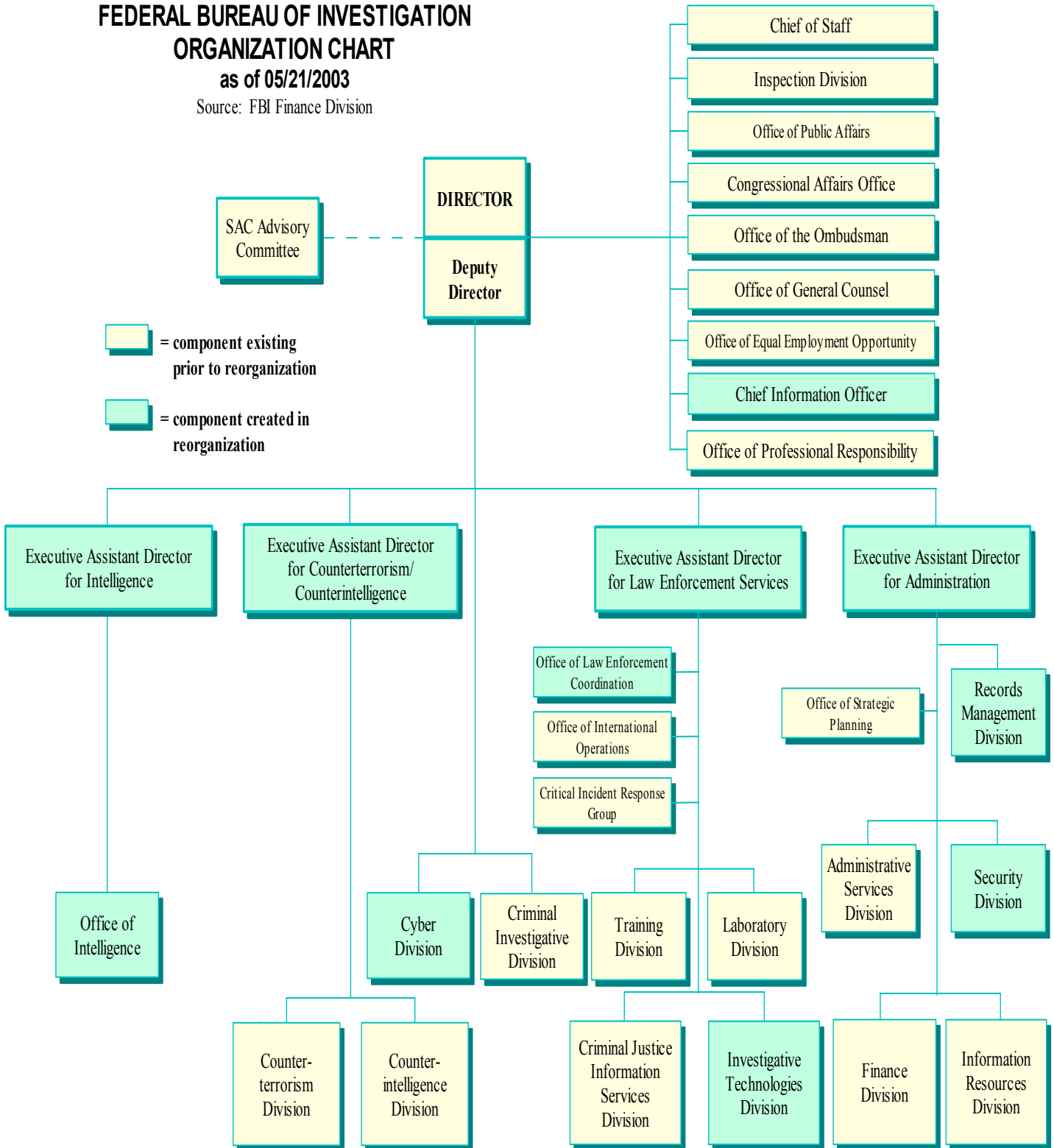
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The FBI's international terrorism efforts are combined in the National Foreign Intelligence Program (NFIP). The FBI's reorganization resulted in this program no longer being consolidated into one area of responsibility on the organizational chart. Instead, portions of NFIP are housed in the Counterterrorism, Counterintelligence, and Cyber Divisions. The FBI's recent reorganization is depicted in the organizational chart (Exhibit 1-1) on the following page. Additional information on the FBI's investigative programs is found in Chapter 2.

**EXHIBIT 1-1:
FEDERAL BUREAU OF INVESTIGATION
ORGANIZATION CHART**

as of 05/21/2003

Source: FBI Finance Division



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FBI Reprioritization

The FBI Director announced in December 2001 that he was taking steps to reprioritize the work performed by the agency. On May 21, 2002, he issued a memorandum to all FBI employees emphasizing the following list of organizational priorities:

1. Protect the United States from terrorist attack.
2. Protect the United States against foreign intelligence operations and espionage.
3. Protect the United States against cyber-based attacks and high technology crimes.
4. Combat public corruption at all levels.
5. Protect civil rights.
6. Combat transnational and national criminal organizations and enterprises.
7. Combat major white collar crime.
8. Combat significant violent crime.
9. Support federal, state, county, municipal, and international partners.
10. Upgrade technology to successfully perform the FBI's mission.

In the memorandum, the Director also emphasized that the FBI would focus on a new goal of prevention rather than prosecution. He added that the FBI would shift its focus from traditional reactive law enforcement operations and increase its emphasis and resources in the intelligence and analysis areas, although it would continue to foster partnerships with other federal, state, and local law enforcement agencies. The Director noted that counterterrorism is the top priority of every field office, as well as FBI Headquarters, and that this will require a constant reassessment and shifting of resources to address counterterrorism.

The Director also stated in his announcement that within the FBI's traditional areas of responsibility (*i.e.*, white collar crime, organized crime, and violent crime investigations), the agency would focus its resources on major crimes where it could make unique law enforcement contributions. In late May 2002, the Director formally moved, or *reprogrammed*, agents assigned to several other law enforcement areas into terrorism-related programs. As shown in the following table, the Drugs component suffered the largest loss of dedicated agent personnel.

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**EXHIBIT 1-2
ALLOCATION OF FBI SPECIAL AGENTS AS OF
MAY 29, 2002**

| | | ALLOCATED AGENTS¹⁷ | | | |
|------------------------------------|---|--------------------------------------|---------------|--------------|---------------|
| | | INVESTIGATIVE PROGRAM | BEFORE | AFTER | CHANGE |
| TERRORISM RELATED | Foreign Counterintelligence ¹⁸ | | | | |
| | Security ¹⁸ | | | | |
| | International Terrorism ¹⁸ | | | | |
| | Domestic Terrorism | | | | |
| | National Infrastructure Protection/Computer Intrusion | | | | |
| | SUBTOTAL | | 2,212 | 2,897 | 685 |
| NON-TERRORISM RELATED | Civil Rights | | 153 | 153 | 0 |
| | Organized Crime ¹⁹ | | 700 | 698 | -2 |
| | Drugs ¹⁹ | | 890 | 490 | -400 |
| | OCDETF ²⁰ | | 488 | 488 | 0 |
| | Violent Crimes and Major Offenders | | 1,821 | 1,762 | -59 |
| | White Collar Crime | | 2,405 | 2,360 | -45 |
| | Applicant Matters | | 121 | 80 | -41 |
| | Training | | 91 | 91 | 0 |
| SUBTOTAL | | 6,669 | 6,122 | -547 | |
| OVERALL TOTALS²¹ | | | 8,881 | 9,019 | 138 |

Source: FBI Resource Management and Allocation office

¹⁷ Reflects the Director's proposal to reorganize the FBI, as well as other changes, as of May 29, 2002. A discussion of the process of allocating special agent resources can be found in Chapter 2.

¹⁸ This is a component of the National Foreign Intelligence Program.

¹⁹ This is a component of the Organized Crime/Drugs (OC/D) Program.

²⁰ The Organized Crime/Drug Enforcement Task Force (OCDETF) program is a coordinated effort of the following nine federal agencies: DEA; FBI; the former Immigration and Naturalization Service (now a part of the Department of Homeland Security); USMS; U.S. Attorneys; Bureau of Alcohol, Tobacco and Firearms; U.S. Customs; Internal Revenue Service; and U.S. Coast Guard. The FBI's budget specifically earmarks positions for this purpose and identifies them as reimbursable resources. Although both the OC/D and Violent Crimes and Major Offenders programs contribute to the overall FBI OCDETF effort, this component is considered part of the OC/D program.

²¹ The totals do not reflect the FBI's full contingent of special agents; they represent only non-supervisory special agents assigned to field offices.

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Prior to the shift, the Drugs component accounted for 890 agent positions; however, the Director's mandate moved 400 of these agents out of Drugs, reducing the program by 45 percent. In addition, the Organized Crime, Violent Crimes and Major Offenders, White Collar Crime, and Applicant Matters programs saw decreases in their dedicated agent resources. The reprogramming, in concert with the creation of additional agent positions in the FBI budget, resulted in 685 additional agents dedicated to terrorism-related matters.

Audit Approach

This audit sought to review the FBI's pattern of utilizing resources to investigate the various crimes under its jurisdiction, both before and immediately following the 9/11 terrorist attacks. To accomplish this, we interviewed more than 50 FBI officials and employees to gain an understanding of its automated systems and its resource allocation process. We then obtained data from the FBI's Time Utilization and Recordkeeping (TURK) system for the period of October 1, 1995, through June 1, 2002. Using this data, we performed an analysis of trends in overall resource utilization between FYs 1996 and 2001 (Chapter 3), an analysis of the impact of 9/11 on FBI resource utilization (Chapter 4), a comparative trend analysis of resource planning and utilization on a program-by-program basis (Chapter 5), a review of predominant investigative programs in each of the 56 field offices (Chapter 6), and a review of resource utilization on the top 15 major cases²² (Chapter 7).

Additionally, we examined the types and number of cases the FBI investigated both before and after 9/11. To that end, we obtained data from the FBI's Automated Case Support (ACS) system for each case that was active between October 1, 1995, and June 14, 2002. We summarized this data by investigative program and analyzed trends in the FBI's casework related to the average number of active cases per month, average number of cases opened per month, and the average number of cases closed per month. In addition, we identified trends in the average number of "short-term" cases – cases that opened and closed in the same fiscal year. We performed these analyses on both an overall and program-by-program basis. The results of these analyses can be found in Chapter 8.

²² Major cases are investigative matters, which, at their outset, are of national importance and/or indicate the potential for a massive commitment of manpower throughout the field. For examples of major cases, see Appendix II.

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Prior Reviews

We did not identify any prior Office of the Inspector General (OIG) or General Accounting Office reviews of trends in FBI resource allocation, utilization, or case activity. According to the FBI, it has not performed any comprehensive reviews or trend analyses on an agency-wide basis; however, individual FBI program managers do receive resource utilization reports and perform ad-hoc reviews of activities for which they are responsible.²³

²³ For more information on these reviews, see the sections entitled FBI Programmatic Use of TURK Data and FBI Programmatic Use of ACS Data on pages 14 and 17, respectively.

CHAPTER 2: RESOURCE ALLOCATION, TIME UTILIZATION, AND CASEWORK DATA

Before discussing the results of our analyses of the FBI's resource utilization and casework, we first discuss the Bureau's resource allocation process and the systems in which the utilization and casework data are maintained. We then describe the terminology and evaluative instruments the agency uses.

Resource Allocation

The FBI allocates its human resources by establishing Funded Staffing Levels (FSLs) within each of its investigative program areas. For example, Exhibit 1-2 shows that the Violent Crimes and Major Offenders program was allocated 1,762 special agents in 2002. This means that the FBI manager in charge of the program had that many agents to divide among the 56 field offices. The FBI Resource Management and Allocation (RMA) office is responsible for establishing the allocations annually as part of the budget planning and execution process.

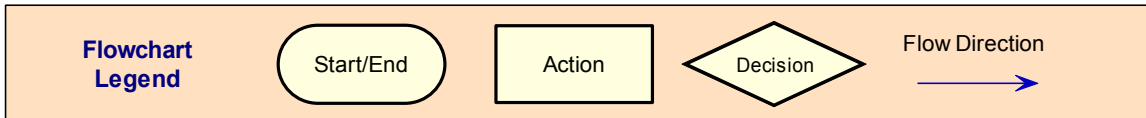
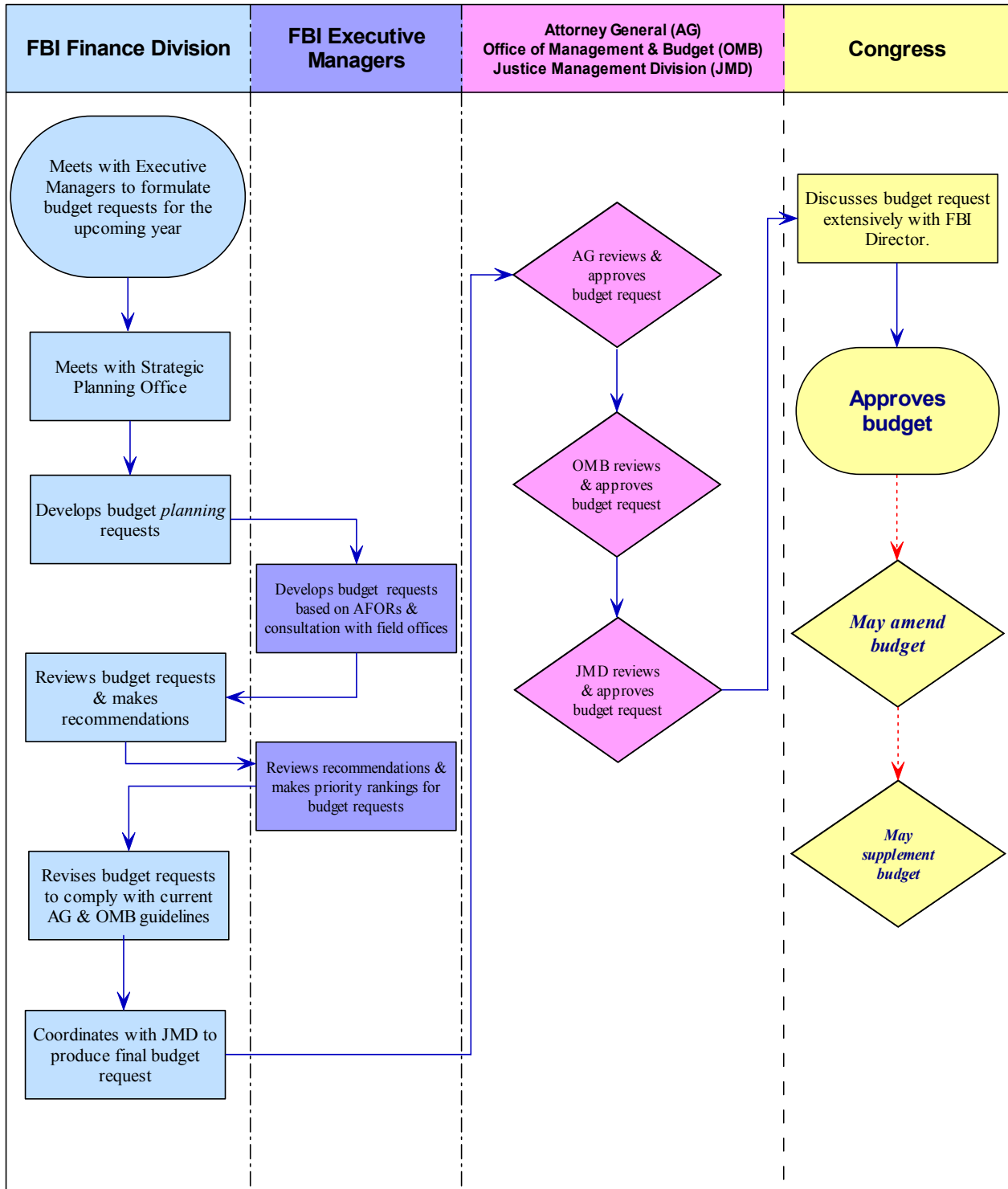
Process – The process for setting agent and support FSLs begins when the FBI Finance office directs the Headquarters program managers to submit resource requests. Each manager reviews annual reports submitted by the field offices, develops a consolidated request for resources dedicated to the specific program area, and submits it to the Finance office. The Finance office reviews each request to ensure it supports the FBI's strategic plan and is sufficiently justified. The resource requests are then incorporated into the budget request that is submitted to the Department's Justice Management Division. A flowchart of the FBI budget process is on the following page.

Using the approved budget figures and in consideration of the FBI's priorities and historical use of resources, the RMA office sets the FSLs, by program, for the fiscal year. Based on a needs analysis completed by each field office, which includes the Annual Field Office Reports (AFORs), crime surveys, statistical accomplishments, how the offices have utilized resources in the past, and direct consultation with field office management, Headquarters program managers and the RMA office determine the personnel to be allocated to each field office and submit the information to the Director for approval.²⁴ After the Director approves the annual FSLs, the RMA office may make minor adjustments to reflect the occasional transfer of positions between programs or offices.

²⁴ Because the FSLs cannot be established until after Congress approves the budget, the allocations are not finalized until after the start of the fiscal year. For example, the FY 2003 budget was not approved until February 2003, and the FSLs were not established and sent to field offices until May 7, 2003.

EXHIBIT 2-1

FBI BUDGET PROCESS



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Special agent FSLs reflect only non-supervisory agents in the field offices; Headquarters and supervisory personnel are not included. Similarly, FSLs are established for support personnel in FBI field offices only. However, the FBI does not allocate support FSLs by investigative program. Instead, field offices are allocated a total number of support personnel in each of three categories: clerical/administrative, investigative, and technical.

OIG Data Collection – We obtained annual special agent and support FSL information for each fiscal year in the review period. The annual agent FSL data was broken down by field office and by program and/or sub-program. We also obtained annual support FSLs for each field office. In our analyses using FSL data, we utilized the final allocations for each fiscal year that reflected any mid-year adjustments.

Resource Utilization Data

Automated System – The FBI uses the Time Utilization and Recordkeeping (TURK) system to track time spent by most investigative personnel. Because TURK is used to track investigative efforts, only certain personnel are required to record their time in the system. According to FBI guidelines, TURK data input is limited to the following field office personnel:²⁵

SPECIAL AGENTS

- non-supervisory special agents grade GS-13 and below
- grade GS-14 Chief Division Counsels
- grade GS-14 Assistant Division Counsels

SUPPORT

- investigative specialists
- language specialists
- financial assistants/analysts
- information technology specialists-forensic examiners
- intelligence research specialists
- surveillance specialists

These agents and support personnel are referred to as “TURKing” personnel. These TURKing personnel physically record their time on a paper form called the FD-420a. Rather than recording the actual number of *hours*

²⁵ FBI Headquarters personnel are not required to record their time in TURK because, generally, they do not work on investigative matters.

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they spend working on a particular matter, they record the *percentage* of time they work by investigative classification.²⁶ For example, if an agent spent an entire day working on bank robberies, he would record that 100 percent of his time was expended in the "91" classification, which falls in the Violent Crimes and Major Offenders (VCMO) program. If, however, that agent evenly divided his time between bank robbery matters and financial institution fraud, he would record 50 percent of his time in the VCMO program and the remaining 50 percent in the "29" classification, found in the White Collar Crime program. While it is possible to work on several classifications in a single day, all the percentages listed on the timesheet must equal 100 percent for each day (these percentages are based on a 10-hour day for agents²⁷ and an 8-hour day for support personnel).

In general, the TURK system tracks time by investigative program or sub-program, not by individual case.²⁸ However, the FBI has designated a small number of investigations as "major cases" and TURKing personnel working on these investigations record the appropriate major case number on their TURK forms in addition to all normal data.²⁹ This enables the FBI to capture the total time expended on its highest profile investigations while still capturing investigative time by classification.

The FBI Finance Division maintains the TURK system, which is a module of the FBI's payroll system called the Administrative Time Capture (ATC) system. Although the information is entered into the system biweekly along with time and attendance data, TURK data collection is divided into 13 TURK periods per fiscal year, making each TURK period consist of 2 pay periods. For example, September 11, 2001, occurred in TURK period 13 of FY 2001, which ran from August 26, 2001, through September 22, 2001.³⁰

Data Elements - TURK data is presented in the form of straight work hours, Direct Agent Work Years (DAWYs), Direct Support Work Years (DSWYs), and Average On Board (AOB). The ATC system calculates DAWYs

²⁶ As of FY 2002, the FBI had 311 separate investigative classifications.

²⁷ Generally, federal law enforcement officers are not granted overtime pay. Instead, they receive Law Enforcement Availability Pay amounting to 10 hours above a standard workweek.

²⁸ For a more detailed discussion of FBI programs and sub-programs, see page 15.

²⁹ See Appendix II for examples of major cases.

³⁰ A list of dates for each TURK period in the review timeframe appears in Appendix III.

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and DSWYs to provide an idea of work effort in FBI programs and sub-programs for each TURK period. In general, one DAWY equals 2,600 work hours (10 hours per day times 260 work days per year) and one DSWY equals 2,080 work hours (8 hours per day times 260 work days per year).³¹ DAWYs and DSWYs are based upon total hours and are indicators of overall work effort, but they actually reflect a larger number of *people* than are actually working at a particular time because the calculations allow for a level of effort beyond the standard workday. Further, prior to calculating DAWYs and DSWYs, the ATC system prorates all recorded leave and miscellaneous time back into the TURK record of each employee. This is accomplished through use of an automated Investigative Program Allocator, which prorates the data back into the TURK record of each employee based on investigative activity in that employee's previous six pay periods.

The ATC system also calculates AOB at the end of each TURK period to approximate the equivalent number of actual agents that achieved the DAWY expended in a particular program and/or sub-program. Unlike with DAWYs and DSWYs, though, it does not prorate leave and miscellaneous time back into TURK prior to performing the calculation. The ATC system computes AOB directly from the percentages entered on the FD-420a, and no matter how many hours an individual employee works, he or she can never be counted as more than one person. Over the course of a year, this number should closely approximate the average number of TURKing agents that were on-board during the year. Thus, AOB is the best indication the FBI has of estimating the actual number of personnel that are working at any particular time. In general, we performed our analyses using this AOB data.

FBI Programmatic Use of TURK Data – The FBI refers to the rate at which personnel resources are expended as the “burn rate.” It uses the term “underburn” to indicate when resource usage is less than resource allocation, and the term “overburn” when resource usage is greater than resource allocation. TURK program officials prepare quarterly reports of TURK resource utilization data for distribution to all Headquarters program managers, which includes resource allocation figures and burn rates. Therefore, each Headquarters program manager is aware of the rate at which their program is using the resources allocated.

In addition to these quarterly reports, the FBI Inspection Division obtains resource utilization and allocation data, as well as burn rates, from TURK program officials, which it uses during its triennial reviews of FBI field offices. Field office management, including Special Agents in Charge, Assistant Special Agents in Charge, and Supervisory Special Agents

³¹ The actual calculation of DAWYs and DSWYs can change slightly each year, depending on the exact number of workdays in the year. The formulae appear in Appendix I.

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responsible for investigative squads, are evaluated in part on their utilization of allocated resources and resulting burn rates.

OIG Data Collection - We obtained TURK work hour information for both agent and support personnel from October 1, 1995, through June 1, 2002. This universe included 559,661 records consisting of TURK work hours, captured for each field office at the program and sub-program levels, for each TURK period in the reviewed timeframe.³² The data included hourly miscellaneous and leave time, as well as hours captured, when appropriate, in FBI major cases.

In addition to work hour data, we also obtained AOB data for both agent and support personnel from October 1, 1995, through June 1, 2002. This accounted for a total of 36,588 records representing the AOB for each field office (captured at the program and sub-program level) for each fiscal year in the review period.³²

FBI Casework Data

Automated System - The Automated Case Support (ACS) system is the centralized electronic case management system used by the FBI. It contains both historical and current case data for all FBI cases, except those that have been destroyed or archived. All FBI facilities, including field offices, resident agencies, Headquarters, and Legal Attaché offices, have access to ACS. The system, which came on-line on October 16, 1995, consists of the following three components:

- Investigative Case Management - used to open a case and assign a unique 9-digit case number, called the Universal Case File Number, which consists of the FBI crime classification number; a two-letter alpha code designating the field office that opened the case; and a consecutive, numerical designator generated by the system.
- Electronic Case File - used to maintain investigative documentation, such as interview transcripts.
- Universal Index - used to maintain index records for a case and allows the searching of records in a variety of ways.

Investigative Programs, Sub-Programs, and Classifications - The FBI assigns each of its cases to an investigative classification according to the nature of the case. Each of these classifications fall into one FBI program,

³² In addition to data from the field offices, our universes included resource utilization data for three special, non-field office units (related to campaign finance investigations, independent counsels, and the Critical Incident Response Group) that operated out of Headquarters during our review period. Individuals in these units were required to record their time in the TURK system.

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and, if appropriate, a sub-program. As of June 2002, the FBI had 10 programs, 48 sub-programs, and 311 investigative classifications.³³ The programs and their areas of responsibility, as illustrated by the accompanying sub-program and investigative classification examples, are as follows:

EXHIBIT 2-2 **FBI PROGRAMS, SUB-PROGRAMS, AND CLASSIFICATIONS**

| ACRONYM | PROGRAM NAME | SUB-PROGRAM AND CLASSIFICATION EXAMPLES |
|----------------|---|---|
| NFIP | National Foreign Intelligence | Foreign Counterintelligence FBI Security International Terrorism |
| NIPCIP | National Infrastructure Protection/Computer Intrusion | Computer Intrusion Criminal Matters Protection of Transportation Facilities |
| DT | Domestic Terrorism | Counterterrorism Preparedness Weapons of Mass Destruction |
| WCC | White Collar Crime | Bankruptcy Fraud Health Care Fraud Wire and Mail Fraud |
| OC/D | Organized Crime/Drugs | Mexican/Criminal Syndicates Asian Criminal Enterprise OCDETF |
| VCMO | Violent Crimes & Major Offenders | Fugitives Violent Gangs Crimes Against Children |
| CR | Civil Rights | Racial Discrimination Involuntary Servitude and Slavery |
| APP | Applicant Matters | Background Investigations Recruitment and Processing Investigations of White House Staff & Visitors |
| TRAIN | Training | Federal Training State and Local Training |
| MISC | Miscellaneous Matters | Freedom of Information Act Issues Public Relations Matters |

Source: FBI Finance Division and FY 2002 Investigative Classifications booklet

These programs and sub-programs are not static; during our review period, the FBI created one new program (the National Infrastructure Protection/Computer Intrusion Program) and several sub-programs, eliminated certain sub-programs, and transferred some classifications and sub-programs into other programs. Generally, when a program ceases to exist the FBI re-classifies the cases in that program in order to have them

³³ A crosswalk of FBI programs and sub-programs appears in Appendix IV.

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assigned to the most appropriate current program. The elimination of programs does not affect the resource data we collected from the TURK system because TURK data is captured by investigative classifications, which are updated each year and always assigned to current FBI programs.

ACS officials said that the FBI has analyzed a variety of methods for classifying cases. Currently, once a case is accepted, the FBI classifies it according to the nature of the criminal violation and the program area that has the greatest expertise involving the investigation of that particular crime. The FBI will, though, reclassify a case if it discovers the case more appropriately belongs in a different classification than the one in which it was first placed. For example, officials in the Organized Crime/Drugs (OC/D) program described a recent investigation that began as a small White Collar Crime program stock fraud case until it was discovered there were ties to organized crime. When that occurred, the field office converted the case to an OC/D case.

Case Acceptance – As noted in Chapter 1, the FBI has the authority to investigate any federal crime not specifically assigned to any other federal agency. Individual FBI field offices decide if they will investigate a particular matter, basing their decision on priorities set by Headquarters, knowledge of the local criminal environment, the interest of other federal agencies in the jurisdiction, and the prosecution threshold of the local U.S. Attorney's Office. While field office managers usually make this determination, they occasionally elevate the decision to program managers in Headquarters.

FBI Programmatic Use of ACS Data – Supervisors in field offices are required to periodically review all open cases with their agents. To accomplish this, the supervisor can print a report from ACS of all cases assigned to the agent. In addition, field offices complete Monthly Administrative Reports that detail activity in each investigative program. Included in these reports are the numbers of previously open cases, case openings, and case closings by type (e.g., U.S. Attorney declinations). These reports are electronically submitted to Headquarters and distributed to the program managers. Some program managers considered the reports to be helpful and used them in managing their programs, but others thought their utility was negligible. Further, the FBI does not currently use ACS data to perform any long-term reviews of case-related activity for the Bureau as a whole.

OIG Data Collection – We obtained ACS data consisting of all cases recorded in the system between October 1, 1995, and June 14, 2002. This reflected all cases that were opened during our review period, as well as those that were opened prior to the start of the review period but remained

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open as of October 1, 1995. The file contained 1,799,198 records, and provided, among other things, the case number, open date, close date, and investigative program for each case.

CHAPTER 3: TRENDS IN RESOURCE UTILIZATION FY 1996 THROUGH FY 2001

Following the 9/11 attacks, the FBI announced that it planned to shift a large number of resources to work on counterterrorism efforts in its National Foreign Intelligence, Domestic Terrorism, and National Infrastructure Protection/Computer Intrusion programs. To address where the FBI's resources were allocated prior to 9/11, we conducted a trend analysis of FBI resource utilization from October 1995 to FY 2001.³⁴

As noted in Exhibit 3-1, in FY 1996 through FY 2001, the FBI utilized the bulk of its human resources in four primary areas: White Collar Crime (WCC), Organized Crime/Drugs (OC/D), National Foreign Intelligence (NFIP), and Violent Crimes and Major Offenders (VCMO). During that timeframe, there were at least 1,400 more personnel on board for each of these four programs in each fiscal year than for any other program. As seen on the bottom portion of the following chart, the remaining programs incurred much lower amounts of human resource usage. This bottom cluster consists of the National Infrastructure Protection/Computer Intrusion (NIPCIP), Domestic Terrorism (DT), Civil Rights (CR), Applicant Matters (APP), and Training (TRAIN) programs.

³⁴ Resource utilization is displayed in terms of Average On Board, as defined in Chapter 2.

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EXHIBIT 3-1
COMBINED AGENT AND SUPPORT UTILIZATION
FISCAL YEARS 1996 THROUGH 2001

CLASSIFIED
INFORMATION
REDACTED

Source: FBI TURK System

- 20 -

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In each of the six fiscal years reviewed, the FBI utilized the most human resources in the White Collar Crime program, at an average of 2,591 agent and support personnel per year. Further, this program experienced a general increase over the time period reviewed. Similarly, the trend in resource usage in the National Foreign Intelligence Program showed a general increase in utilization during the period studied. The other two programs in the top cluster, Organized Crime/Drugs and Violent Crimes and Major Offenders, also received a great deal of resources, with averages of 2,311 and 2,183 personnel, respectively. The highest annual number of human resource utilization in the bottom cluster of FBI programs came from Domestic Terrorism, at 428.

FBI Strategic Priorities

We also reviewed the FBI's strategic plan for 1998 through 2003 to determine the types of activities on which the FBI stated it was most important to focus its efforts.³⁵ The strategic plan sets the agenda for the Bureau by establishing specific 5-year strategic goals and broad strategies for achieving those goals. It also divides FBI priorities into three levels (or "tiers") of importance, with tier one activities being the most important and tier three being the least important. However, FBI investigative programs are not clearly assigned within the tier structure. Some programs have activities that relate to more than one tier; for example, the White Collar Crime program includes activities that can be classified within each of the tiers.

Tier One: National and Economic Security – Tier one represents the area of highest priority for the FBI and focuses on national and economic security, including foreign intelligence, terrorism, and criminal activity of such importance to the U.S. that the FBI must be at full capacity to respond. These are also crimes over which the FBI holds exclusive jurisdiction.

Strategic goals for tier one include preventing and defeating foreign intelligence operations and terrorist activities before they occur, as well as preventing criminal conspiracies from defrauding major U.S. industries and the federal government. The strategic plan refers to the National Foreign

³⁵ As identified in OIG report number 02-38 entitled "A Review of the Federal Bureau of Investigation's Counterterrorism Program: Threat Assessment, Strategic Planning, and Resource Management," the FBI's strategic plan has not been updated since 1998. As a result, we recommended that the FBI update its strategic planning process and close the gap between planning and operations by establishing an effective system of performance measures and standards and holding managers at all levels accountable for achieving the goals and objectives stated in FBI strategic plans. As a result of our strategic planning recommendations, the FBI is updating its strategic plan. Further, according to the FBI, as part of the 2003 strategic planning process, all programs will be required to develop performance measures for assessing national program performance and for evaluating individual field office performance. In addition, the FBI's inspection process is being re-engineered to focus on outcome/results-based performance measures and to hold managers accountable for individual and program performance.

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Intelligence, Domestic Terrorism, and National Infrastructure Protection/Computer Intrusion programs in the tier one section. In addition, significant investigations under the White Collar Crime program address issues related to economic security.

Tier Two: Criminal Enterprises and Public Integrity – Tier two priorities rank second in importance, and are predominately characterized by investigations of criminal organizations that exploit social, economic, or political circumstances.

Tier two strategic goals focus on disrupting and dismantling organized criminal enterprises, violent multi-jurisdictional gangs, and drug-trafficking organizations, and on reducing public corruption and civil rights violations. These goals apply to the Organized Crime/Drugs, Civil Rights, and White Collar Crime programs.

Tier Three: Individuals and Property – As priorities for the FBI, tier three criminal activities rank lowest. Crimes that fall into tier three are those where the FBI is expected to respond quickly and efficiently, but the FBI's role in these cases is to supplement the activities of state and local law enforcement.

The primary goal of tier three is to reduce the impact of the most significant crimes affecting individuals and property. According to the strategic plan, these goals apply to the Violent Crimes and Major Offenders program and some lower-level White Collar Crime program activities.

As noted in Chapter 1 of this report, the FBI Director released a new set of top priorities for the Bureau in May 2002. These priorities reiterated the place of terrorism-related work at the top of the list. Prior to the Director's memorandum, significant white collar crime involving economic security was a tier one priority. The new set of priorities, however, moved white collar crime to the bottom half of the list, where it was ranked in importance behind terrorism-related work, computer security, public corruption, civil rights, and organized crime.

Although the tier structure outlining strategic priorities has been in place since at least 1998, our analyses showed that the FBI's utilization of human resources between FY 1996 and 2001 had not supported its priorities. Two tier one programs, White Collar Crime and National Foreign Intelligence, are among the top four programs in terms of human resource usage, as evidenced in Exhibit 3-1. The other tier one programs (Domestic Terrorism and National Infrastructure Protection/Computer Intrusion), however, utilized comparatively little of the FBI's human resources between FY 1996 and 2001.

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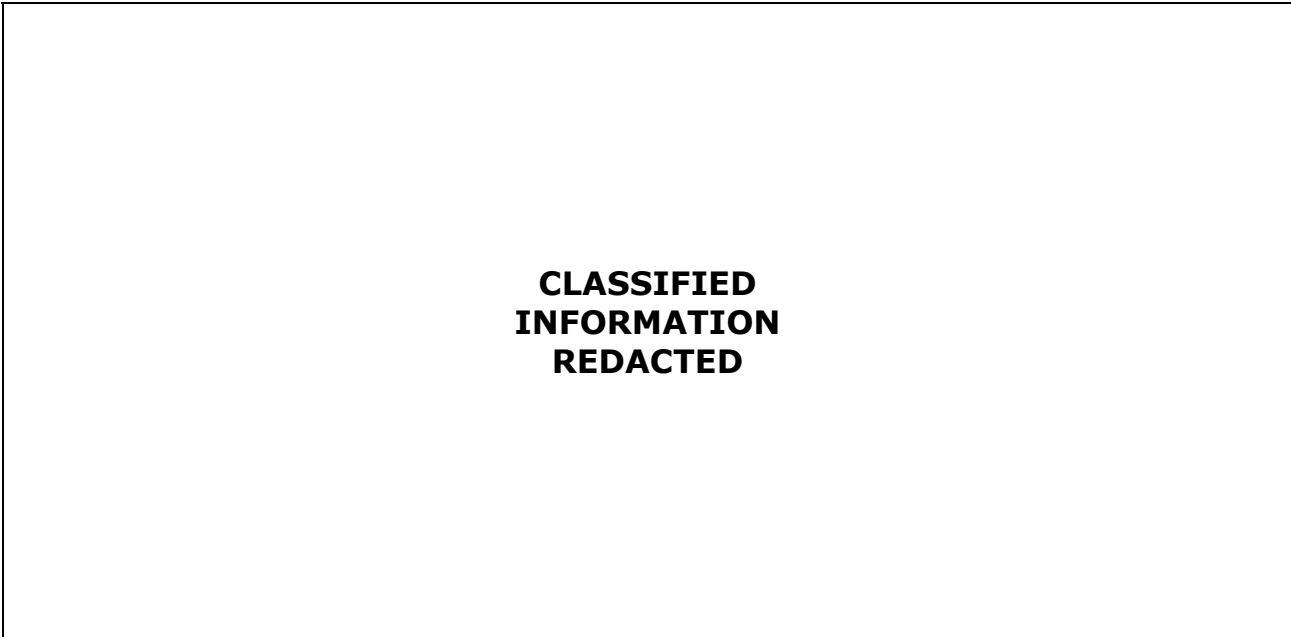
At the same time, the other two programs using significant amounts of personnel resources, Organized Crime/Drugs and Violent Crimes and Major Offenders, are not tier one programs; rather, they are tier two and tier three programs, respectively.

Although looking at the FBI as a whole illustrates that the Bureau did not utilize its resources in line with its strategic priorities, an even more important trend is identified when the Bureau's utilization of special agent resources is separated from its utilization of support personnel.

Special Agents

When separated from support personnel, FBI agents worked predominantly in the White Collar Crime program from FY 1996 through 2001, while large numbers of agent resources also were devoted to the Organized Crime/Drugs, Violent Crimes and Major Offenders, and National Foreign Intelligence programs. Reflective of the overall combined trend, there were significantly more agents on board for these four programs in each fiscal year than for any other program. In contrast to the combined data, though, far fewer agents worked in National Foreign Intelligence than in the other three programs in the top cluster. In fact, in each fiscal year until FY 2001, at least 500 fewer agents worked on NFIP matters than on those in the next highest program, as shown in Exhibit 3-2.

EXHIBIT 3-2
AGENT UTILIZATION
FISCAL YEARS 1996 THROUGH 2001

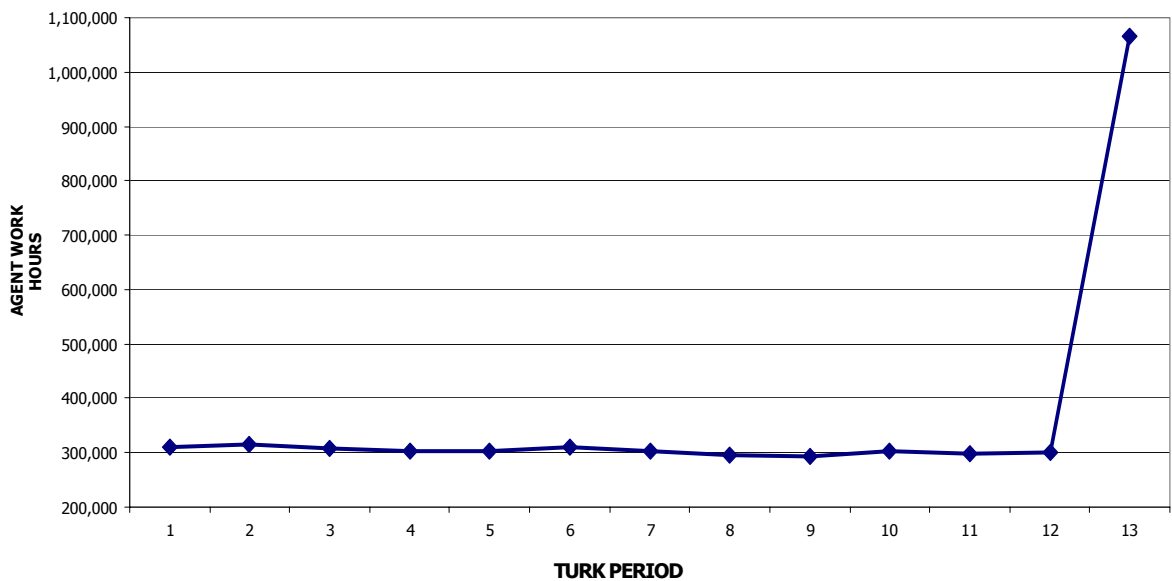


Source: FBI TURK System

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As shown in Exhibit 3-2, in FY 2001 agent utilization increased in the National Foreign Intelligence Program and generally decreased in all other programs. This increase in NFIP agent usage is directly attributable to the events of 9/11, which occurred during the final month of FY 2001. Exhibit 3-3 shows that the number of NFIP agent hours worked was generally consistent at around 300,000 for the first 12 TURK periods of the year. This changed dramatically in the final TURK period of FY 2001 (during which 9/11 occurred), when agent hours rose more than 250 percent to more than one million. Thus, the data indicates that agent utilization in NFIP would have remained unchanged absent the events of 9/11. In turn, without this major terrorist event, Bureau-wide agent utilization would have remained the same in FY 2001 and would not have begun to come into alignment with the strategic plan.

**EXHIBIT 3-3
NATIONAL FOREIGN INTELLIGENCE PROGRAM
FISCAL YEAR 2001**



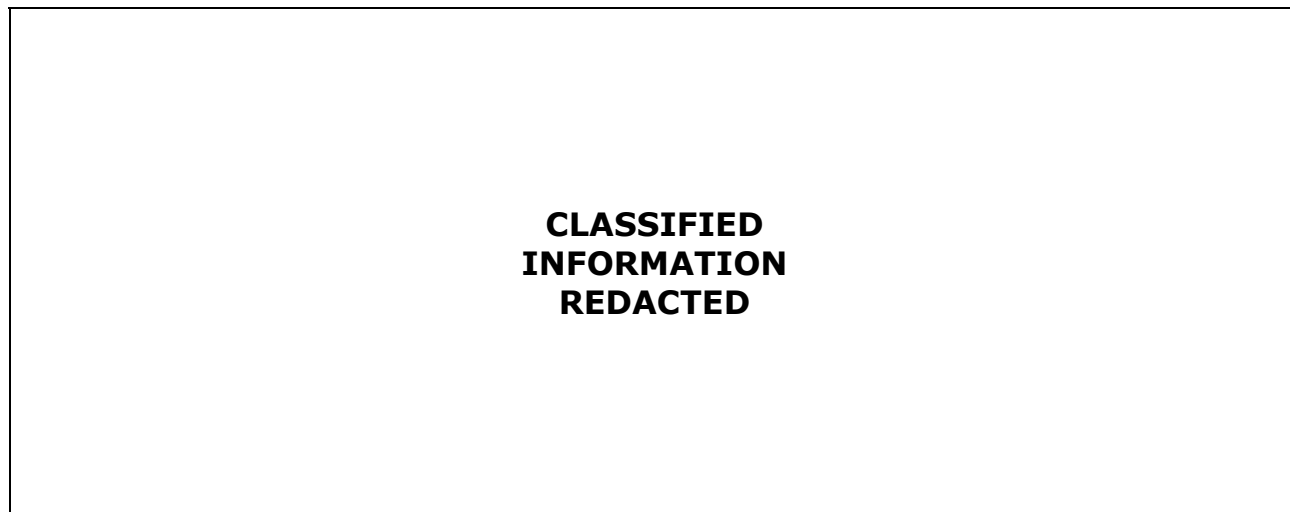
Source: FBI TURK System

In summary, prior to 9/11 more agents worked on White Collar Crime, Organized Crime/Drugs, and Violent Crimes and Major Offenders matters than in the National Foreign Intelligence Program. This resource utilization is not in line with the goals stated in the FBI's strategic plan because, while portions of the FBI's WCC program fall into tier one and relate to the FBI's strategic goal to ensure economic security, OC/D and VC/MO program activities generally do not. Instead, they fall into tiers two and three, respectively. Although NFIP clearly is a tier one priority, it exhibited the fourth highest usage of agent resources from FY 1996 through most of FY 2001.

Support Personnel

In contrast to the utilization of agent personnel, the National Foreign Intelligence Program utilized the most support personnel between FYs 1996 and 2001. As evidenced in the following graph of support utilization, more than twice the number of support personnel worked in NFIP than in any other program in each fiscal year of our review period. According to NFIP officials, this is because the program utilizes many different types of specialized support personnel (e.g., language specialists and surveillance specialists) that other FBI programs do not use extensively. Aside from NFIP, the White Collar Crime, Organized Crime/Drugs, and Violent Crimes and Major Offenders programs utilized the largest number of support personnel during the timeframe covered in our analysis.

EXHIBIT 3-4
SUPPORT PERSONNEL UTILIZATION
FISCAL YEARS 1996 THROUGH 2001



Source: FBI TURK System

In fact, not only did more FBI support personnel work on National Foreign Intelligence Program matters than in any other *single* program, but as shown in the following graph, more support personnel worked on NFIP matters than in all other programs *combined*.

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EXHIBIT 3-5
COMPARISON OF SUPPORT PERSONNEL UTILIZATION
NFIP vs. ALL OTHER PROGRAMS COMBINED
FISCAL YEARS 1996 THROUGH 2001

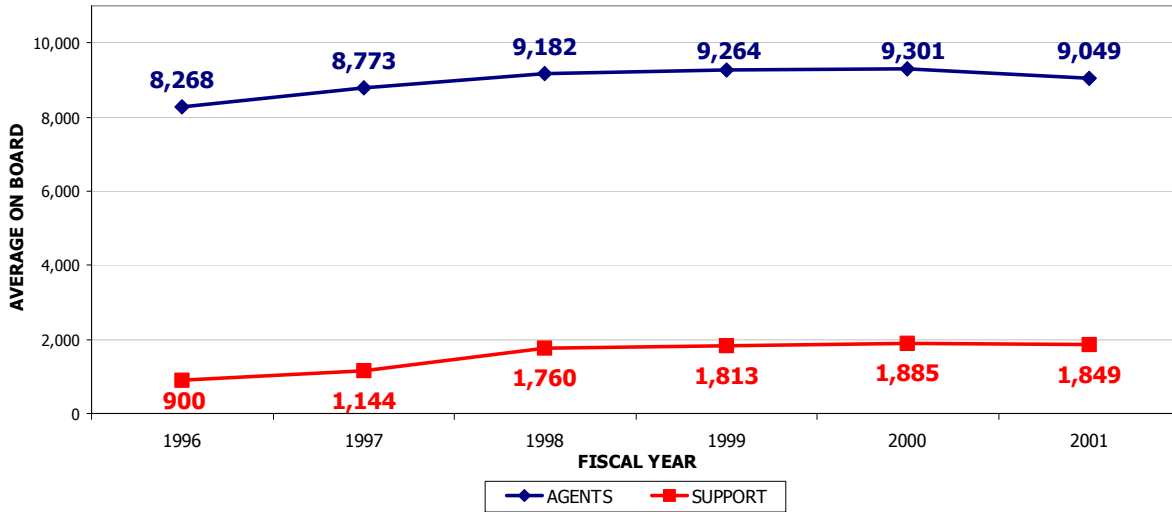
CLASSIFIED
INFORMATION
REDACTED

Source: FBI TURK System

According to FBI Resource Management and Allocation (RMA) officials, field office management directs support resources where they are needed the most. The FBI does not allocate or budget support staff to specific investigative program areas; support resources are requested in the budget by using pre-determined formulas based on the number of agents. Specifically, the FBI uses different formulas to determine the number of investigative support staff, administrative/clerical staff, technical support staff, computer forensic specialists, and electronics technicians it needs. RMA officials also said that, although many requests have been made, the formulas have remained unchanged since FY 1996. Reflecting these formulas, the ratio between agents and support personnel has remained generally consistent at about five to one since FY 1998, as shown in Exhibit 3-6.

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**EXHIBIT 3-6
OVERALL COMPARISON OF AGENT TO SUPPORT PERSONNEL
FISCAL YEARS 1996 THROUGH 2001**



Source: FBI TURK System

Conclusion

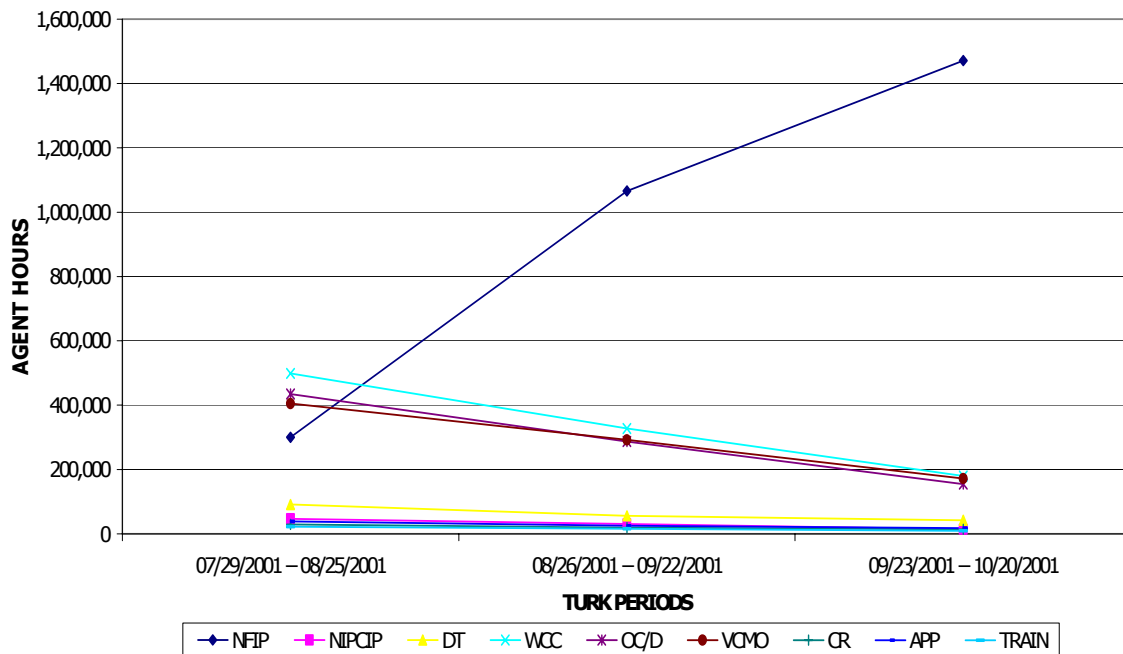
Prior to the 9/11 terrorist attacks, the FBI did not devote a significant portion of its special agent resources to domestic and international terrorism issues. In comparison, the FBI consistently devoted the majority of its support personnel resources to terrorism-related matters because of the specialized nature of the work. However, even when agent and support personnel are combined, the FBI was not utilizing its collective personnel resources in line with its strategic priorities, which named national and economic security as the FBI’s primary concerns.

Between FYs 1996 and 2001, the Bureau’s White Collar Crime program was the leader in human resource usage and the Organized Crime/Drugs and Violent Crimes and Major Offenders programs utilized more special agent resources than its National Foreign Intelligence Program. Further, human resource usage in the FBI’s Domestic Terrorism and National Infrastructure Protection/Computer Intrusion programs was far below that in the White Collar Crime, Organized Crime/Drugs, Violent Crimes and Major Offenders, and National Foreign Intelligence programs.

CHAPTER 4: RESOURCE IMPACT OF TERRORIST EVENTS OF 9/11/01

In immediate response to 9/11, the Bureau shifted a large amount of its work effort into the counterterrorism area. As shown in Exhibit 4-1, between late July and October 2001, agent work effort in the National Foreign Intelligence Program (NFIP) increased dramatically while all other programs experienced decreases.

EXHIBIT 4-1
IMMEDIATE AGENT RESPONSE TO 9/11



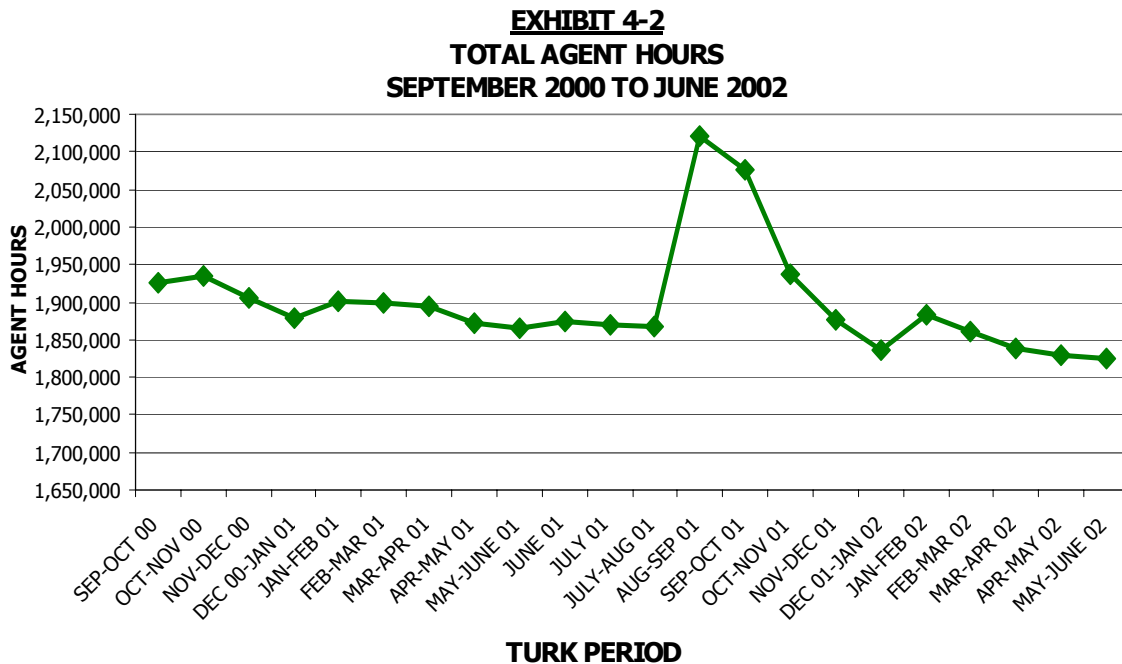
Source: FBI TURK System

Subsequent to this shift in agent work effort, in December 2001 the FBI Director announced his plan for reorganizing the Bureau and his intent to formally transfer additional resources to terrorism-related work. As noted in the schedule of agent allocations for FY 2002 found in Exhibit 1-2, the Director increased the special agent allocation in terrorism-related programs from 2,212 to 2,897 in May 2002.

Changes in Hours Worked

Overall Increase – The dramatic increase in work hours dedicated to NFIP in the weeks following 9/11 did not come solely at the expense of other programs. Much of the immediate increase in both agent and support work hours was due to the large amounts of overtime worked in the initial weeks following the 9/11 attacks. This can be seen by looking at the total number of work hours expended by FBI special agents and support personnel both before and after 9/11.

As shown in the following graph, the terrorist attacks, which occurred during TURK period 13 of FY 2001, resulted in a large increase in total agent work hours in all programs combined. On average, FBI agents were working 1.89 million hours per TURK period in the year prior to 9/11. In TURK period 13, this work effort increased to almost 2.12 million hours, an increase of about 12 percent.

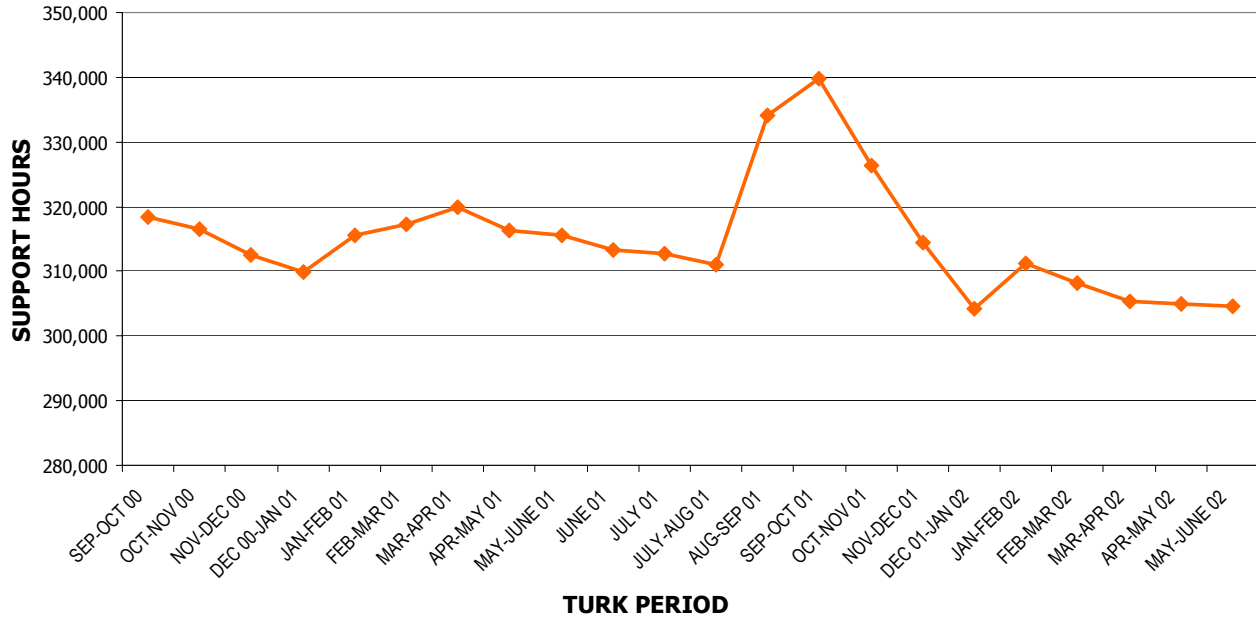


Source: FBI TURK System

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Similar to agents, FBI support personnel worked significantly more hours than normal in response to 9/11. As shown in the following graph, support work hours progressed from an average of about 315,000 in the year just prior to 9/11, to about 340,000 immediately after (in TURK period 1 of FY 2002), reflecting an 8 percent increase.

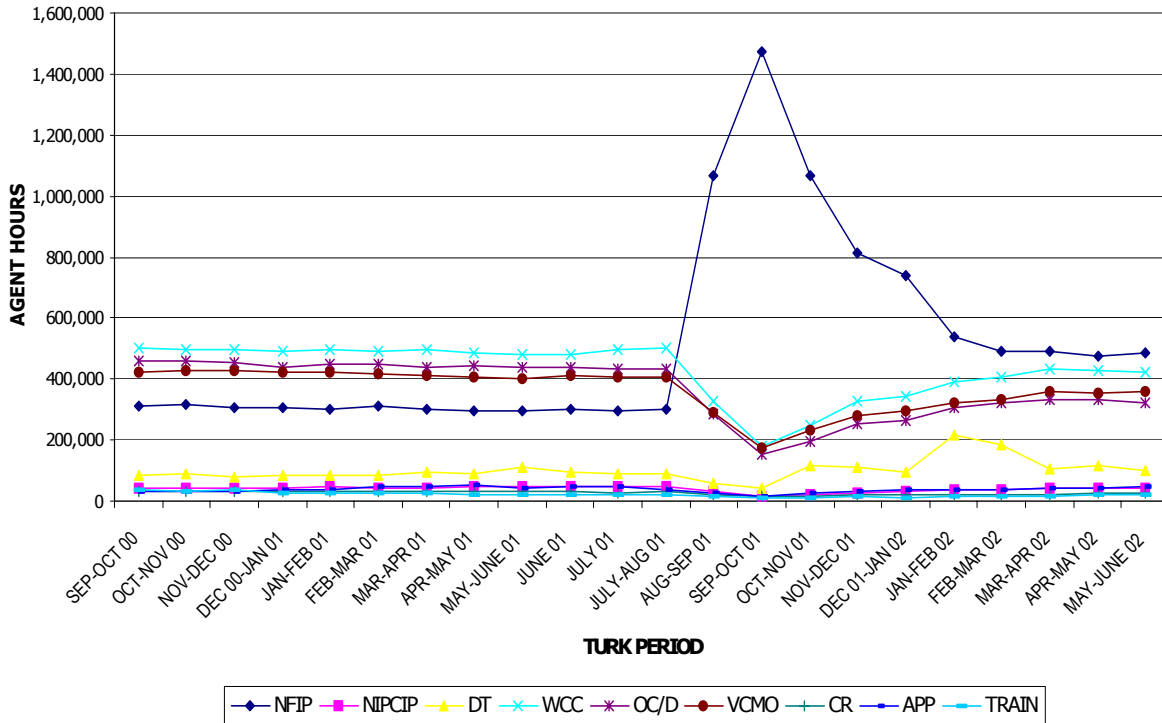
**EXHIBIT 4-3
TOTAL SUPPORT HOURS
SEPTEMBER 2000 TO JUNE 2002**



Source: FBI TURK System

Changes Within FBI Programs – The changes in FBI resource utilization can be seen within its investigative program areas. The following graphs (Exhibits 4-4 and 4-5) of special agent and support personnel work hours in these program areas highlight three distinct time periods: the time prior to 9/11, the immediate response to 9/11, and the stabilization of work hours after 9/11.

EXHIBIT 4-4
AGENT HOURS BY FBI PROGRAM AREA
SEPTEMBER 2000 TO JUNE 2002

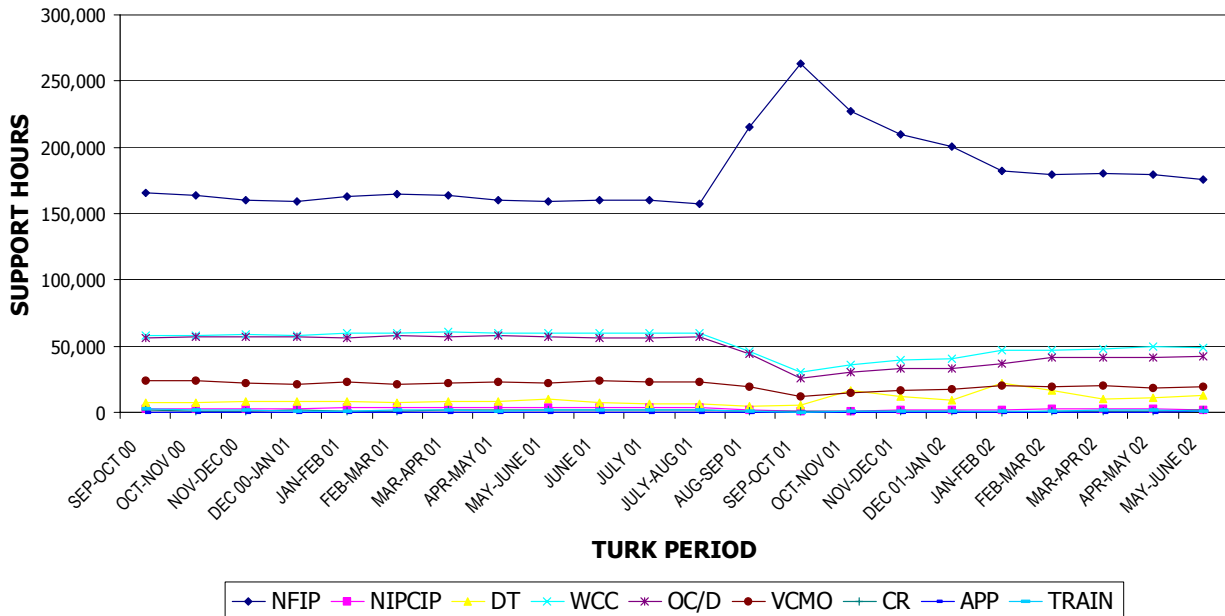


Source: FBI TURK System

Between September 2000 and August 2001, the FBI consistently utilized most of its agent resources in its White Collar Crime, Organized Crime/Drugs, and Violent Crimes and Major Offenders programs. This changed dramatically after 9/11, when agent hours in NFIP increased by almost 400 percent, from just over 300,000 hours to almost 1.5 million hours. At the same time, agent hours in all other programs decreased. After NFIP agent work hours reached their post-9/11 peak, the level of effort gradually declined and stabilized, leveling out between February and March of 2002. However, although the NFIP agent work hours decreased as time went on, the stabilized level of effort was at a rate **higher** than prior to 9/11. NFIP agent work hours increased by about 62 percent per TURK period, from just over 300,000 in TURK period 12 of FY 2001 to over 485,000 in TURK period 9 of FY 2002.

For the same timeframe, work hours expended by support personnel in the National Foreign Intelligence Program rose from about 157,000 to more than 175,000, an increase of about 12 percent. This increase is displayed in Exhibit 4-5.

**EXHIBIT 4-5
SUPPORT PERSONNEL HOURS BY FBI PROGRAM AREA
SEPTEMBER 2000 TO JUNE 2002**



Source: FBI TURK System

In summary, in the weeks immediately following the 9/11 attacks, FBI personnel in general worked significantly more hours than usual. This increase in work effort was directed to NFIP, while all other programs experienced decreases in work hours. In the months after 9/11, NFIP stabilized and replaced White Collar Crime as the program expending the largest amount of agent work hours.

Changes in Personnel Distribution

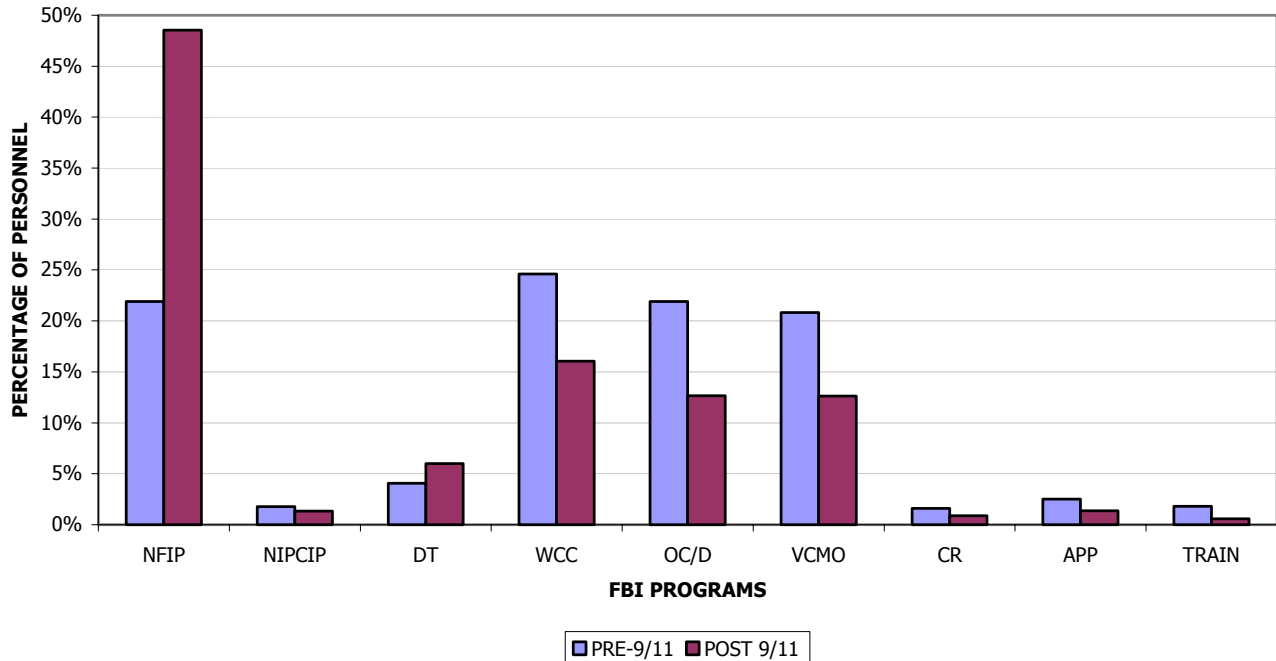
In addition to reviewing the hours worked in each program before and after 9/11, we compared the level of effort in the program, in terms of personnel on board, as percentages of total FBI investigative activity. In this analysis we averaged, for each investigative program, the annual fiscal year personnel totals for FYs 1996 through 2001 and compared these to the personnel totals for FY 2002.³⁶

³⁶ Personnel totals are computed using Average On Board figures, as defined in Chapter 2.

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The following chart highlights the changes in the percentages of total personnel (agents and support combined) working in each investigative program. The blue bars show pre-9/11 data, while the maroon bars provide post-9/11 data.³⁷

**EXHIBIT 4-6
PERCENTAGE OF OVERALL WORK FORCE IN FBI PROGRAMS
BEFORE AND AFTER 9/11**



Source: FBI TURK System

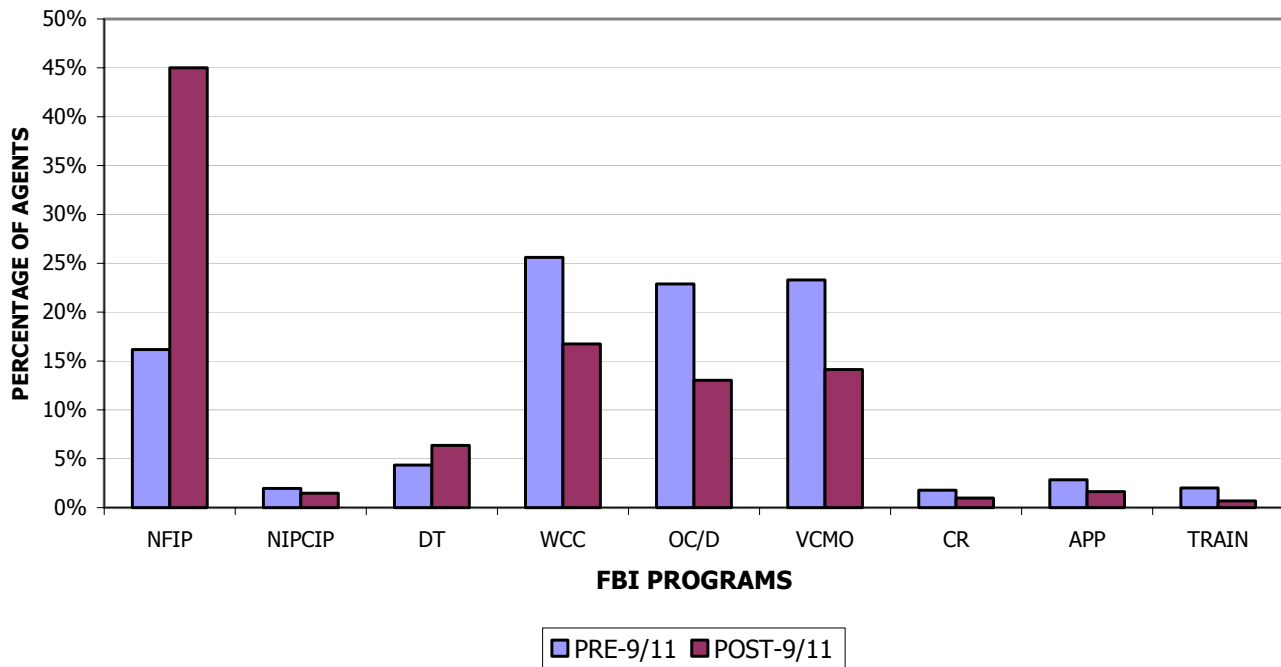
Exhibit 4-6 demonstrates that the percentage of combined agent and support personnel working in the FBI’s National Foreign Intelligence Program more than doubled, from approximately 22 percent prior to FY 2002 to over 48 percent in the eight months of FY 2002 in our review. In addition, the percentage in the Domestic Terrorism program also rose, from four percent to six percent. At the same time, the percentage of FBI personnel working on both White Collar Crime and Organized Crime/Drugs matters dropped nine percent, and the percentage working on Violent Crimes and Major Offenders activities dropped eight percent.

We also separately analyzed personnel percentages for special agents and support personnel. Exhibit 4-7 compares the percentages of agents

³⁷ We have defined the pre-9/11 period in our review as October 1, 1995, through September 22, 2001, which was the last day of TURK period 13 of FY 2001. For the purposes of our review, the post-9/11 period began on September 23, 2001.

working in FBI programs for the two time periods (i.e., October 1, 1995, through September 22, 2001, and September 23, 2001, through June 1, 2002).

EXHIBIT 4-7
PERCENTAGE OF AGENTS IN FBI PROGRAMS
BEFORE AND AFTER 9/11

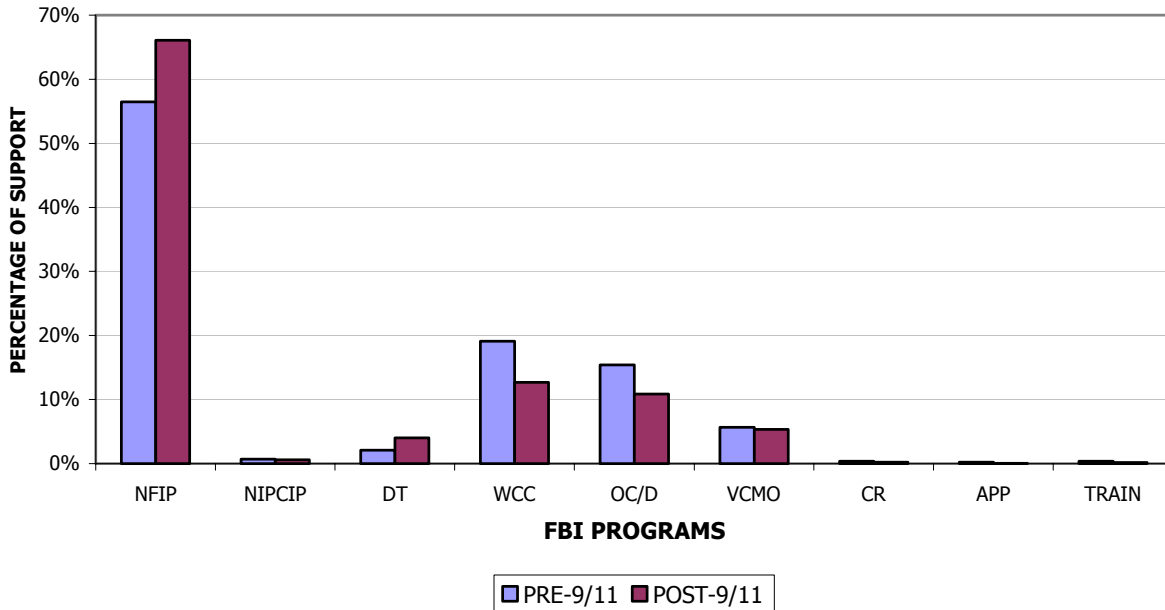


Source: FBI TURK System

As in the analysis of the overall workforce displayed in Exhibit 4-6, the percentage of agents increased in the National Foreign Intelligence and Domestic Terrorism programs, while percentages for all other programs decreased. In the case of agents, though, instead of doubling, the percentage in NFIP almost tripled, from 16 percent to 45 percent.

The following chart shows the same breakdown of data for support personnel. Similar to the changes experienced in the agent work force, the percentage of support personnel working in NFIP also increased, although not by as large a margin. Prior to FY 2002, NFIP already accounted for more than half (56 percent) of all support personnel; by June 2002, it had increased by an additional 10 percent. Analogous with the trend for agents, the percentage of support personnel in DT also increased and the percentage in all other programs decreased.

EXHIBIT 4-8
PERCENTAGE OF SUPPORT PERSONNEL IN FBI PROGRAMS
BEFORE AND AFTER 9/11



Source: FBI TURK System

The higher percentages of both agents and support personnel working in the FBI's terrorism-related programs after 9/11 are in accord with the FBI Director's mandate to make counterterrorism the FBI's top priority. NFIP had the largest percentage of support personnel prior to 9/11, and its share grew even larger afterwards. In the case of agents, the increase in NFIP personnel moved it past other programs to become the largest FBI program in terms of agent utilization.

Ratio of Agents to Support Before and After 9/11

In our previous analyses, we noted significant changes in the percentages of agents working in different FBI investigative programs before and after 9/11. Since the changes in support personnel percentages were not as significant, the ratio of support personnel to special agents within FBI programs also was altered.

EXHIBIT 4-9
RATIO OF AGENTS AND SUPPORT IN NFIP

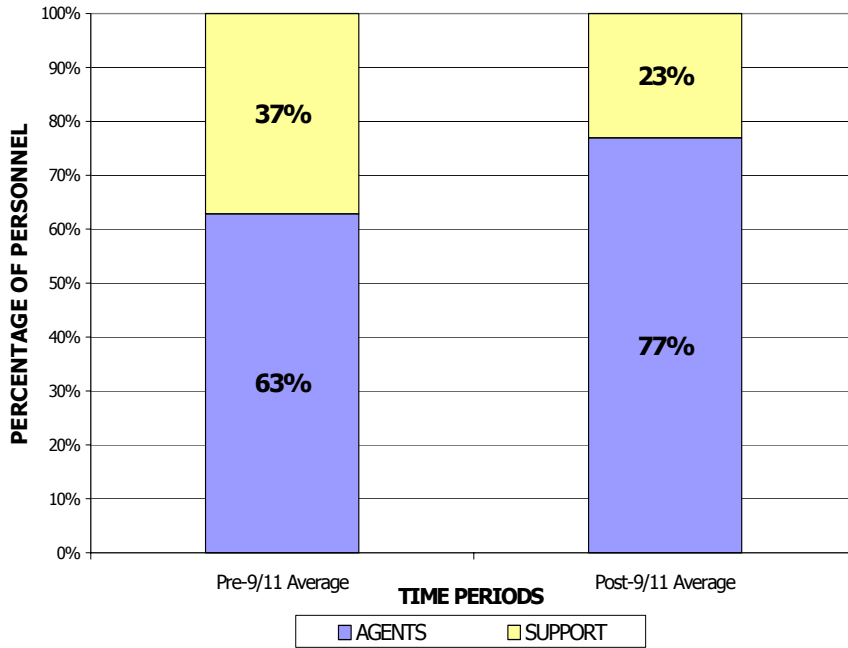


Exhibit 4-9 to the left highlights the changes in the ratio of agent and support personnel in NFIP before and after 9/11. It shows that prior to 9/11, 63 percent of the personnel working in NFIP were agents. In FY 2002, however, agents accounted for 77 percent of all personnel working in the program.

Source: FBI TURK System

EXHIBIT 4-10
RATIO OF AGENTS AND SUPPORT IN NON-NFIP PROGRAMS

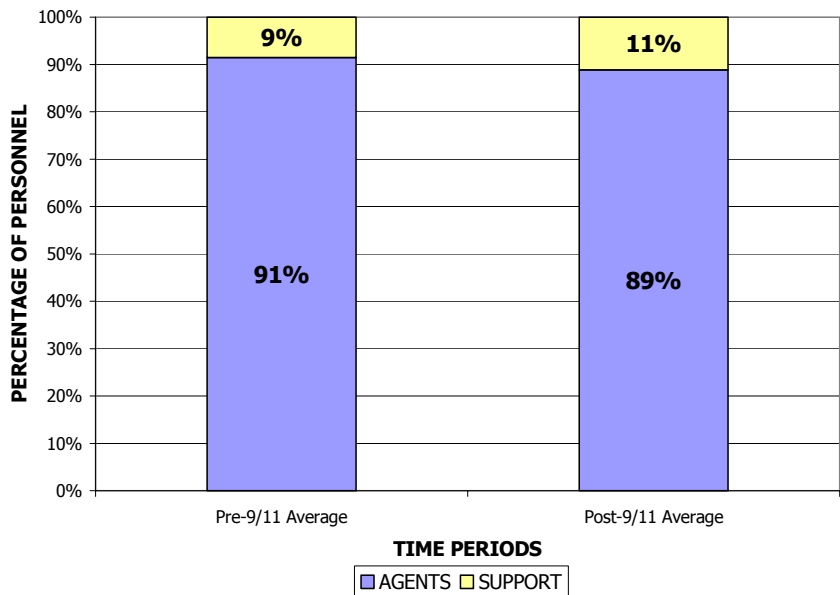


Exhibit 4-10 to the right shows how little the ratio of agent to support personnel in non-NFIP programs changed between the two time periods. Unlike in NFIP, the ratio between agents and support in all other programs combined remained relatively constant, changing by only 2 percent.

Source: FBI TURK System

Conclusion

Prior to 9/11, the FBI consistently utilized most of its agent resources in its White Collar Crime, Organized Crime/Drugs, and Violent Crimes and Major Offenders programs. This changed dramatically in the immediate aftermath of the terrorist attacks of 9/11, when the average number of NFIP agent hours worked in the year prior to 9/11 increased by almost 400 percent in the TURK period immediately following 9/11. The National Foreign Intelligence Program, which had accounted for only 22 percent of combined agent and support work effort prior to 9/11, grew to over 48 percent of the combined work effort for the 8 months of our review period in FY 2002. Much of the immediate increase in both agent and support work effort was due to the large amounts of overtime worked in the initial weeks following the 9/11 attacks. However, as the work effort stabilized, leveling off between February and March 2002, NFIP replaced White Collar Crime as the program expending the largest amount of agent work hours.

CHAPTER 5: COMPARISON OF RESOURCE PLANNING TO UTILIZATION

In general, the FBI utilized fewer agent resources than it allocated from FY 1996 through FY 2000. Some, but not all, of this difference is attributable to vacancies. The National Foreign Intelligence Program (NFIP) consistently utilized fewer agent resources than it was allocated from FY 1996 through FY 2000; this trend did not change until FY 2001 and the events of 9/11. In contrast, the Violent Crimes and Major Offenders (VCMO) program utilized more agent resources than it was allocated for each fiscal year between 1996 and 2001.

FBI Resource Planning

As previously discussed, the FBI's Resource Management and Allocation (RMA) office uses the budget approved by Congress to allocate personnel resources and establish Funded Staffing Levels (FSLs) where each FSL equals one person.³⁸ The following chart provides agent FSLs, by program, from FY 1996 through 2001.

EXHIBIT 5-1
FBI FUNDED STAFFING LEVELS

| FY | NFIP | NIPCIP³⁹ | DT | WCC | OC/D | VCMO | CR | APP | TRAIN | TOTALS |
|-----------|--|----------------------------|-----------|------------|-------------|-------------|-----------|------------|--------------|--|
| 1996 | | | 205 | 2,346 | 2,262 | 2,058 | 159 | 76 | 127 | |
| 1997 | | | 548 | 2,394 | 2,265 | 1,981 | 156 | 79 | 131 | |
| 1998 | CLASSIFIED INFORMATION REDACTED | | 538 | 2,423 | 2,337 | 1,988 | 156 | 79 | 131 | CLASSIFIED INFORMATION REDACTED |
| 1999 | CLASSIFIED INFORMATION REDACTED | | 449 | 2,419 | 2,304 | 2,011 | 155 | 134 | 131 | CLASSIFIED INFORMATION REDACTED |
| 2000 | | | 435 | 2,457 | 2,275 | 2,003 | 153 | 131 | 131 | |
| 2001 | | | 435 | 2,405 | 2,078 | 1,821 | 153 | 121 | 91 | |

Source: FBI Finance Division and Resource Management and Allocation office

Using data from the FBI's TURK system, we computed annual special agent personnel Average On Board (AOB)⁴⁰ totals for the Bureau as a whole

³⁸ FSLs and the resource allocation process are discussed in more detail in Chapter 2.

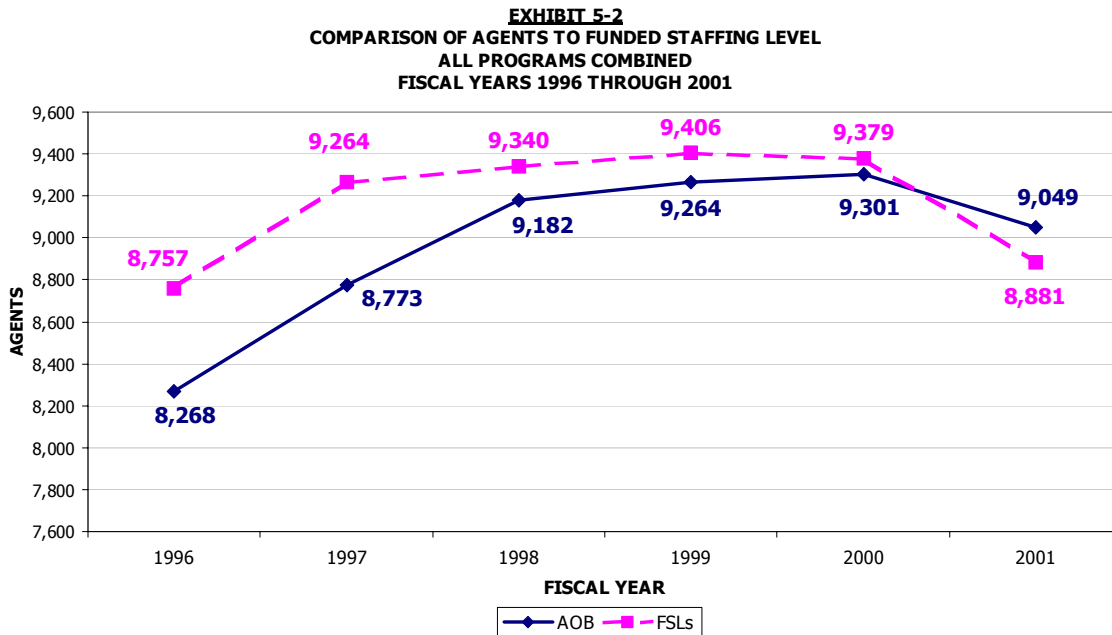
³⁹ NIPCIP did not exist as a program until FY 1999.

⁴⁰ The TURK system and Average on Board are discussed in more detail in Chapter 2.

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and for the individual FBI programs.⁴¹ We then compared the annualized AOB data (resource utilization) to the annual Funded Staffing Level (FSL) data (resource allocation) for FYs 1996 through 2001.⁴²

The following chart highlights the general underutilization of agent resources in the FBI as a whole for the reviewed timeframe. Prior to FY 2001, the FBI utilized fewer agent resources than allocated in each fiscal year, although the gap between the two narrowed as time progressed. By FY 2001, the Bureau utilized more agent resources than allocated.



Source: FBI TURK System and FBI Finance Division

In order to gain insight into the aggregate differences between utilization and allocation reflected in Exhibit 5-2, we reviewed each program individually. We found that some programs consistently used fewer or more resources than allocated, while the rate varied in other programs. We then interviewed various FBI officials regarding discrepancies between resource allocation and usage in their particular programs.

⁴¹ We did not perform this analysis for support personnel because, as previously noted, support personnel are not allocated to investigative programs.

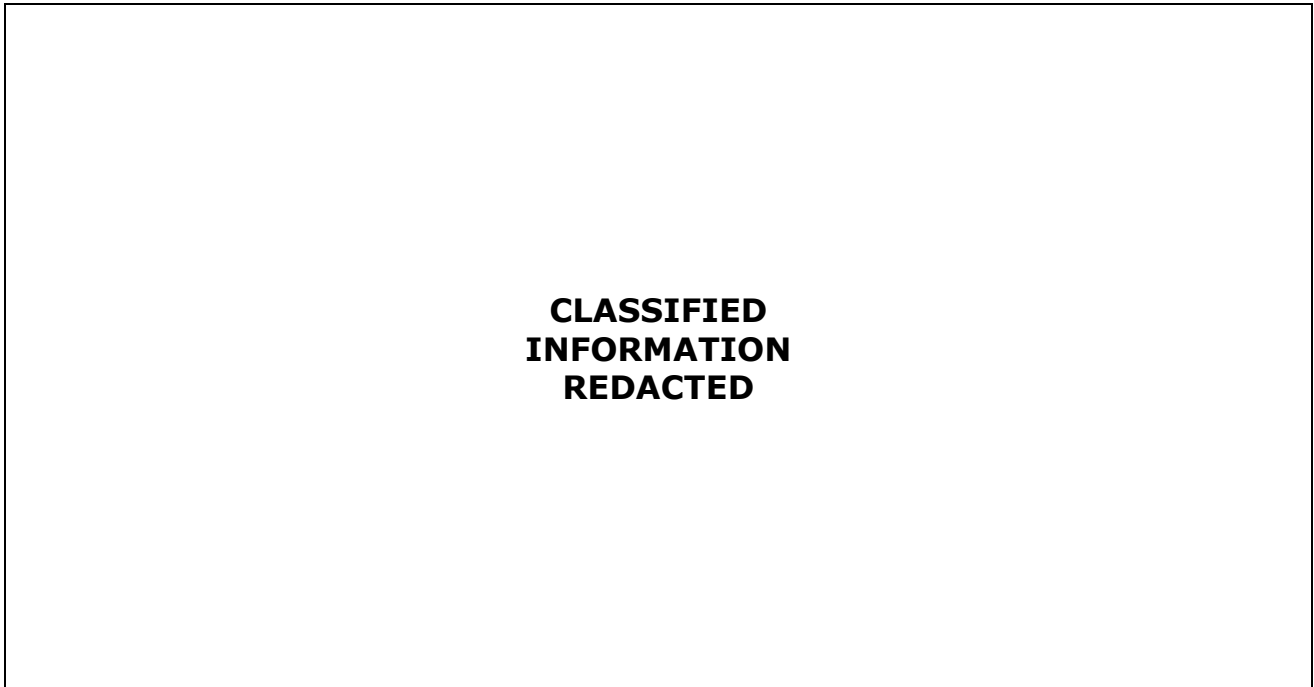
⁴² For this analysis, we excluded data we collected for a portion of FY 2002 because the events of 9/11 caused the numbers to be skewed.

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National Foreign Intelligence Program (NFIP)

Prior to 9/11, the FBI consistently underutilized its NFIP agent resources. This trend did not change until FY 2001, when agent utilization actually exceeded allocation.

EXHIBIT 5-3
COMPARISON OF AVERAGE AGENTS ON BOARD TO FUNDED STAFFING LEVEL
NATIONAL FOREIGN INTELLIGENCE PROGRAM
FISCAL YEARS 1996 THROUGH 2001



Source: FBI TURK System and FBI Finance Division

NFIP officials said the consistent underburn in NFIP could be traced to changing priorities and hiring issues. Currently, counterterrorism issues are clearly the highest priority for the Department and the FBI. For the time period in question, however, NFIP officials stated that priorities were focused on reducing gun violence and illegal drug trafficking. In addressing these priorities, the FBI directed resources to its Organized Crime/Drugs and Violent Crimes and Major Offenders programs and this came, in part, at the expense of NFIP.

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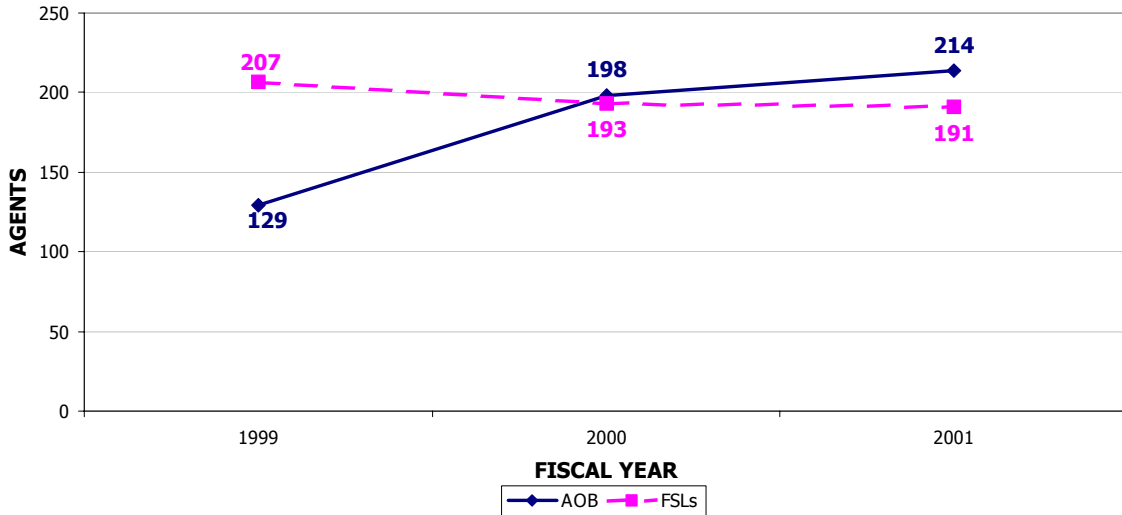
As to why FBI activities are not always consistent with or do not always correspond to the priorities laid out in the FBI's strategic plan, NFIP officials reported that the priorities from the strategic plan were established based on offenses for which the FBI, by statute, had sole jurisdiction, followed by crimes other federal agencies could investigate, followed by crimes state and local agencies could investigate. This categorization did not take into account large events of national significance, which is what often drives the FBI's activities. They said that when major national criminal issues arise, or changes in priorities occur, field offices pull people off of other programs and direct them towards these matters, causing staff resources in the other priority programs to suffer.

NFIP officials also attributed the underburn to hiring issues. They explained that after Congress provides funding for additional positions, it can take more than a year to bring new agents on board. Also, between FY 1996 and 2001, the FBI went through several hiring freezes. They added that while they are always ready to replace personnel lost by attrition (about 500 people per year), they find it more difficult to gear up to hire after a hiring freeze. Further, hiring efforts are sometimes hampered by significant investigations because agents working on background investigations must shift their efforts to the more pressing matters and the hiring process is delayed.

National Infrastructure Protection/Computer Intrusion Program (NIPCIP)

In FY 1999, its first year as an FBI program, NIPCIP utilized fewer agents than allocated. In the next two fiscal years, the utilization and allocation figures were closer with NIPCIP utilizing slightly more agent resources than allocated.

EXHIBIT 5-4
COMPARISON OF AVERAGE AGENTS ON BOARD TO FUNDED STAFFING LEVEL
NATIONAL INFRASTRUCTURE/COMPUTER INTRUSION PROGRAM
FISCAL YEARS 1999 THROUGH 2001

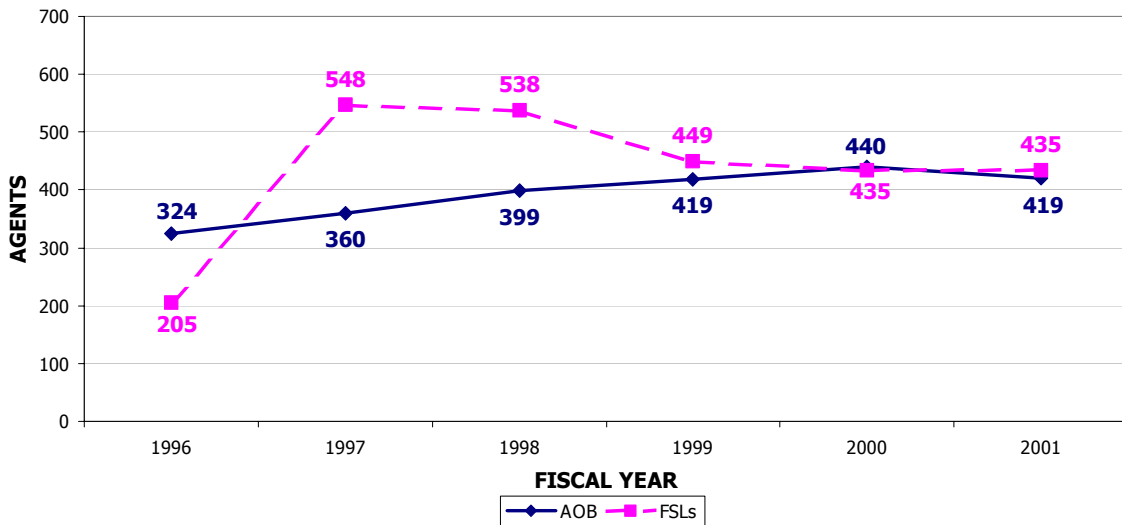


Source: FBI TURK System and FBI Finance Division

Domestic Terrorism (DT) Program

Like NFIP, for much of the analyzed timeframe DT utilized fewer agent resources than allocated. The exceptions occurred in FY 1996, when DT utilized 119 agent resources more than it was allocated, and in FY 2000, when utilization within the program outpaced its allocation by 5 agents.

EXHIBIT 5-5
COMPARISON OF AVERAGE AGENTS ON BOARD TO FUNDED STAFFING LEVEL
DOMESTIC TERRORISM PROGRAM
FISCAL YEARS 1996 THROUGH 2001



Source: FBI TURK System and FBI Finance Division

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DT officials explained that in FY 1996, the FBI was in the midst of a variety of significant investigations, including cases involving the Mountain Militia; the Freeman group; the Centennial Park bombing in Atlanta, Georgia during the 1996 Summer Olympics; and the bombing of the Murrah Federal Building in Oklahoma City, Oklahoma, in April 1995. Additionally, increased activity of many domestic militia groups during this period resulted in the increased workload.

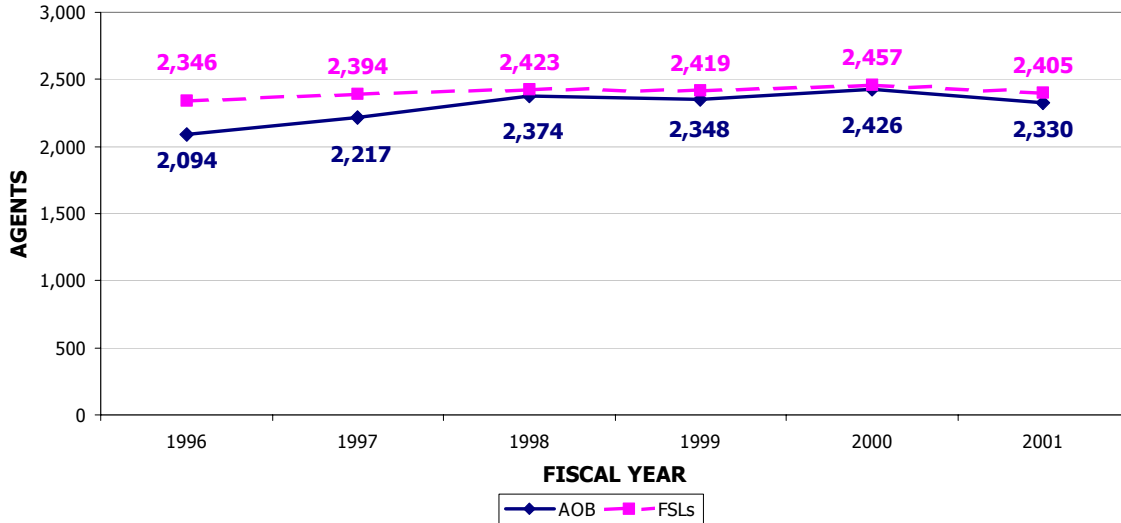
As for the underutilization in FY 1997, officials noted an enhancement of 350 agents from a mid-year supplemental appropriation that did not provide the FBI with sufficient time to fill all of these positions. They further stated that in FY 1998 the FBI diverted agents to background investigations so that the Bureau could more quickly bring new agents on board. Additionally, the FBI diverted agent resources from the DT program to the Safe Streets Task Forces (located within the Violent Crimes and Major Offenders program) and firearms training. Officials added that in FY 1999 the FBI did not hire to its hiring plan, resulting in an agent underburn in most programs.

White Collar Crime (WCC) Program

As shown in Exhibit 5-6, WCC underutilized its agent resources between FY 1996 and FY 2001 by a total of 655 agents (4.5 percent); the average underutilization was 109 agents per year. WCC officials attributed this, in part, to the general field office understaffing during the same time period. They also said that increased allocations to counterterrorism matters began during the same time period, particularly with implementation of the new Joint Terrorism Task Forces. Like NFIP and DT, officials in WCC also pointed to hiring issues as a reason for their agent resource underutilization, explaining that in some years the FBI did not meet its hiring goals.

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EXHIBIT 5-6
COMPARISON OF AVERAGE AGENTS ON BOARD TO FUNDED STAFFING LEVEL
WHITE COLLAR CRIME PROGRAM
FISCAL YEARS 1996 THROUGH 2001

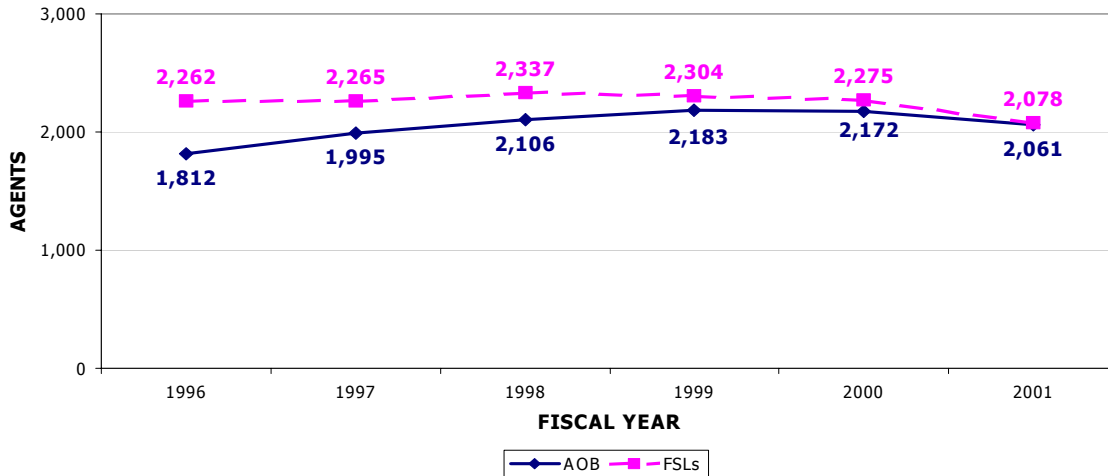


Source: FBI TURK System and FBI Finance Division

Organized Crime/Drugs (OC/D) Program

As with NFIP and WCC, OC/D consistently utilized fewer agents than allocated for each fiscal year between 1996 and 2001. In total, the program utilized 91.2 percent of its allocated agent resources during this period.⁴³

EXHIBIT 5-7
COMPARISON OF AVERAGE AGENTS ON BOARD TO FUNDED STAFFING LEVEL
ORGANIZED CRIME/DRUGS PROGRAM
FISCAL YEARS 1996 THROUGH 2001



Source: FBI TURK System and FBI Finance Division

⁴³ We calculated the overall utilization rate by dividing the total AOB by the total FSL for the review period. Utilization rates for all programs are found in Exhibit 5-12.

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Officials in OC/D stated that this underutilization was caused by a variety of factors.

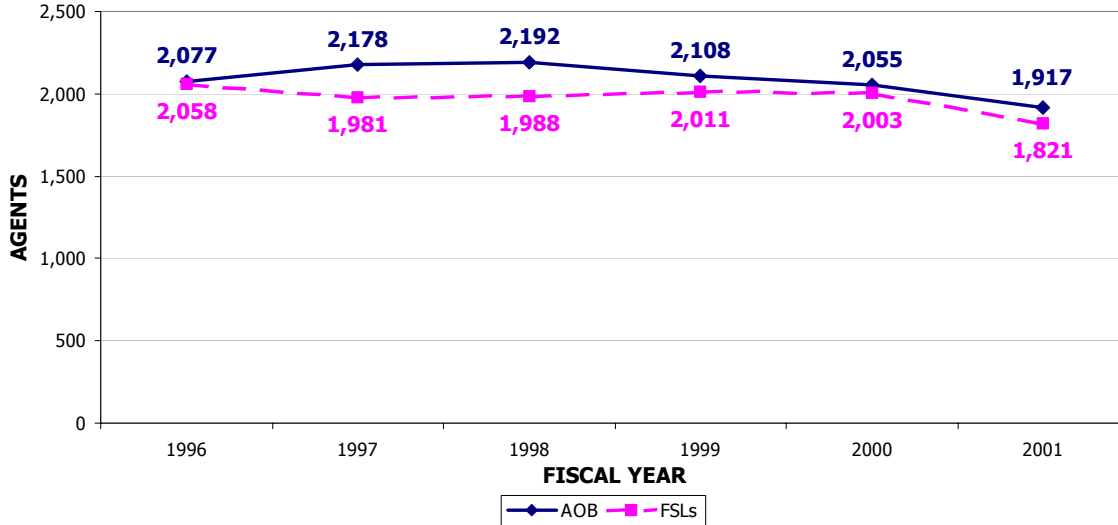
- From FY 1996 through 2000, there was a general understaffing of agents throughout the FBI, a portion of which the OC/D program had to absorb.
- The FBI instituted aggressive hiring programs to address understaffing, which resulted in a significant overutilization of agent resources in both the Applicant Matters and Training programs. These two programs took resources from FBI investigative programs, including OC/D, causing an underutilization of agents in the investigative programs.⁴⁴
- In both FY 1996 and FY 1998, although the OC/D program was granted increases in agent allocations from previous fiscal year levels, these positions were not filled and therefore were not available for assignment.
- OC/D positions were used to support terrorism investigations, namely the 1995 bombing of the Murrah Federal building in Oklahoma City, Oklahoma, and the 1998 bombings of U.S. embassies in Kenya and Tanzania.
- Although the OC/D program is allocated all of the reimbursed Organized Crime Drug Enforcement Task Force (OCDETF) positions, some OCDETF-related time is utilized within the violent crime program's Safe Streets Task Forces.

Violent Crimes and Major Offenders (VCMO) Program

In contrast to most other FBI programs, the VCMO program consistently utilized more agent resources than allocated in each fiscal year of the reviewed time period, for an overall utilization rate of 105.6 percent. VCMO officials attributed this, in part, to changes in resource allocations without corresponding changes in operational responsibility.

⁴⁴ This is corroborated by the results of our resource allocation and utilization comparative trend analysis for these programs, as reported on pages 48 and 49.

EXHIBIT 5-8
COMPARISON OF AVERAGE AGENTS ON BOARD TO FUNDED STAFFING LEVEL
VIOLENT CRIME AND MAJOR OFFENDERS PROGRAM
FISCAL YEARS 1996 THROUGH 2001



Source: FBI TURK System and FBI Finance Division

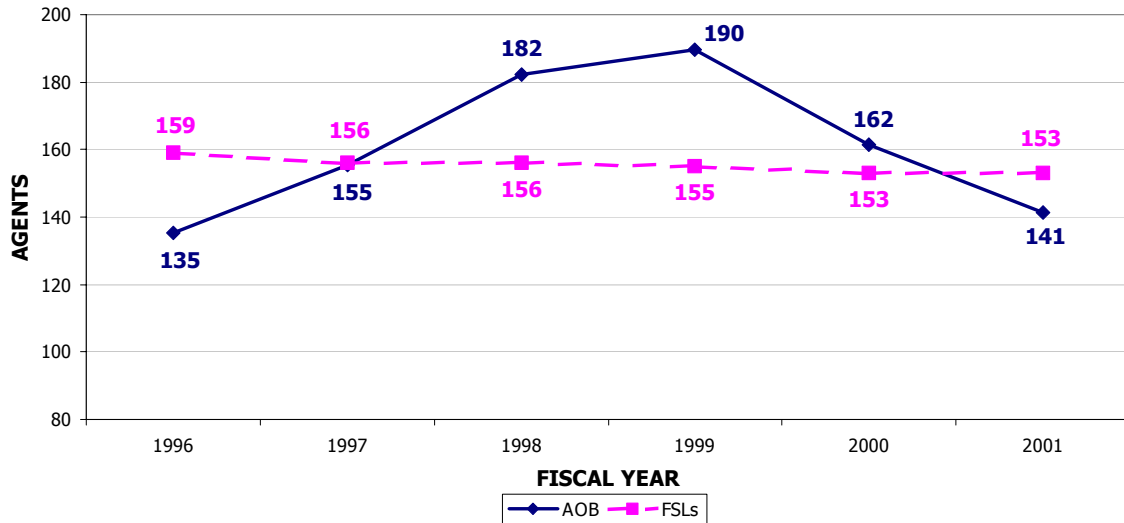
VCMO officials also said the increases in resource utilization between FY 1996 and FY 1999, the years with the largest disparity between utilization and allocation, occurred within the Violent Incident Crime sub-program. This sub-program includes major reactive violent crimes, such as kidnapping, extortion, bank/armored car robberies, and major fugitive cases. Officials noted that these cases often require intensive multi-divisional investigation, as well as deployment of the Special Weapons and Tactics team (SWAT), Hostage Rescue Team, Hostage Negotiation, Special Operations Group, and other manpower-related resources, all of which are charged to the VCMO program.

Civil Rights (CR) Program

Although the allocation of resources to the Civil Rights program generally remained consistent during the analyzed time period, the program varied in its utilization of agent resources, underutilizing in FYs 1996 and 1997, overutilizing from FY 1998 through FY 2000, and then underutilizing again in FY 2001. These statistics are displayed in Exhibit 5-9.

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**EXHIBIT 5-9
COMPARISON OF AVERAGE AGENTS ON BOARD TO FUNDED STAFFING LEVEL
CIVIL RIGHTS PROGRAM
FISCAL YEARS 1996 THROUGH 2001**



Source: FBI TURK System and FBI Finance Division

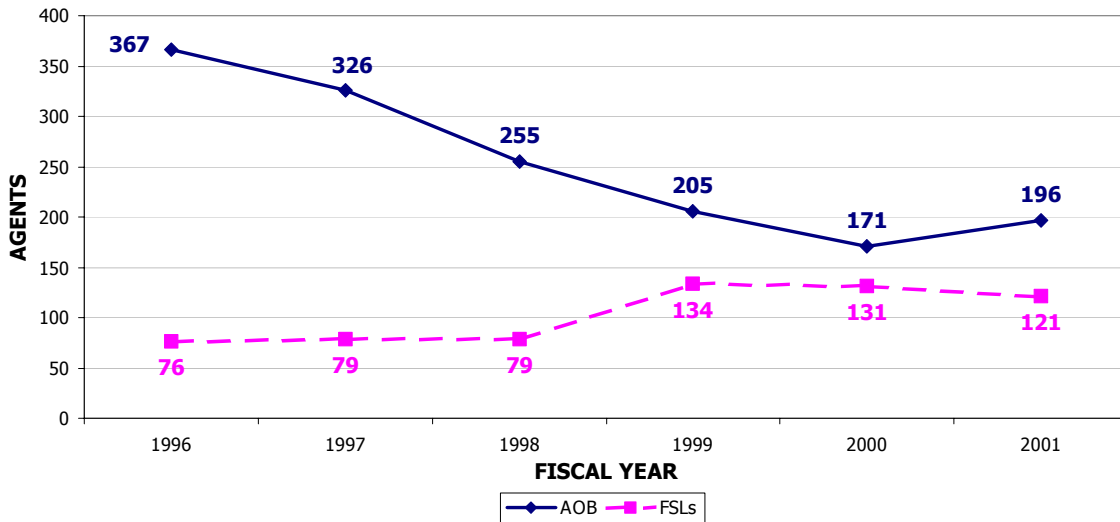
Program officials noted that while FSLs were relatively static (varying by no more than three from year-to-year), program initiatives, as well as legislative and Department mandates, varied greatly from year-to-year. They explained the overutilization in FYs 1998 and 1999 by noting that several new initiatives were implemented during this time, including the National Church Arson Initiative, the National Task Force on Reproductive Health Providers, and the National Workers Exploitation Task Force. They also noted that on average from FY 1996 through 2002 the program utilized 99.9 percent of its allocated resources.

Officials also explained that FBI and Department policy require that all civil rights-related work be addressed, rendering them unable to manage the program by FSLs. Supervisors do not have discretion to prioritize work in other programs over existing CR cases. They added that this policy is unique to CR. Officials also expressed their belief that given this lack of flexibility, CR will remain subject to fluctuations. They also pointed out that civil rights is fifth in the FBI Director’s new list of agency priorities (as shown on page 6), the highest priority ranking it has ever held.

Applicant Matters (APP) Program

The Applicant Matters program overburned its agent resources during each fiscal year of the period studied, from a high of almost 300 agents in FY 1996 to a low of 40 agents in FY 2000. Overall, the Applicant program averaged a utilization rate of 245 percent.

EXHIBIT 5-10
COMPARISON OF AVERAGE AGENTS ON BOARD TO FUNDED STAFFING LEVEL
APPLICANT MATTERS PROGRAM
FISCAL YEARS 1996 THROUGH 2001



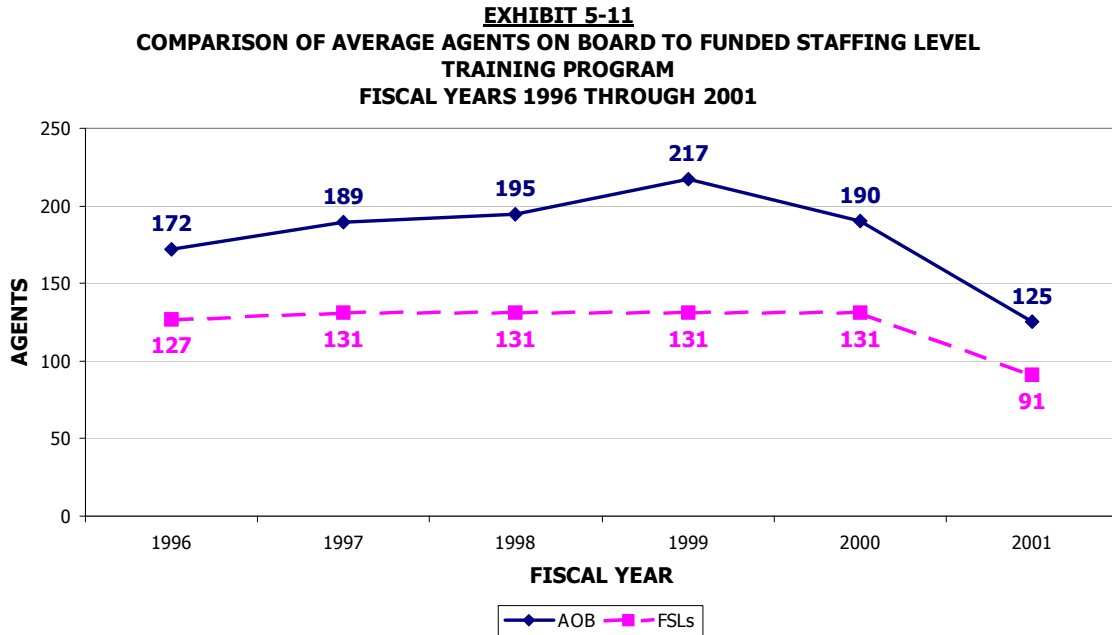
Source: FBI TURK System and FBI Finance Division

Program officials stated that while Applicant Matters is considered a separate program, much of its work is to recruit, test, process, and hire special agents to staff *all* investigative programs. Officials also noted that agent utilization steadily decreased in the program over the years because the FBI began contracting with a private company to conduct applicant background checks.

Additionally, officials attributed the significant agent overutilization in FY 1996 to the large amount of applicant work when the FBI lifted a 3-year hiring freeze in 1995. In addressing the spike in utilization from 171 to 196 agents between FY 2000 and FY 2001, officials explained that because this period included the presidential election, the program was occupied with background checks on new presidential appointees, federal judges, and White House staff. According to program officials, contractors are not permitted to conduct these types of background checks.

Training (TRAIN) Program

The FBI significantly overutilized its agent resources in the Training program from FY 1996 through FY 2001.



Source: FBI TURK System and FBI Finance Division

Program officials explained that prior to FY 2001, training for all investigative programs was captured under the Training Program and was reflected in the utilization rate. In FY 2001, the FBI added subclassifications to capture training hours within the specific program supported by the training rather than within the overall Training Program. Program officials further explained that in March 2001, executive management declared that overutilization in the Training Program would no longer be acceptable and ordered that the training provided to state and local police officers be reduced.

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Conclusion

Overall, our comparative trend analysis revealed that the FBI’s utilization of agent resources did not match its allocation of agent resources. Between FY 1996 and FY 2000, the Bureau as whole used fewer agent resources than it was allocated. It was not until FY 2001 that this trend shifted and agent usage surpassed agent allocation.

At the investigative program level, most programs experienced both under and overutilization. The matrix below summarizes our analyses; yellow shading illustrates underutilization and blue shading illustrates overutilization.

**EXHIBIT 5-12
UTILIZATION MATRIX
FISCAL YEARS 1996 THROUGH 2002**

| PROGRAM FY | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | Utilization Rate Percentage |
|-----------------------------|-------------|-------------|-------------|-------------|-------------|-------------|------------------------------------|
| FBI-WIDE | U | U | U | U | U | O | 97.8% |
| NFIP | U | U | U | U | U | O | 89.8% |
| NIPCIP⁴⁵ | NA | NA | NA | U | O | O | 91.6% |
| DT | O | U | U | U | O | U | 90.5% |
| WCC | U | U | U | U | U | U | 95.5% |
| OC/D | U | U | U | U | U | U | 91.2% |
| VCMO | O | O | O | O | O | O | 105.6% |
| CR | U | U | O | O | O | U | 103.6% |
| APPLICANTS | O | O | O | O | O | O | 245.2% |
| TRAINING | O | O | O | O | O | O | 146.7% |

Source: FBI TURK System and FBI Finance Division

The FBI’s terrorism-related programs (National Foreign Intelligence, National Infrastructure Protection/Computer Intrusion, and Domestic Terrorism) and the Organized Crime/Drugs program underutilized agent resources at a rate much lower than that of the Bureau overall. The Violent Crimes and Major Offenders program was the only criminal investigative program that overutilized its agent resources in each year of our review

⁴⁵ The National Infrastructure Protection/Computer Intrusion Program was created in FY 1999.

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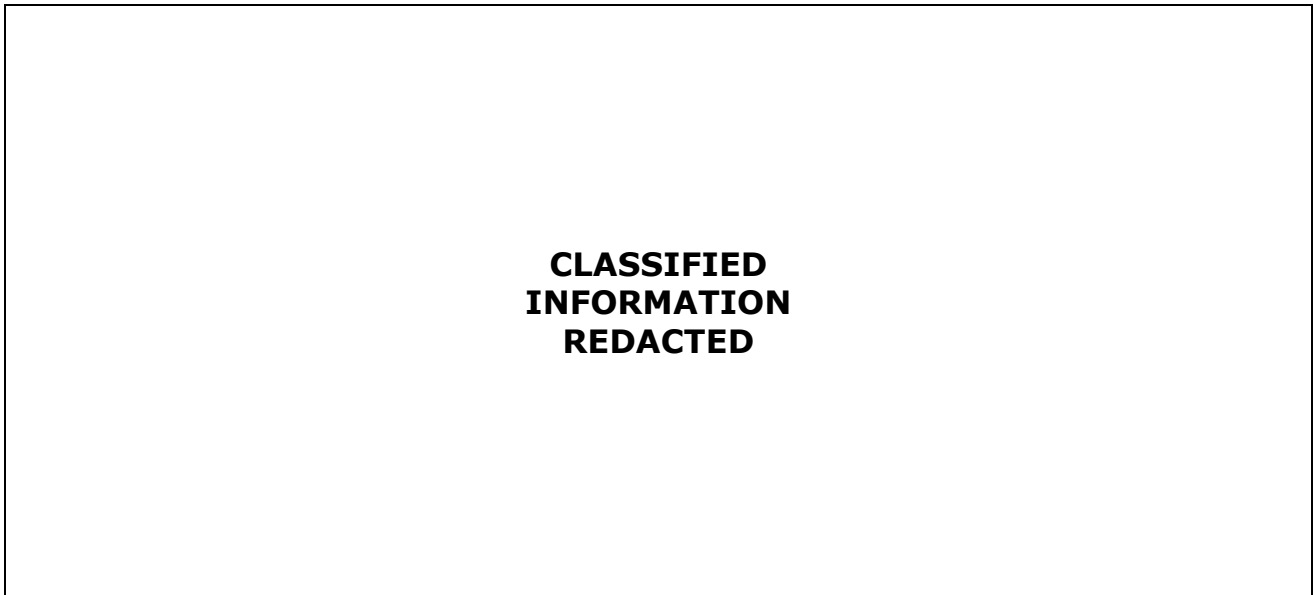
period. All other FBI criminal investigative programs, including National Foreign Intelligence, Domestic Terrorism, White Collar Crime, Civil Rights, and Organized Crime/Drugs, experienced periods where agent utilization was below agent allocation. In contrast, the two non-criminal investigative FBI programs, Applicant Matters and Training, overutilized their resources in every fiscal year of the analyzed timeframe.

**CHAPTER 6: FIELD OFFICE AGENT RESOURCE
SPECIALIZATION**

We conducted an analysis of agent and support resource utilization in each of the FBI's 56 field offices to determine the predominant programs for each office. To do so, we calculated agent and support resource utilization⁴⁶ in each field office, by program, for each fiscal year of our review period, October 1, 1995, through June 1, 2002.⁴⁷ We defined the "predominant" program as the program that utilized the most agent resources for the most fiscal years during the sample timeframe.

For many field offices, the predominant program varied from year to year. For example, in the seven years from FY 1996 through June 2002, the Chicago Field Office utilized the largest number of its agent resources in the Violent Crimes and Major Offenders program (VCMO) for one fiscal year (1996), the National Foreign Intelligence Program (NFIP) for one fiscal year (2002), and White Collar Crime (WCC) program for five years. Thus, the predominant program for Chicago agents is WCC.

**EXHIBIT 6-1
SPECIAL AGENT UTILIZATION
CHICAGO FIELD OFFICE**



Source: FBI TURK System

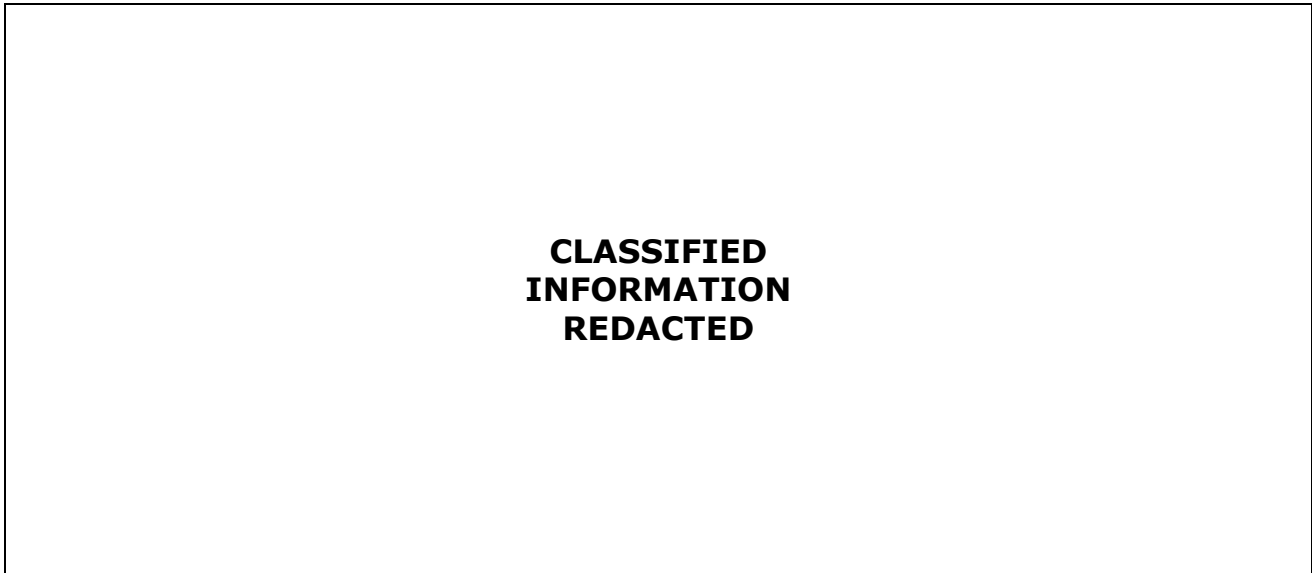
⁴⁶ This is calculated using Average On Board (AOB), as previously defined.

⁴⁷ As part of this analysis, we created resource utilization graphs by criminal investigative program for both agent and support personnel for each of the FBI's field offices. The FBI considers the data presented in the graphs to be classified information. Therefore, all 112 graphs were provided to the FBI under separate cover.

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The Chicago Field Office utilized its support resources differently than its agent resources. As shown in the following graph, Chicago utilized most of its support resources in NFIP by a large margin, whereas the WCC program is either second or third in terms of resource usage. This reflects the overall trend of support in NFIP being greater than in all other programs combined (as shown in Exhibit 3-5).

EXHIBIT 6-2
SUPPORT PERSONNEL UTILIZATION
CHICAGO FIELD OFFICE



Source: FBI TURK System

Unlike Chicago, agent resource trends in some field offices were very clear and remained consistent throughout the duration of our review period. For example, in the El Paso Field Office, the largest number of agent resources were utilized in the Organized Crime/Drugs program (OC/D) for each of the seven fiscal years.

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**EXHIBIT 6-3
SPECIAL AGENT UTILIZATION
EL PASO FIELD OFFICE**

**CLASSIFIED
INFORMATION
REDACTED**

Source: FBI TURK System

Our review also revealed that the majority of other field offices utilized most of their agent resources in NFIP in FY 2002. This correlates to the FBI's shift in workload in the wake of 9/11. In El Paso, however, although agent usage in NFIP moved ahead of both the Violent Crimes and Major Offenders and White Collar Crime programs in FY 2002, it remained below that of OC/D.

Only 10 other field offices utilized more of their agent resources in programs other than NFIP in FY 2002: Albuquerque, Anchorage, Cleveland, Jackson, Minneapolis, Mobile, New Orleans, Salt Lake City, San Antonio, and San Juan. Each of these, except Salt Lake City, continued to expend more of its agent resources in that field office's predominant program from FY 1996 through FY 2001. As the lone exception, Salt Lake City expended the majority of its agent resources in the Domestic Terrorism program due to the 2002 Winter Olympics. The following list groups the FBI field offices by predominant program.

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EXHIBIT 6-4
Predominant Field Office Agent Programs⁴⁸
October 1, 1995 through June 1, 2002

**CLASSIFIED
INFORMATION
REDACTED**

Source: FBI TURK System

Only seven field offices experienced no change in their predominant agent programs during the timeframe we reviewed. These offices are printed in blue and italicized in Exhibit 6-4. We also have incorporated the information from the previous list onto the following map, which geographically illustrates the jurisdictional boundaries of each FBI field office. As illustrated on Exhibit 6-5, although NFIP is a tier one program in the FBI's strategic plan, only four field offices allocated enough agent resources to make it their predominant program.

⁴⁸ None of the other FBI criminal investigative programs (Civil Rights, Domestic Terrorism, or National Infrastructure Protection/Computer Intrusion) were predominant for any of the 56 field offices.

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EXHIBIT 6-5
PREDOMINANT PROGRAMS WORKED IN FBI FIELD OFFICES
FY 1996 – JUNE 2002

**CLASSIFIED
INFORMATION
REDACTED**

Source: FBI TURK System, FBI Field Office Map, and OIG analysis.

CHAPTER 7: TRENDS IN RESOURCE UTILIZATION ON MAJOR CASES

Major cases are investigative matters, which, at their outset, are of national importance or require a massive commitment of resources throughout the FBI field offices. The Bureau began using major case designators in 1987. Examples of major cases include investigations of the 9/11 attacks; the bombing of the Murrah Federal Building in Oklahoma City, Oklahoma; and the bombings of U.S. embassies in Africa. In addition, the FBI has opened major cases related to preparation for the 2002 Winter Olympic Games in Salt Lake City, Utah, and the 1996 Summer Olympic Games in Atlanta, Georgia.

Overall FBI Largest Major Cases

We obtained data for the total hours charged by FBI personnel to all major cases from FY 1996 through June 1, 2002, and we identified the top 15 cases in terms of combined agent and support personnel hours worked.⁴⁹ We discovered that 11 of these cases were related to terrorism.

EXHIBIT 7-1⁵⁰
TOP 15 FBI MAJOR CASES
OCTOBER 1995 THROUGH JUNE 2002

| RANK | MAJOR CASE | HOURS ⁵¹ |
|-----------|-------------------------------------|---------------------|
| 1 | PENTTBOMB | 3,994,968 |
| 2 | INNOCENT IMAGES | 628,255 |
| 3 | CAMP CON | 332,378 |
| 4 | 2002 OLYMPIC WINTER GAMES | 297,075 |
| 5 | OKBOMB | 294,157 |
| 6 | SW BORDER PROJECT/PUBLIC CORRUPTION | 274,451 |
| 7 | UNABOM | 223,586 |
| 8 | SANDBOMB | 213,145 |
| 9 | CENTBOM | 179,265 |
| 10 | THUNDER ROLL | 166,682 |
| 11 | AMADO CARRILLO FUENTES INITIATIVE | 147,429 |
| 12 | KENBOM | 145,645 |
| 13 | 1996 SUMMER OLYMPICS | 143,163 |
| 14 | AMERITHRAX | 116,575 |
| 15 | USAMA BIN LADEN⁵² | 92,570 |

Source: FBI TURK System and FBI Finance Division

⁴⁹ The FBI had 122 major cases open between October 1, 1995, and June 1, 2002.

⁵⁰ Each of the major cases noted in this chapter is briefly described in Appendix II. Terrorism-related cases in Exhibits 7-1, 7-2, and 7-3 are identified in bolded italics.

⁵¹ The hours shown do not necessarily represent total hours charged to these cases. Instead, the number reflects the hours charged during our review period of October 1, 1995, to June 1, 2002.

⁵² This case was opened on May 14, 1999.

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By far, the case utilizing the most FBI human resources (special agent and support personnel combined) has been the investigation into the 9/11 attacks (PENTTBOMB). Through June 1, 2002, the FBI had expended almost 4 million work hours on this investigation, which opened on September 12, 2001. In comparison, the second largest major case, INNOCENT IMAGES, has been open since 1994 and has consumed about 628,000 work hours.⁵³

Major Case Activities: Agents vs. Support Personnel

The major case data also highlights that different types of cases require different levels of effort from agents and support personnel. As noted in Exhibit 7-1, CAMPCON was the third largest major case for the FBI as a whole. However, this investigation into campaign contribution violations in the 1996 federal elections ranked seventh for agents and second for support personnel. Conversely, the case related to the 2002 Winter Olympics ranked third for agents and fifth for support, resulting in an overall rank of fourth.

Special Agents – The top 15 cases for agents were generally the same as the top 15 cases worked overall, with a few exceptions. The 15th largest case overall, USAMA BIN LADEN, failed to rank in the top 15 for agents (it was 16th with 82,967 hours). Instead, the 15th largest case for agents was SPLITRAIL, an investigation into a train derailment in Arizona. The following table presents the top 15 major cases worked by FBI special agents.

EXHIBIT 7-2 **TOP 15 FBI MAJOR CASES FOR SPECIAL AGENTS** **OCTOBER 1995 THROUGH JUNE 2002**

| RANK | MAJOR CASE | HOURS |
|-------------|-------------------------------------|------------------|
| 1 | PENTTBOMB | 3,558,813 |
| 2 | INNOCENT IMAGES | 509,874 |
| 3 | 2002 OLYMPIC WINTER GAMES | 268,139 |
| 4 | OKBOMB | 264,728 |
| 5 | SW BORDER PROJECT/PUBLIC CORRUPTION | 260,237 |
| 6 | UNABOM | 210,034 |
| 7 | CAMPCON | 201,549 |
| 8 | SANDBOMB | 192,025 |
| 9 | CENTBOM | 166,331 |
| 10 | THUNDER ROLL | 149,419 |
| 11 | AMADO CARRILLO FUENTES INITIATIVE | 142,385 |
| 12 | 1996 SUMMER OLYMPICS | 140,534 |
| 13 | KENBOM | 138,319 |
| 14 | AMERITHRAX | 97,569 |
| 15 | SPLITRAIL | 84,476 |

Source: FBI TURK System and FBI Finance Division

⁵³ This case is an undercover operation related to internet-based child pornography. See Appendix II for a more detailed description.

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Support Personnel – The top 15 cases for support personnel include four cases that do not appear on either the overall or the agent lists. They are MOZARK, MAJOR CASE 143, AT NORTHSIDE FAMILY PLANNING SERV – VICTIM, and COLUMBIA/HCA. Also, the investigation into the anthrax incidents following 9/11 (AMERITHRAX), which began in October 2001, ranks much higher on the support chart (8th), than on either the agent or combined charts (14th). The following table presents the top 15 major cases worked by FBI support personnel.

EXHIBIT 7-3 **TOP 15 FBI MAJOR CASES FOR SUPPORT PERSONNEL** **OCTOBER 1995 THROUGH JUNE 2002**

| RANK | MAJOR CASE | HOURS |
|-------------|---|----------------|
| 1 | PENTTBOMB | 436,155 |
| 2 | CAMP CON | 130,829 |
| 3 | INNOCENT IMAGES | 118,381 |
| 4 | OKBOMB | 29,429 |
| 5 | 2002 OLYMPIC WINTER GAMES | 28,936 |
| 6 | SANDBOMB | 21,120 |
| 7 | MOZARK | 20,627 |
| 8 | AMERITHRAX | 19,006 |
| 9 | MAJOR CASE 143 | 17,635 |
| 10 | AT NORTHSIDE FAMILY PLANNING SERV - VICTIM | 17,263 |
| 11 | SW BORDER PROJECT/PUBLIC CORRUPTION | 14,214 |
| 12 | UNABOM | 13,552 |
| 13 | CENTBOM | 12,934 |
| 14 | COLUMBIA/HCA | 11,327 |
| 15 | USAMA BIN LADEN | 9,603 |

Source: FBI TURK System and FBI Finance Division

System Improvements

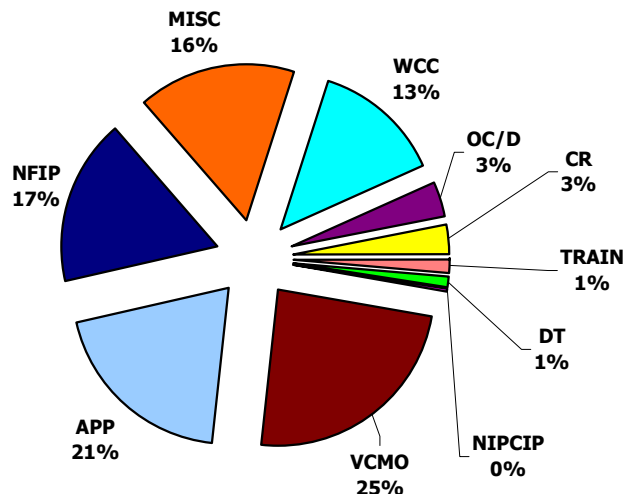
During our audit, we identified errors related to major case hours recorded in the FBI's TURK system. Although these errors were minor, we brought them to the attention of FBI officials. Specifically, we identified work hours captured for major cases that did not exist. We also identified Los Angeles as the FBI field office in which most of these errors occurred.

Because of our identification of these issues, a change was made to the TURK system. Now, when time is charged to a major case, the system automatically checks that case number against a current master list of major case numbers. The system will not accept invalid case numbers, preventing hours from being captured in non-existent major cases. Further, FBI officials agreed to review the circumstances surrounding the one field office with the majority of the errors.

CHAPTER 8: FBI CASEWORK

The Violent Crimes and Major Offenders (VCMO) program accounted for the most cases worked in the FBI from October 1, 1995, through June 14, 2002.⁵⁴ In fact, one quarter of all the cases the FBI worked during that period were in VCMO. The FBI's National Foreign Intelligence Program (NFIP) accounted for 17 percent of the cases worked during the same time period, while the Domestic Terrorism (DT) program made up only one percent. Additionally, the Miscellaneous Matters (MISC) program accounted for 16 percent of the cases in the sample timeframe.⁵⁵ The distribution of cases worked by the FBI between October 1, 1995, and June 14, 2002, is shown in Exhibit 8-1.

EXHIBIT 8-1
BREAKDOWN OF FBI CASES
OCTOBER 1995 through JUNE 2002



Source: FBI ACS System

In reviewing our analysis of the FBI's casework found in this chapter, it is important to note that individual cases vary significantly in terms of importance and manpower commitment. For example, large-scale criminal

⁵⁴ The universe of cases discussed in this chapter includes those opened in FBI field offices as well as FBI Headquarters.

⁵⁵ Cases in the Miscellaneous Matters program are generally administrative in nature. Examples include FBI automobile accidents, Equal Employment Opportunity counseling, and Freedom of Information Act inquiries.

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enterprise investigations require the FBI to devote years of effort, while others, such as an immediate response to a bank robbery, can be short-term in nature.

Data Analysis

For our examination of cases worked, we obtained data from the Automated Case Support (ACS) system consisting of all FBI cases recorded from October 1, 1995, through June 14, 2002, a set of 1,799,198 individual records. This data generally included the case number, opening and closing dates, program, and investigative classification for each case.⁵⁶

We observed cases in the data set that were either assigned to FBI programs no longer in existence or contained no program designation. These cases accounted for less than one percent of the entire data set, so we excluded them and focused our analyses on cases from current FBI programs.

Another factor to note when viewing our analyses is that in April 1999, as part of its preparation for the Year 2000 (Y2K) conversion effort, the FBI closed a large number of cases that originated at FBI Headquarters, and had been unaddressed for long periods. The FBI did this to reduce the amount of data that would go through the Y2K conversion process. Although there was no way for us to determine exactly how many cases were closed for this reason because some investigations were undoubtedly closed at the same time for routine reasons, we approximated the number by identifying the number of Headquarters cases that were opened prior to FY 1996 and were closed in April 1999. This totaled 675,056 cases and reflected approximately 38 percent of the original data set.

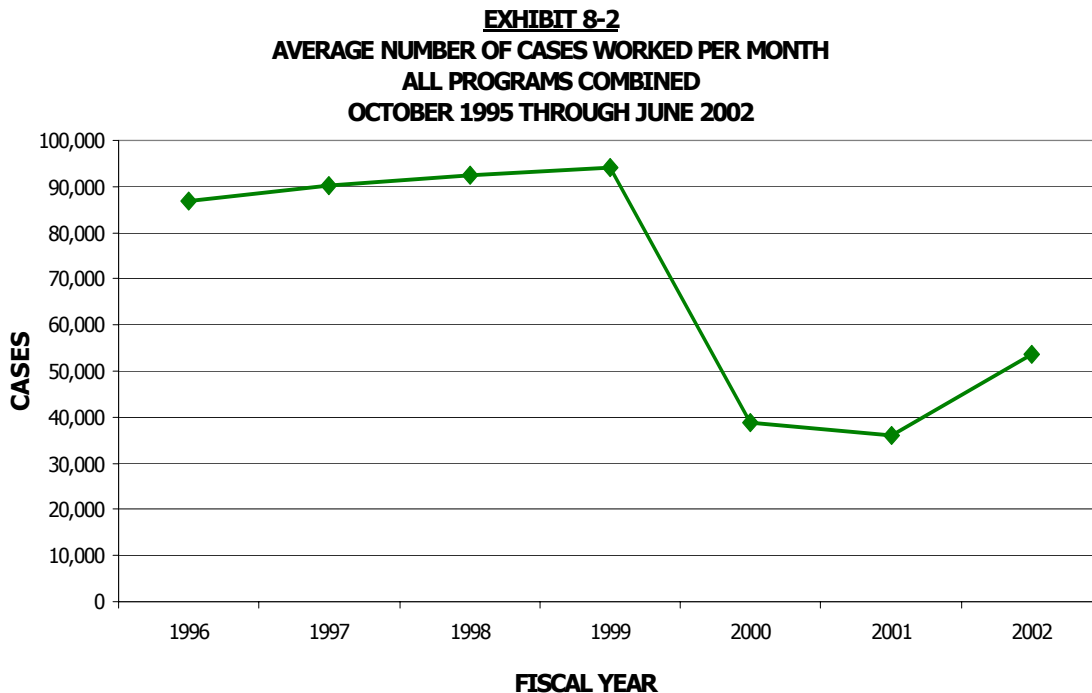
In addition, we found 59,037 cases in the data set that were designated as having been destroyed. These destroyed cases, representing about three percent of the original data set, generally contained only the case number, the program designation, and a "D" designation for "destroyed." Because they contained no opening or closing dates, we counted the destroyed cases as part of the total case count (and included them in Exhibit 8-1), but we eliminated them from all subsequent analyses.

⁵⁶ Our data download included other fields, as noted in Appendix I; however, this information was not used in our analysis.

Cases Worked

To determine if there were any evident trends in the FBI’s case workload during our review period, we calculated the number of cases worked⁵⁷ per month, in all programs combined, for each fiscal year. We then computed the average number of cases worked per month and used this data in our analyses because we were only able to obtain data in FY 2002 through June 14, 2002. If we had presented the total number of cases worked per year, our results for 2002 would have been skewed because we did not have data for the full fiscal year.

Exhibit 8-2 presents the average number of cases worked per month, in all programs combined, for each fiscal year of the review period. The largest number of cases worked per month peaked in FY 1999 at over 94,000, before dropping significantly to just under 40,000 in FY 2000. This significant drop-off, though, can be attributed to the aforementioned large number of cases closed in the Y2K cleanup in April 1999. Additionally, the average number of cases worked per month decreased slightly between FY 2000 and FY 2001, before increasing by about 18,000 per month in FY 2002.



Source: FBI ACS System

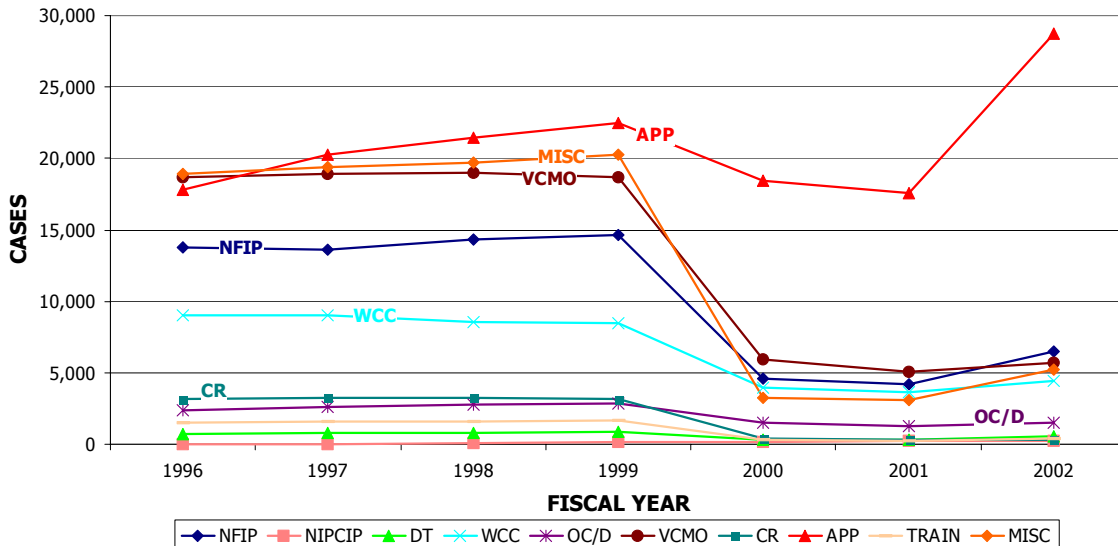
⁵⁷ For our analysis, we considered a case to be “worked” during a fiscal year if it was open at any time during the year.

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Exhibit 8-3 breaks down the overall information and highlights the average number of cases worked per month, by program, for each fiscal year. For all but FY 1996, the FBI worked more cases per month in the Applicant Matters (APP) program than in any other program, with the number ranging from about 17,500 to almost 29,000 cases worked per month. In FY 1996, Miscellaneous Matters (MISC) cases and Violent Crimes and Major Offenders (VCMO) cases accounted for the largest number of cases worked per month, with almost 19,000 cases. Further, between FY 1996 and FY 1999, the average number of National Foreign Intelligence Program (NFIP) cases worked per month remained somewhat steady, varying between approximately 13,700 and 14,600 worked per month. For the same period, White Collar Crime (WCC) cases also held relatively constant, averaging between approximately 8,500 and 9,000 cases worked per month.

As displayed in Exhibit 8-3, following the Y2K cleanup in April 1999, the APP program continued to lead all other programs in the average number of cases worked per month. At the same time, the number of VCMO, WCC, and NFIP cases surpassed the number of MISC cases. By FY 2002, the number of NFIP cases worked per month had increased enough to place it second in the average number of cases worked per month. This increase in NFIP work can most likely be attributed to the FBI's response to the 9/11 terrorist attacks, which occurred at the end of FY 2001.

EXHIBIT 8-3
AVERAGE NUMBER OF CASES WORKED PER MONTH - BY PROGRAM
OCTOBER 1995 THROUGH JUNE 2002



Source: FBI ACS System

Additionally, the Y2K cleanup seems to have affected various programs differently. The average number of cases worked per month in the MISC,

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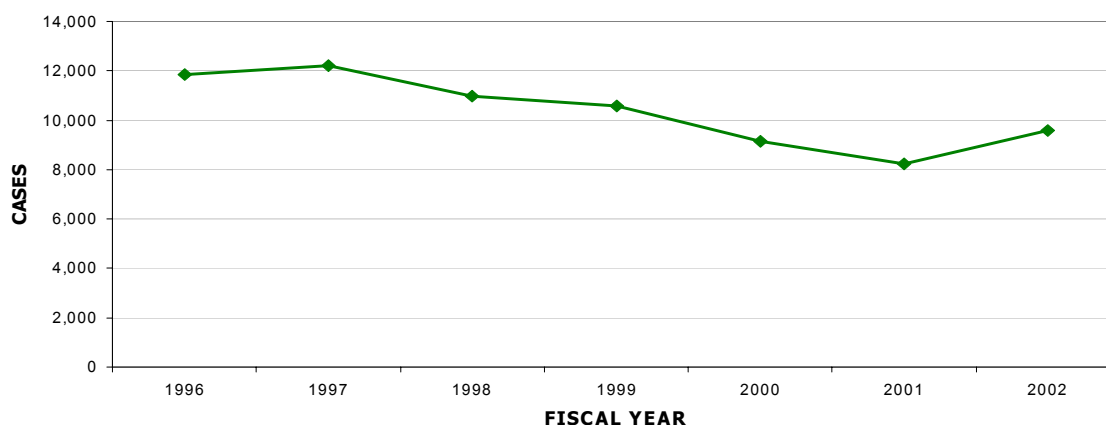
VCMO, NFIP, WCC, and Civil Rights (CR) programs dropped significantly from FY 1999 to 2000. However, the number in other programs (Applicant Matters, Organized Crime/Drugs, Domestic Terrorism, and National Infrastructure Protection/Computer Intrusion) decreased at a much smaller rate. Also, between FY 2001 and FY 2002, the number of cases worked per month in the APP, MISC, VCMO, NFIP, WCC, OC/D, and DT programs increased. The average number of APP cases increased by 64 percent, the largest amount of any program.

According to the FBI, Applicant Matters accounts for a large portion of the active cases because of the types of cases worked in this program. Background investigation cases are opened for all FBI applicants, some of which remain open throughout an employee's entire career. In addition, this program is responsible for performing background checks on presidential appointees, as well as White House staff and visitors.

Case Openings

We calculated and analyzed the average number of FBI cases opened per month for each fiscal year between October 1, 1995, and June 14, 2002, and identified a general downward trend. The FBI opened fewer cases per month in each successive fiscal year between 1997 and 2001, reflecting a one-third reduction in case openings, from just over an average of 12,000 cases opened per month in FY 1997 to just over 8,000 in FY 2001.⁵⁸ The FBI reversed this trend in the portion of FY 2002 examined in our analysis by opening almost 2,000 cases per month more than in FY 2001.

EXHIBIT 8-4
AVERAGE NUMBER OF CASES OPENED PER MONTH
ALL PROGRAMS COMBINED
OCTOBER 1995 THROUGH JUNE 2002



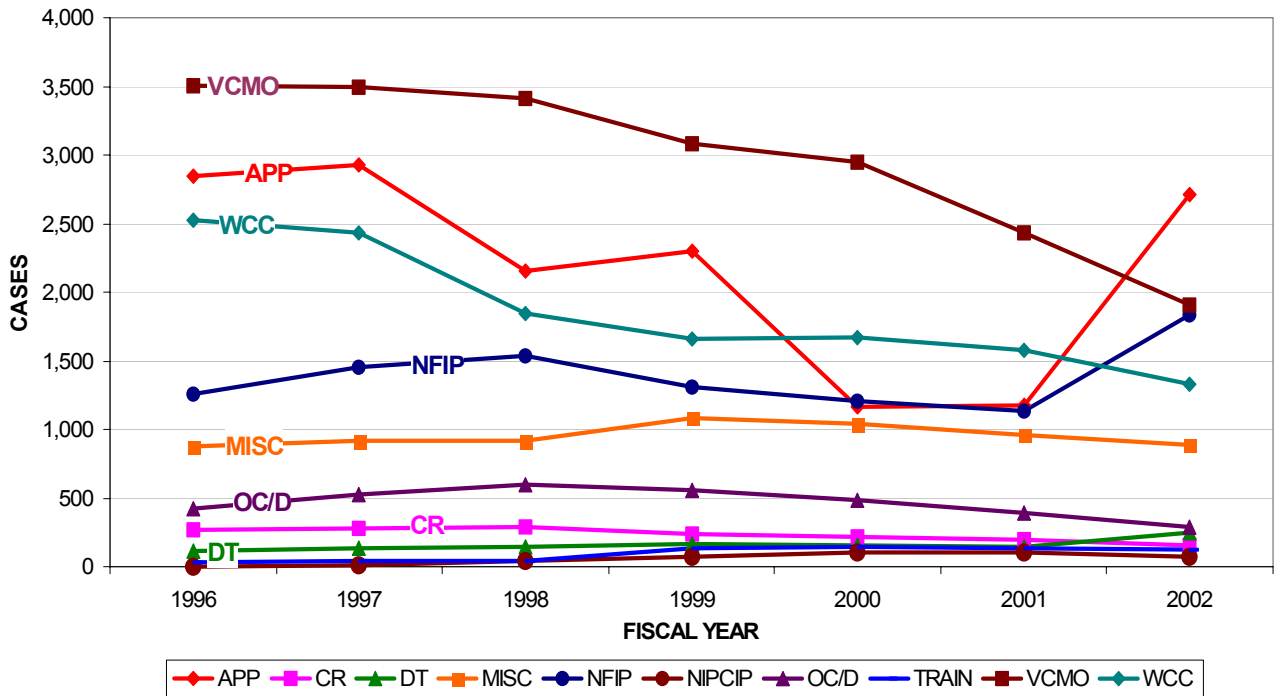
Source: FBI ACS System

⁵⁸ This analysis is not affected by the Y2K cleanup in April 1999 because that exercise involved only case *closings*, not case *openings*.

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We also looked at case openings in each FBI program as an annual monthly average. We found that prior to FY 2002, the FBI opened significantly more cases per month in its Violent Crimes and Major Offenders program than in any other program, followed by Applicant Matters, White Collar Crime, National Foreign Intelligence, and Miscellaneous Matters. In contrast, in the portion of FY 2002 in our review, the number of APP, NFIP, and Domestic Terrorism cases opened per month increased, while the number opened per month in all other programs decreased.

EXHIBIT 8-5
AVERAGE NUMBER OF CASES OPENED PER MONTH - BY PROGRAM
OCTOBER 1995 THROUGH JUNE 2002



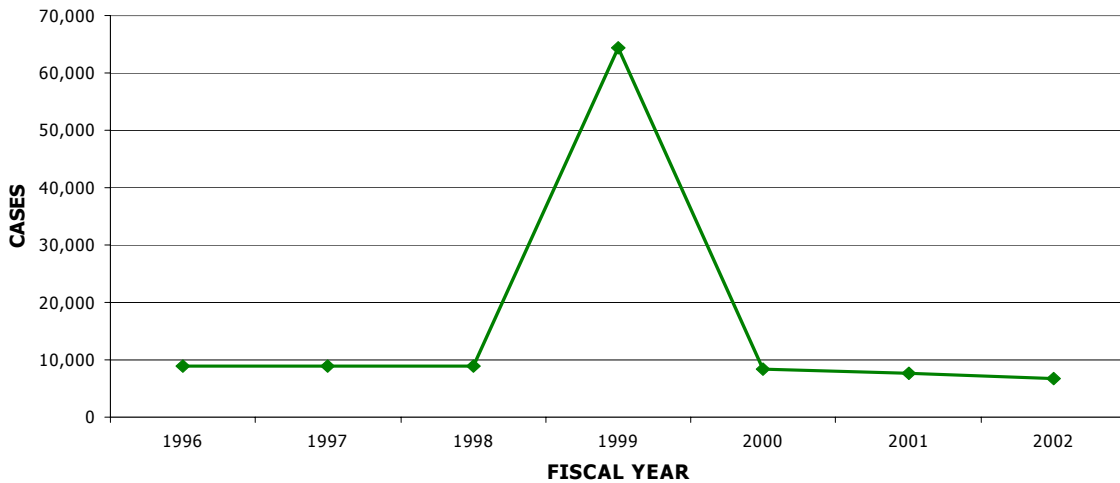
Source: FBI ACS System

Case Closings

We also calculated and analyzed the average number of cases closed per month for each fiscal year of the data set. Of all the graphs found in this chapter, the following one in particular is distorted by the inordinate number of cases closed in FY 1999 as part of the Y2K cleanup. Exhibit 8-6 shows that excluding FY 1999, the FBI consistently has closed fewer cases per month in each successive fiscal year since 1998.

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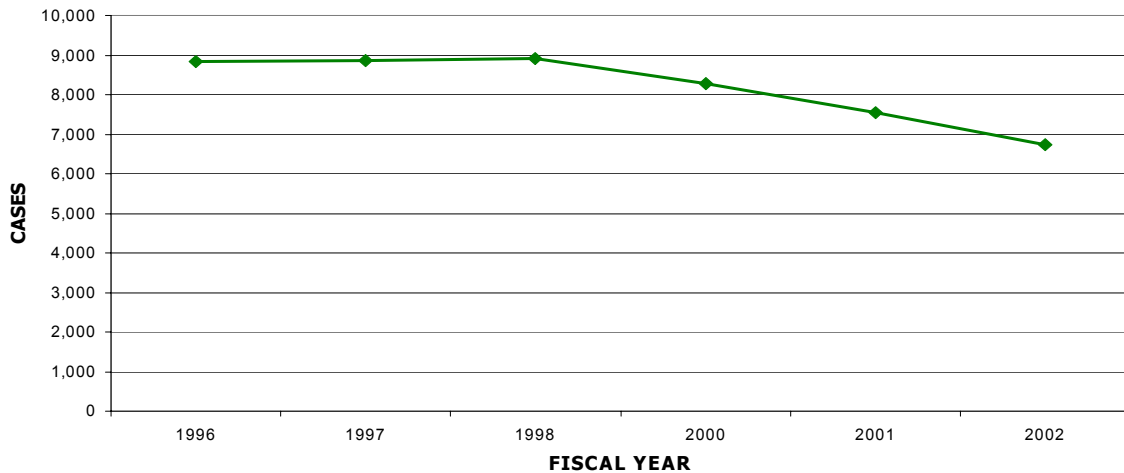
EXHIBIT 8-6
AVERAGE NUMBER OF CASES CLOSED PER MONTH
ALL PROGRAMS COMBINED
OCTOBER 1995 THROUGH JUNE 2002



Source: FBI ACS System

To provide a more easily observable view of this downward trend in case closings, we developed Exhibit 8-7, which contains the same information as Exhibit 8-6 but removes all data from FY 1999.

EXHIBIT 8-7
AVERAGE NUMBER OF CASES CLOSED PER MONTH IN ALL PROGRAMS
OCTOBER 1995 THROUGH JUNE 2002 (EXCLUDING FY 1999)



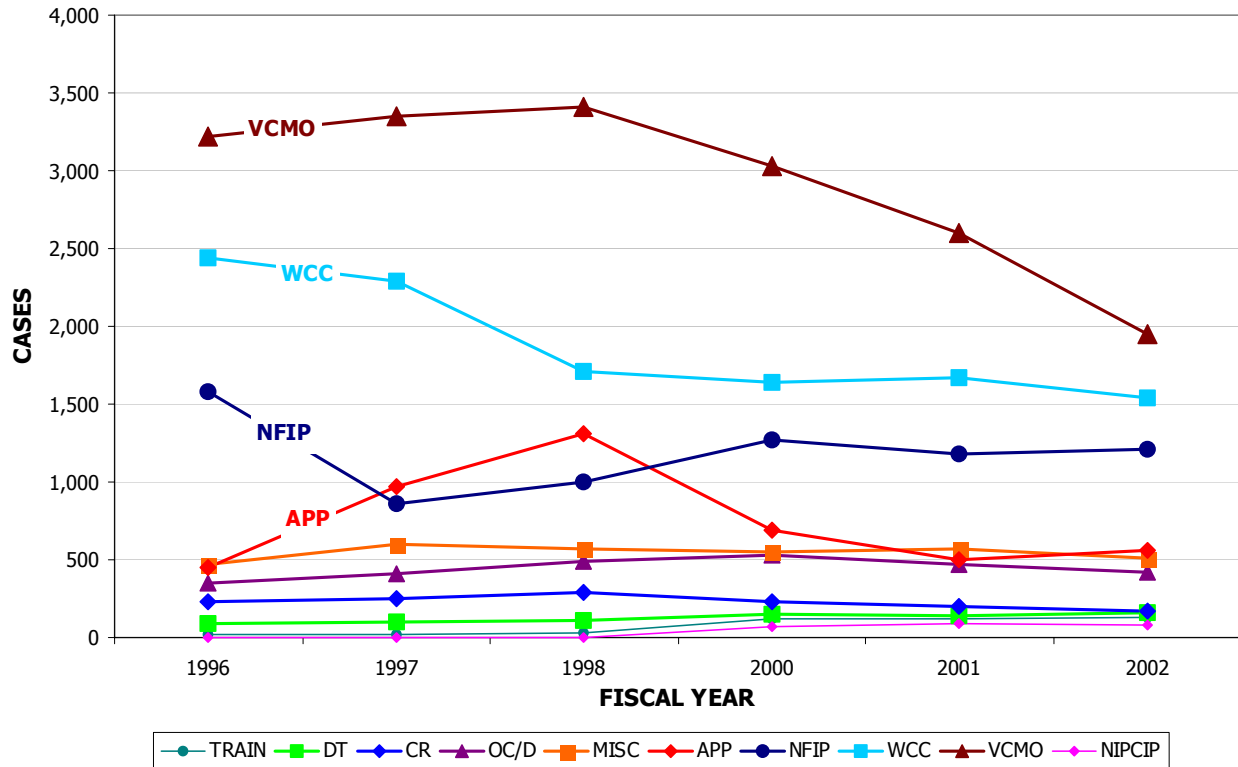
Source: FBI ACS System

Exhibit 8-7 clearly shows that the average number of cases closed per month is declining, from a high of approximately 9,000 in FY 1998, to a low of just under 7,000 in FY 2002, a reduction of more than 2,000 cases per month.

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We also analyzed case closings at the program level. As with Exhibit 8-7, we removed FY 1999 data that distorts the case closing figures. The FBI closed the most cases per month in Violent Crimes and Major Offenders, followed by White Collar Crime, National Foreign Intelligence and Applicant Matters programs. These trends remained consistent in FY 2002, after 9/11.

EXHIBIT 8-8
AVERAGE NUMBER OF CASES CLOSED PER MONTH - BY PROGRAM
OCTOBER 1995 THROUGH JUNE 2002 (EXCLUDING FY 1999)



Source: FBI ACS System

Cases Opened and Closed in the Same Fiscal Year

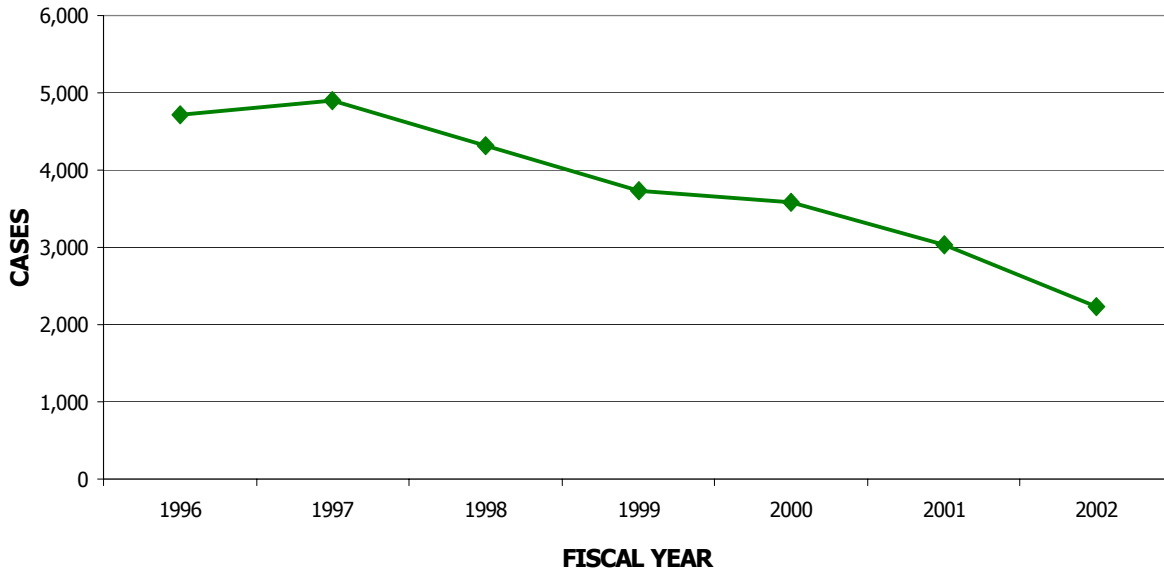
We also calculated the length (in days) that each FBI case in our data set was open. In doing so, we observed that the FBI had investigated a significant number of cases that both opened and closed in the same fiscal year. For the purposes of further analysis, we designated these cases as "short-term," and analyzed them at the program level to determine which programs tended to conduct the largest number of short-term investigations.

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As with the other analyses in this chapter, to obtain the most accurate information possible, we computed the data as a monthly average for each fiscal year period.

Even with FY 1999 data included, we identified the same downward trend in this analysis that we observed for both case openings and case closings. In all programs combined, the FBI opened and closed individual cases in the same fiscal year with much less frequency from FY 1998 onward. For example, in FY 1997, the FBI was working on an average of almost 5,000 short-term cases per month. By FY 2002, though, this average had dropped by more than 50 percent, to just over 2,200 per month.

EXHIBIT 8-9
AVERAGE NUMBER OF CASES PER MONTH
OPENED AND CLOSED IN THE SAME FISCAL YEAR
OCTOBER 1995 THROUGH JUNE 2002

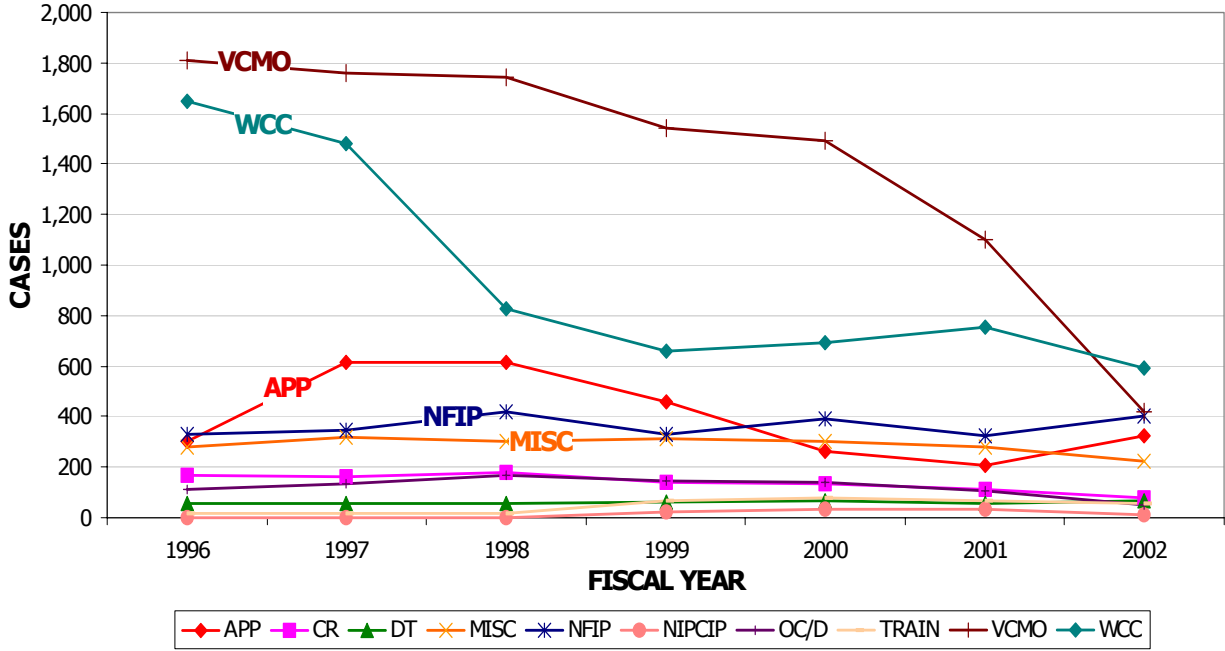


Source: FBI ACS System

Our program-level analysis of short-term cases is noted in the Exhibit 8-10. In general, the FBI worked most of its short-term cases in the VCMO program, followed by WCC, APP, and NFIP.

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EXHIBIT 8-10
AVERAGE NUMBER OF CASES PER MONTH - BY PROGRAM
OPENED AND CLOSED IN THE SAME FISCAL YEAR
OCTOBER 1995 THROUGH JUNE 2002



Source: FBI ACS System

CHAPTER 9: OVERALL CONCLUSIONS AND RECOMMENDATIONS

Since 1998, according to the FBI's strategic plan, its top priority has been addressing foreign intelligence, terrorist, and criminal activities that directly threaten the national security of the United States. In May 2002, the FBI Director announced a realignment of the Bureau's top ten priorities that again placed terrorism-related matters at the top. Despite these stated priorities, we found that prior to 9/11:

- The FBI utilized more of its agent resources in the White Collar Crime (WCC), Violent Crimes and Major Offenders (VCMO), and Organized Crime/Drugs (OC/D) programs than in those related to terrorism.
- The terrorism-related programs consistently underutilized their allocated personnel resources at a rate greater than the Bureau as a whole. In comparison, agent utilization rates in VCMO, Civil Rights (CR), and WCC were significantly higher.
- Only 4 of the 56 field offices expended more of their agent resources in a terrorism-related program than in any other program. The remaining 52 field offices predominantly used agent resources in WCC, VCMO, or OC/D.
- Terrorism-related cases accounted for only 18 percent of those open any time between October 1995 and June 2002. In contrast, the VCMO program accounted for 25 percent of this universe of cases.

The FBI responded to the 9/11 tragedy with a level of effort unprecedented in its history. In a comparatively short period of time, the investigation into the attacks became the FBI's largest major case in the past seven years. Additionally, since 9/11, the FBI has continued to devote more of its time to terrorism-related work than any other single area.

We believe the FBI needs to create an environment in which its operational priorities, in terms of human resource utilization and investigations, consistently coincide with the priorities that it has identified in its strategic plan. Without such a sustained and systemic effort, there is a possibility that the FBI's priorities and resource allocation could diverge as they did before September 11, 2001.

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Based on the issues we observed during our review, we offer the following recommendations to help improve the FBI's management of human resources and casework.

Bureau-wide Comparative Analyses of Human Resource Utilization

FBI program managers currently conduct comparative analyses of human resource utilization to allocations at the program and sub-program level. This information is used as a tool for monitoring programs, as well as for requesting and allocating resources for field offices. However, according to FBI officials, the Bureau had never undertaken an overall analysis involving all programs over a period of time. We believe that the FBI should conduct a review similar to ours on a recurring basis.

1. *We recommend that the Director of the FBI regularly review resource utilization reports for the Bureau as a whole, as well as for the individual investigative programs, and explore additional means of analyzing the Bureau's resource utilization among the various programs.*

Level of Effort in the Violent Crimes and Major Offenders (VCMO) Program

The criminal investigations in the VCMO program fall primarily into the third, and lowest, tier of the strategic plan. Despite this, the FBI consistently overutilized its agent resources in the VCMO program during our review period. Also, the FBI opened more VCMO cases than in any other program. Since the Director stressed in May 2002 that the Bureau needed to shift from a reactive force to a proactive one, and this program has consistently been allocated a significant number of agent resources, its resource utilization should be further scrutinized.

2. *We recommend that the Director of the FBI research and implement methods for addressing the overutilization and high allocation of agent resources in the VCMO program.*

Rate of Case Openings and Closings Between 1998 and 2001

Generally, the FBI opened and closed fewer cases per month, from FY 1998 through 2001. Our audit was not designed to identify the cause for these trends. Considering that the FBI's financial resources have increased over this timeframe and the fewer case openings and closings could be construed as a reduction in productivity, the FBI should examine its overall case activity to identify trends and address matters impacting its productivity. Further, we found that the rate at which the cases are being closed is falling

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behind the rate of case openings, resulting in an increasing population of open cases.

- 3. We recommend that the FBI perform research to determine why the rate of case openings and closings is decreasing and the population of open cases is increasing.*

Timing of Funded Staffing Levels

Funded Staffing Levels (FSL) are set after the budget has been approved by Congress and the Resource Management and Allocation office has performed its analysis and allocated the positions. Often, this occurs late in the fiscal year. For example, in FY 2002 the FSLs were not finalized until June 2002, even though the actual realignment of resources in response to 9/11 occurred immediately following the terrorist attacks. Further, the 2003 FSLs were not established and sent to field offices until May 7, 2003. However, during the reviews of FBI field offices performed by the Inspection Division, field office management is evaluated on the official FSLs in place, which may be outdated and present a false view of the actual field office utilization rate. For example, an office that may have been inspected in May 2002 would have been judged on pre-9/11 FSLs that did not reflect the shift in personnel devoted to terrorism-related programs.

- 4. We recommend that the Director of the FBI review the current resource management and allocation process and make necessary changes to ensure that FSL allocations are made in a more timely manner.*

Utilization in the Applicant Matters and Training Programs

The FBI's Applicant Matters and Training programs utilized significantly more agent resources than they were allocated during the timeframe we reviewed. This consistent disparity between planned and actual resource usage exposes an inherent problem in the planning process for these programs. Further, overutilization in these programs logically results in underutilization in other programs. The FBI needs to determine the actual resources that these programs require by evaluating the planning factors (e.g., election years, hiring surges) and remedy the process that has resulted in significant differences between resource allocation and utilization.

- 5. We recommend that the Director of the FBI review the current planning factors and processes for the Applicant Matters and Training programs to more closely approximate the agent resources they actually need.*

Data Errors and Omissions in the ACS System

During our review of data extracted from the ACS system, we identified some errors and omissions in individual case records. Specifically, some records did not have a program designator or the designator was for a program no longer in existence. In addition, we found errors related to Preliminary Inquiry (PI) dates, as well as case opening and closing dates. For example, we discovered cases in which opening dates preceded PI dates, even though case opening dates should follow the date the associated PI was initiated. ACS officials explained that this sometimes occurred in cases originally opened under the legacy system to ACS, the Field Office Information Management System (FOIMS). Cases that were closed in FOIMS and then subsequently re-opened in ACS had their case opening dates overwritten by the case re-opening date. ACS officials also said some of these inconsistencies between case opening dates and PI dates could be attributed to user error or program conversion problems where ACS did not edit the date correctly. Additionally, officials said that when the system went on line, it converted some case opening dates to the default date of October 1, 1995; they advised that they corrected this problem between three and four years ago.

The FBI is planning to bring a new case management system on line in the near future to replace ACS. In light of the errors we found in the data and the problems the FBI encountered when switching from FOIMS to ACS, the possibility exists for conversion errors when switching from ACS to the new system. Therefore, management should take action to ensure that the data is as complete and accurate as possible prior to the implementation of the new system in order to reduce any conversion errors.

- 6. We recommend that the Director of the FBI ensure that the data in ACS is complete and accurate prior to converting to a new case management system.*

Usefulness of Monthly Administrative Reports from the Automated Case Support (ACS) System

The FBI Headquarters program managers are the primary users of the ACS Monthly Administrative Reports that contain investigative case statistics. These individuals are also the most knowledgeable about their programs and the tools they find useful in managing their resources and responsibilities. Our discussions with program managers revealed that several question the utility of the information they receive from the reports. Further, some stated that the information did not help them in performing

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their program management duties. We suggest that the FBI form a committee of program managers to share information and opinions and develop ideas for improving the reports from ACS or the forthcoming case management system.

- 7. We recommend that the Director of the FBI revamp the current Monthly Administrative Report format and determine if more useful information can be extracted from the ACS system and be provided to program managers to help them in performing their duties.*

STATEMENT ON MANAGEMENT CONTROLS

In planning and performing our audit of the FBI's management of casework and human resources, we considered the FBI's control structure for the purpose of determining our audit procedures. This evaluation was not made for the purpose of providing assurance on the FBI management control structure as a whole. However, we noted certain matters involving management controls that we consider to be reportable conditions under government auditing standards.

Reportable conditions involve matters coming to our attention relating to significant deficiencies in the design or operations of the management control structure that, in our judgment, could adversely affect the FBI's ability to effectively manage its case workload and human resources. We identified weaknesses in the following areas:

- senior management actions to review human resource allocation and utilization, as well as casework distribution, for the Bureau as whole, among and between programs, and for compliance with the strategic plan;
- timing of the human resource allocations developed by the Resource Management and Allocation office; and
- quality of specific data in the Automated Case Support (ACS) system and the utility of the reports containing ACS data.

Because we are not expressing an opinion on the FBI's management control structure as a whole, this statement is intended solely for the information and use of the FBI in managing its casework and resource management processes.

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OBJECTIVES, SCOPE, AND METHODOLOGY

Audit Objectives

The objectives of this audit were to: 1) review the FBI's allocation and utilization of human resources in its investigative programs from FY 1996 through June 2002, and 2) determine the types and number of cases investigated over the same time period.

Scope and Methodology

We performed our audit in accordance with *Government Auditing Standards* issued by the Comptroller General of the United States and included such tests of the records and procedures that we considered necessary to accomplish the audit objectives. The informational nature of our audit objectives did not require that we perform testing of the FBI's compliance with laws and regulations.

We conducted work at FBI Headquarters in Washington, D.C., and at the FBI Chicago Field Office in Chicago, Illinois. We interviewed over 50 officials from the FBI, including the Director, the Assistant Director and Chief Technology Officer, the Chief of Staff, the Special Assistants to the Director for both Strategic Planning and Resource Management and Allocation, and several Assistant Directors. We also interviewed FBI Headquarters officials from the Finance Division and Resource Management and Allocation office, as well as numerous Section Chiefs and Unit Chiefs representing all FBI programs. Through these interviews and review of documents and records pertaining to the audit objectives, we obtained an understanding of the control environment for strategic and program planning, requirements determination, and the resource allocation and management processes. Further, we worked extensively with management and support personnel responsible for the Time Utilization and Recordkeeping (TURK) and Automated Case Support (ACS) systems to gain an understanding of the systems, the data contained therein, the ways in which the systems support the investigative work of the Bureau, and the management controls over the systems.

To achieve the audit objectives, we used computer-processed data maintained in FBI information systems. To examine the FBI's human resource utilization, we reviewed data from the TURK system, a module of the FBI's payroll system, for the period of October 1, 1995, through June 1, 2002. The TURK system contains work hour and Average On Board data for most FBI agents and support involved with investigative matters. To examine the numbers and types of cases in its various criminal programs,

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we reviewed data from the Automated Case Support (ACS) system, which assigns unique case identifiers to all investigations and contains case-related material, for the period of October 1, 1995, through June 14, 2002.

We assessed the reliability of the computer-processed data provided by the FBI by obtaining information from FBI officials and performing various tests. For data from the TURK and ACS systems, we performed tests to establish reliability and obtained confirmation from FBI officials as to the data's reliability. For both systems, we reviewed management controls and we performed data validity tests at the FBI Chicago Field Office in Chicago, Illinois. Based on our test results and the information we obtained, we concluded the data was sufficiently reliable to achieve our audit objectives.

Data Analysis

We performed analyses of FBI resource allocation and utilization data, as well as casework data, to identify trends in the FBI's operations from October 1995 through June 2002. In total, this data amounted to 2,407,108 records.

Average On Board (AOB) - We received two runs of Average On Board (AOB) data,⁵⁹ for both agents and support personnel, covering the period from October 1, 1995, through June 1, 2002. The first data run was provided in a text file, which we then exported to a database file, and contained 34,944 records broken into the following fields:

- COST CODE: Four-digit office identifier
- EMPLOYEE INDICATOR: Agent or Support
- FISCAL YEAR: 1996 through 2002
- PROGRAM: Numeric Indicator - See Appendix IV
- SUB-PROGRAM: Alpha Indicator - See Appendix IV
- AVERAGE ON BOARD: AOB for the program/sub-program designated

We provided the annual AOB figures from our analyses to FBI Headquarters program managers for verification and explanation of the data. In doing so, we discovered that we had not been provided with data for the entire universe of FBI personnel who are captured in the TURK system. We then received a second data run containing AOB data in the same format as the original sample for three cost codes that were not captured in the first

⁵⁹ The definition of AOB can be found on page 14.

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run: Critical Incident Response Group; Independent Counsels; and CAMPCON, a major case related to the investigation of campaign finance irregularities in the 1996 presidential election. We received this data in a text file containing 1,644 records and imported it into a database file for testing. We exported the data from both the original and new data runs into a spreadsheet program and calculated a new grand total. We then used this total for our trend analyses of AOB data found in Chapters 3, 4, 5, and 6.

TURK Work Hours – We obtained work hour data from the FBI’s TURK system as a measurement of resource utilization. We received a total of four data runs for both agent and support personnel covering the period from October 1, 1995, through June 1, 2002. The first two runs had to be discarded due to data omissions and organization errors; the third data run appeared complete and organized in the manner we requested. We received the data in a text file and imported it into a database file for testing. The data consisted of 550,486 records, each containing the following fields:

- COST CODE: Four-digit office identifier
- FISCAL YEAR: 1996 through 2002
- TURK PERIOD: See Appendix III
- EMPLOYEE INDICATOR: Agent or Support
- PROGRAM: Numeric Indicator - See Appendix IV
- SUB-PROGRAM: Alpha Indicator - See Appendix IV
- MAJOR CASE: Only if appropriate, see Appendix II for examples
- HOURS: Hours expended in the program/sub-program designated
- LEAVE: Hours charged to any type of leave, such as annual or sick leave
- MISCELLANEOUS: Time expended on matters such as firearms training or automotive accidents that are not directly related to an investigative program

The data universe the FBI provided included subtotals by program and sub-program. For us to perform the required analyses, we removed all subtotals and calculated the TURK work hours, miscellaneous, and leave amounts for each TURK period to obtain the total time TURKed for that time period. With these totals, we were able to compute the Direct Agent Work Years (DAWYs) and Direct Support Work Years (DSWYs). As previously explained, DAWYs and DSWYs are an estimation of work effort (not people), calculated based on a 10-hour day for a special agents and an 8-hour day

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for support personnel. The formulae to calculate the DAWYs or DSWYs are as follows:

$$\text{DAWYs} = ((\text{Hours} / \text{number of payperiods}) * 26) / 2600$$
$$\text{DSWYs} = ((\text{Hours} / \text{number of payperiods}) * 26) / 2080$$

As with the AOB data, we discovered that we had not been provided TURK work hour data for all TURKing FBI personnel. Therefore, we had to request a fourth data run, containing agent and support work hour data for the same three cost codes that were not captured in the initial AOB run. We received the data in a text file consisting of 9,175 records in the same format as the initial data and imported it into a database file for testing. We exported the data from both the third and fourth data runs into a spreadsheet program and combined it for a new grand total. We used this total for our analyses of TURK work hour data found in Chapters 4 and 7.

Funded Staffing Levels – In our comparative trend analyses of agent resource utilization to allocation, we used the Bureau’s Funded Staffing Levels (FSLs) that are established by the Resource Management and Allocation (RMA) office. We obtained two sets of FSLs for each program and fiscal year. The first set we obtained from the RMA office represented the initial allocations set for each fiscal year. We also obtained FSLs from TURK program officials that represented the final allocation for the fiscal year, which reflected any mid-year adjustments. The two sets of data amounted to 11,661 records. We used the final FSLs in our comparative trend analyses discussed in Chapter 5.

Casework - For our analyses of the FBI’s casework, we received a total of five data runs from the Automated Case Support (ACS) system containing all FBI cases worked from October 1, 1995, through June 14, 2002. We had to discard the first four runs due to omissions and data organization errors before receiving a fifth and final one. The information was provided in a database file containing 1,799,198 records, separated into the following fields:

- CASE ID: Universal Case File Number
- SOURCE: Source of information that resulted in the opening of a case
- PRELIMINARY DATE: Date the Preliminary Inquiry (PI) began
- FULL DATE: Date the full investigation began
- CASE OPEN DATE: Date the case was officially opened

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- CASE CLOSE DATE: Date the case was officially closed
- PROGRAM: Full name of FBI program
- PREV CLASS 1-30: Previous FBI classification for any case that was classified under two or more investigative classifications during its tenure
- CLASS LEVEL: National security classification of the case (e.g., Secret)
- DESTROYED CASE: Indicator ("D") that case was destroyed

The ACS data did not contain all of the fields we requested in our initial data request memorandum. ACS officials advised that they were unable to provide the following three fields we had requested because ACS does not track them: 1) the source organization requesting assistance or referring a case, 2) the lead agency on a multi-agency case, and 3) a field showing the disposition of a Preliminary Inquiry (PI) or Suitability Inquiry.

In reviewing the final data run, we identified cases that were designated as belonging to FBI programs no longer in existence or in which no program was listed. Without a current program identifier for these cases, we were required to eliminate them from our analyses. In total, this accounted for 12,641 cases, or less than three quarters of one percent of the original universe. As a result, our universe consisted of 1,786,557 cases on which we performed our initial breakdown of FBI cases from October 1995 through June 2002, found in Exhibit 8-1.

In addition, we discovered 59,037 cases in the database that were designated as having been destroyed (59 of these destroyed cases also had no program listed and were removed as part of those noted in the preceding paragraph). These destroyed cases, representing 3.28 percent of the original data set, did not contain any case opening or closing dates. ACS officials advised that they are sometimes directed to destroy cases, and if this is done it is impossible to extract any information from them except for the case number (which remains in ACS to maintain the sequential numbering system). Without case opening or closing dates, we were unable to include these cases in our subsequent analyses, which were dependent upon these dates. This reduction of 58,978 cases (the 59,037 destroyed cases, less the 59 cases already captured as having no program and having already been excluded) left a sample of 1,727,579 cases, on which we performed the remainder of our testing in Chapter 8.

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As previously discussed, we discovered a significant number of cases that were closed in FY 1999 (761,406, compared to 106,958 in FY 1998). Upon our inquiry, ACS officials explained that in April 1999, as part of its preparation for Y2K on January 1, 2000, the FBI closed a large number of Headquarters cases that had been unaddressed for long periods of time to reduce the amount of data that would go through the Y2K conversion process. Although there was no way for us to determine exactly how many cases were closed for this reason, because some investigations were closed at the same time for routine reasons, we approximated the number by identifying the number of Headquarters cases that were opened prior to FY 1996 and were closed in April 1999. This totaled 675,056 cases and reflected approximately 38 percent of the original data set.

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EXAMPLES OF MAJOR CASES**

AMADO CARRILLO FUENTES INITIATIVE

According to the FBI, the Amado Carrillo Fuentes Organization is a core level Mexican drug trafficking organization. It has evolved its role in drug trafficking into a brokerage, directing multi-ton quantities of Medellin and Cali cocaine toward established Mexican importation and distribution organizations.

| | | |
|-------|---------|-----|
| Rank: | Overall | 11 |
| | Agents | 11 |
| | Support | N/A |

AMERITHRAX

In October 2001, members of Congress and the media received letters, through the postal service, containing anthrax, a deadly chemical.

| | | |
|-------|---------|----|
| Rank: | Overall | 14 |
| | Agents | 14 |
| | Support | 8 |

AT NORTHSIDE FAMILY PLANNING SERV – VICTIM

This investigation related to an explosive device that was detonated outside the Atlanta Northside Family Planning Center, fatally injuring an individual employed at the facility.

| | | |
|-------|---------|-----|
| Rank: | Overall | N/A |
| | Agents | N/A |
| | Support | 10 |

CAMPCON

The CAMPCON investigation involves illegal campaign contributions by foreign nationals and corporations to the Democratic National Committee during the 1996 Federal elections.

| | | |
|-------|---------|---|
| Rank: | Overall | 3 |
| | Agents | 7 |
| | Support | 2 |

REDACTED AND UNCLASSIFIED**CENTBOM**

CENTBOM refers to the investigation of the bombing in Centennial Park during the 1996 Summer Olympic Games in Atlanta, Georgia, which killed one individual.

| | | |
|-------|---------|----|
| Rank: | Overall | 9 |
| | Agents | 9 |
| | Support | 13 |

COLUMBIA/HCA

COLUMBIA/HCA involves a criminal investigation into whether the nation's largest hospital chain over billed government health insurance programs.

| | | |
|-------|---------|-----|
| Rank: | Overall | N/A |
| | Agents | N/A |
| | Support | 14 |

INNOCENT IMAGES

The INNOCENT IMAGES investigation is an undercover operation designed to identify and develop sufficient evidence to support the prosecution of individuals utilizing computer telecommunications facilities to receive and/or distribute child pornography, as well as those who use this technology to lure minors into illicit sexual relationships.

| | | |
|-------|---------|---|
| Rank: | Overall | 2 |
| | Agents | 2 |
| | Support | 3 |

KENBOM

This investigation related to the bombing at the U.S. Embassy in Nairobi, Kenya.

| | | |
|-------|---------|-----|
| Rank: | Overall | 12 |
| | Agents | 13 |
| | Support | N/A |

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MOZARK

MOZARK involves the investigation of allegations of fraud against the Small Business Administration as well as the investigation of a failed financial institution.

| | | |
|-------|---------|-----|
| Rank: | Overall | N/A |
| | Agents | N/A |
| | Support | 7 |

OKBOMB

On April 19, 1995, the Alfred P. Murrah federal building in Oklahoma City, Oklahoma exploded following the detonation of a bomb, killing 168 people.

| | | |
|-------|---------|---|
| Rank: | Overall | 5 |
| | Agents | 4 |
| | Support | 4 |

PENTTBOMB

PENTTBOMB refers to the investigation into the terrorist events on September 11, 2001, in which commercial airplanes were crashed into the Pentagon, the twin towers of the World Trade Center in New York City, and a field in rural Pennsylvania.

| | | |
|-------|---------|---|
| Rank: | Overall | 1 |
| | Agents | 1 |
| | Support | 1 |

MAJOR CASE 143

Due to the sensitivity of this investigation, this major case cannot be described and can be referred to only by case number.

| | | |
|-------|---------|-----|
| Rank: | Overall | N/A |
| | Agents | N/A |
| | Support | 9 |

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SANDBOMB

In February 1998, an explosive device detonated outside the New Woman and All Women Health Care Clinic in Birmingham, Alabama, fatally injuring an off-duty policeman and severely injuring a nurse employed at the facility. According to the FBI, the investigation indicates that this bombing may be related to two other bombings claimed by the Army of God, which occurred in Atlanta, Georgia during 1997.

| | | |
|-------|---------|---|
| Rank: | Overall | 8 |
| | Agents | 8 |
| | Support | 6 |

SPLITRAIL

The SPLITRAIL investigation involves allegations that an Amtrak train was intentionally derailed at a remote site approximately 60 miles southwest of Phoenix, Arizona in October 1995. One passenger was killed, 12 were injured critically, and another 100 sustained other injuries.

| | | |
|-------|---------|-----|
| Rank: | Overall | N/A |
| | Agents | 15 |
| | Support | N/A |

SW BORDER PROJECT/PUBLIC CORRUPTION

This investigation involves crime along the Southwest Border of the U.S., especially drug trafficking, corruption, and auto/cargo theft.

| | | |
|-------|---------|----|
| Rank: | Overall | 6 |
| | Agents | 5 |
| | Support | 11 |

THUNDER ROLL

The THUNDER ROLL investigation related to the arresting of 2 suspects and seizing approximately 45 bags of evidence in August 1997, including a suicide note and a 2-page letter in Arabic containing bomb-making instructions.

| | | |
|-------|---------|-----|
| Rank: | Overall | 10 |
| | Agents | 10 |
| | Support | N/A |

REDACTED AND UNCLASSIFIED**UNABOM**

Over a 17-year period, Theodore Kaczynski constructed bombs that killed 3 and injured 22 people. He was arrested in April 1995 and pleaded guilty in January 1998.

| | | |
|-------|---------|----|
| Rank: | Overall | 7 |
| | Agents | 6 |
| | Support | 12 |

USAMA BIN LADEN

The investigation, opened on May 14, 1999, focused on foreign acts of terrorism around the globe, including the bombings of the U.S. embassies in Africa in 1998, attributable to Bin Laden.

| | | |
|-------|---------|-----|
| Rank: | Overall | 15 |
| | Agents | N/A |
| | Support | 15 |

1996 SUMMER OLYMPICS

This major case designator was used to consolidate time charged in preparation of the summer games held in Atlanta, Georgia in 1996.

| | | |
|-------|---------|-----|
| Rank: | Overall | 13 |
| | Agents | 12 |
| | Support | N/A |

2002 OLYMPIC WINTER GAMES

The 2002 Winter Olympic Games were held in Salt Lake City, Utah. As this large, international event took place just months after the 9/11 attacks, the FBI made extensive security preparations.

| | | |
|-------|---------|---|
| Rank: | Overall | 4 |
| | Agents | 3 |
| | Support | 5 |

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LIST OF TURK PERIODS IN REVIEW TIMEFRAME

| Fiscal Year | Turk Period | Date Range | Pay Period Range |
|--------------------|--------------------|-------------------------|-------------------------|
| 1996 | 1 | 10/01/1995 - 10/28/1995 | 22 - 23 |
| | 2 | 10/29/1995 - 11/25/1995 | 24 - 25 |
| | 3 | 11/26/1995 - 12/23/1995 | 26 - 01 |
| | 4 | 12/24/1995 - 01/20/1996 | 02 - 03 |
| | 5 | 01/21/1996 - 02/17/1996 | 04 - 05 |
| | 6 | 02/18/1996 - 03/16/1996 | 06 - 07 |
| | 7 | 03/17/1996 - 04/13/1996 | 08 - 09 |
| | 8 | 04/14/1996 - 05/11/1996 | 10 - 11 |
| | 9 | 05/12/1996 - 06/08/1996 | 12 - 13 |
| | 10 | 06/09/1996 - 07/06/1996 | 14 - 15 |
| | 11 | 07/07/1996 - 08/03/1996 | 16 - 17 |
| | 12 | 08/04/1996 - 08/31/1996 | 18 - 19 |
| | 13 | 09/01/1996 - 09/28/1996 | 20 - 21 |

| Fiscal Year | Turk Period | Date Range | Pay Period Range |
|--------------------|--------------------|-------------------------|-------------------------|
| 1997 | 1 | 09/29/1996 - 10/26/1996 | 22 - 23 |
| | 2 | 10/27/1996 - 11/23/1996 | 24 - 25 |
| | 3 | 11/24/1996 - 12/21/1996 | 26 - 01 |
| | 4 | 12/22/1996 - 01/18/1997 | 02 - 03 |
| | 5 | 01/19/1997 - 02/15/1997 | 04 - 05 |
| | 6 | 02/16/1997 - 03/15/1997 | 06 - 07 |
| | 7 | 03/16/1997 - 04/12/1997 | 08 - 09 |
| | 8 | 04/13/1997 - 05/10/1997 | 10 - 11 |
| | 9 | 05/11/1997 - 06/07/1997 | 12 - 13 |
| | 10 | 06/08/1997 - 07/05/1997 | 14 - 15 |
| | 11 | 07/06/1997 - 08/02/1997 | 16 - 17 |
| | 12 | 08/03/1997 - 08/30/1997 | 18 - 19 |
| | 13 | 08/31/1997 - 09/27/1997 | 20 - 21 |

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| Fiscal Year | Turk Period | Date Range | Pay Period Range |
|--------------------|--------------------|-------------------------|-------------------------|
| 1998 | 1 | 09/28/1997 - 10/25/1997 | 22 - 23 |
| | 2 | 10/26/1997 - 11/22/1997 | 24 - 25 |
| | 3 | 11/23/1997 - 12/20/1997 | 26 - 27 |
| | 4 | 12/21/1997 - 01/17/1998 | 01 - 02 |
| | 5 | 01/18/1998 - 02/14/1998 | 03 - 04 |
| | 6 | 02/15/1998 - 03/14/1998 | 05 - 06 |
| | 7 | 03/15/1998 - 04/11/1998 | 07 - 08 |
| | 8 | 04/12/1998 - 05/09/1998 | 09 - 10 |
| | 9 | 05/10/1998 - 06/06/1998 | 11 - 12 |
| | 10 | 06/07/1998 - 07/04/1998 | 13 - 14 |
| | 11 | 07/05/1998 - 08/01/1998 | 15 - 16 |
| | 12 | 08/02/1998 - 08/29/1998 | 17 - 18 |
| | 13 | 08/30/1998 - 09/26/1998 | 19 - 20 |

| Fiscal Year | Turk Period | Date Range | Pay Period Range |
|--------------------|--------------------|-------------------------|-------------------------|
| 1999 | 1 | 09/27/1998 - 10/24/1998 | 21 - 22 |
| | 2 | 10/25/1998 - 11/21/1998 | 23 - 24 |
| | 3 | 11/22/1998 - 12/19/1998 | 25 - 26 |
| | 4 | 12/20/1998 - 01/16/1999 | 01 - 02 |
| | 5 | 01/17/1999 - 02/13/1999 | 03 - 04 |
| | 6 | 02/14/1999 - 03/13/1999 | 05 - 06 |
| | 7 | 03/14/1999 - 04/10/1999 | 07 - 08 |
| | 8 | 04/11/1999 - 05/08/1999 | 09 - 10 |
| | 9 | 05/09/1999 - 06/05/1999 | 11 - 12 |
| | 10 | 06/06/1999 - 07/03/1999 | 13 - 14 |
| | 11 | 07/04/1999 - 07/31/1999 | 15 - 16 |
| | 12 | 08/01/1999 - 08/28/1999 | 17 - 18 |
| | 13 | 08/29/1999 - 09/25/1999 | 19 - 20 |

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| Fiscal Year | Turk Period | Date Range | Pay Period Range |
|--------------------|--------------------|-------------------------|-------------------------|
| 2000 | 1 | 09/26/1999 - 10/23/1999 | 21 - 22 |
| | 2 | 10/24/1999 - 11/20/1999 | 23 - 24 |
| | 3 | 11/21/1999 - 12/18/1999 | 25 - 26 |
| | 4 | 12/19/1999 - 01/15/2000 | 01 - 02 |
| | 5 | 01/16/2000 - 02/12/2000 | 03 - 04 |
| | 6 | 02/13/2000 - 03/11/2000 | 05 - 06 |
| | 7 | 03/12/2000 - 04/08/2000 | 07 - 08 |
| | 8 | 04/09/2000 - 05/06/2000 | 09 - 10 |
| | 9 | 05/07/2000 - 06/03/2000 | 11 - 12 |
| | 10 | 06/04/2000 - 07/01/2000 | 13 - 14 |
| | 11 | 07/02/2000 - 07/29/2000 | 15 - 16 |
| | 12 | 07/30/2000 - 08/26/2000 | 17 - 18 |
| | 13 | 08/27/2000 - 09/23/2000 | 19 - 20 |

| Fiscal Year | Turk Period | Date Range | Pay Period Range |
|--------------------|--------------------|-------------------------|-------------------------|
| 2001 | 1 | 09/24/2000 - 10/21/2000 | 21 - 22 |
| | 2 | 10/22/2000 - 11/18/2000 | 23 - 24 |
| | 3 | 11/19/2000 - 12/16/2000 | 25 - 26 |
| | 4 | 12/17/2000 - 01/13/2001 | 01 - 02 |
| | 5 | 01/14/2001 - 02/10/2001 | 03 - 04 |
| | 6 | 02/11/2001 - 03/10/2001 | 05 - 06 |
| | 7 | 03/11/2001 - 04/07/2001 | 07 - 08 |
| | 8 | 04/08/2001 - 05/05/2001 | 09 - 10 |
| | 9 | 05/06/2001 - 06/02/2001 | 11 - 12 |
| | 10 | 06/03/2001 - 06/30/2001 | 13 - 14 |
| | 11 | 07/01/2001 - 07/28/2001 | 15 - 16 |
| | 12 | 07/29/2001 - 08/25/2001 | 17 - 18 |
| | 13 | 08/26/2001 - 09/22/2001 | 19 - 20 |

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| Fiscal Year | Turk Period | Date Range | Pay Period Range |
|--------------------|--------------------|-------------------------|-------------------------|
| 2002 | 1 | 09/23/2001 - 10/20/2001 | 21 - 22 |
| | 2 | 10/21/2001 - 11/17/2001 | 23 - 24 |
| | 3 | 11/18/2001 - 12/15/2001 | 25 - 26 |
| | 4 | 12/16/2001 - 01/12/2002 | 01 - 02 |
| | 5 | 01/13/2002 - 02/09/2002 | 03 - 04 |
| | 6 | 02/10/2002 - 03/09/2002 | 05 - 06 |
| | 7 | 03/10/2002 - 04/06/2002 | 07 - 08 |
| | 8 | 04/07/2002 - 05/04/2002 | 09 - 10 |
| | 9 | 05/05/2002 - 06/01/2002 | 11 - 12 |

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CROSSWALK OF FBI PROGRAMS AND SUB-PROGRAMS

| PROGRAM | | SUB-PROGRAM AND FISCAL YEAR START | | | | | | | |
|---------|--------|-----------------------------------|-----------------------------------|--|-----------------|--|---|------|--|
| # | NAME | 1996 & PRIOR | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | |
| 02 | NFIP | Foreign Counterintelligence (CI) | | | | | | | |
| | | FBI Security (SC) | | | | | | | |
| | | International Terrorism (TI) | | | | | | | |
| 03 | NIPCIP | No program in existence | | | No Sub-programs | | | | |
| 04 | DT | | | | | | Counterterrorism Preparedness (CT) | | |
| | | | | | | | Domestic Terrorism Operations (DT) | | |
| | | | | | | | Weapons of Mass Destruction Operations (WM) | | |
| 05 | WCC | Economic Crimes (EC) | | | | | | | |
| | | Financial Institution Fraud (FI) | | | | | | | |
| | | Governmental Fraud (GF) | | | | | | | |
| | | Public Corruption (PC) | | | | | | | |
| | | Other Matters (ZZ) | | | | | | | |
| | | | | Antitrust (AT) | | | | | |
| | | | | Bankruptcy Fraud (BF) | | | | | |
| | | | | Computer Investigations/ Threat Assessment (CC) | | | | | |
| | | | | Environmental Crimes (EN) | | | | | |
| | | | | Health Care Fraud (HF) | | | | | |
| | | | | Insurance Fraud (IF) | | | | | |
| | | | | Money Laundering (ML) | | | | | |
| | | | | Public Corruption (PC) | | | | | |
| | | | | Securities/Commodities Fraud (SF) | | | | | |
| | | | | Telemarketing Fraud (TM) | | | | | |
| | | | Intellectual Property Rights (IP) | | | | | | |
| | | | | | | Other Wire and Mail Fraud Schemes (WF) | | | |

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| PROGRAM | | SUB-PROGRAM AND FISCAL YEAR START | | | | | | | |
|---------|------|--|------|------|--------------------------------|------|--|------|--|
| # | NAME | 1996 & PRIOR | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | |
| 07 | OC/D | Drug Demand Reduction Program/Community Outreach (DD) | | | | | | | |
| | | Organized Crime (OC) Drug Enforcement Task Force (DE) | | | | | | | |
| | | Organized Crime/Drugs Program (DP) | | | | | | | |
| | | | | | | | Asian Criminal Enterprise (AC) | | |
| | | | | | | | Columbian/Caribbean (CO) | | |
| | | | | | | | La Costra Nostra/Italian OC/Labor Racketeering (LC) | | |
| | | | | | | | Mexican/Criminal Syndicates (MC) | | |
| | | | | | | | Other Matters-OC (OM) | | |
| | | | | | | | Russian/East Europe/Eurasian Criminal Enterprises (RE) | | |
| | | | | | | | Other Matters-Drugs (OD) | | |
| 08 | VCMO | Violent Crime-Organized Crime Drug Enforcement Task Force (DF) | | | | | | | |
| | | Financial Crimes (FU) | | | | | | | |
| | | Government Reservation Crimes (GR) | | | | | | | |
| | | Interstate Theft (IT) | | | | | | | |
| | | Violent Crimes/Violent Incident Crimes (VC) | | | | | | | |
| | | | | | Victim Witness Assistance (VW) | | | | |
| | | | | | | | Crimes Against Children (CA) | | |
| | | | | | | | Fugitives (FU) | | |
| | | | | | | | Crimes in Indian Country (IC) | | |
| | | | | | | | Innocent Images National Initiative (II) | | |
| | | | | | | | Major Theft (MT) | | |
| | | | | | | | Special Jurisdiction Matters (SJ) | | |
| | | | | | | | Transportation Crimes (TC) | | |
| | | | | | | | Violent Gangs (VG) | | |
| | | | | | Other Matters (ZV) | | | | |

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| PROGRAM | | SUB-PROGRAM AND FISCAL YEAR START | | | | | | |
|---------|-------|--|------|------|------|------|------|------|
| # | NAME | 1996 & PRIOR | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 |
| 09 | CEI | The Criminal Enterprise Investigations program was created in FY 2003. | | | | | | |
| 10 | CCP | The Cyber Crime Program was created in FY 2003. | | | | | | |
| 11 | CR | No Sub-programs | | | | | | |
| 14 | APP | Other Reimbursable (OR) | | | | | | |
| | | Other Non-Reimbursable (ON) | | | | | | |
| | | Background Investigations (BP) | | | | | | |
| | | Recruitment and Processing (RP) | | | | | | |
| 16 | TRAIN | Federal Training (FE) | | | | | | |
| | | State and Local Training (ST) | | | | | | |
| 17 | MISC | No Sub-programs | | | | | | |

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**DEFINITIONS OF
ACRONYMS AND ABBREVIATIONS**

| | |
|--------|---|
| ACS | Automated Case Support |
| AFOR | Annual Field Office Report |
| AG | Attorney General |
| AOB | Average On Board |
| APP | Applicant Matters Program |
| ATC | Administrative Time Capture |
| CFR | Code of Federal Regulations |
| CR | Civil Rights Program |
| DAWY | Direct Agent Work Year |
| DEA | Drug Enforcement Administration |
| DSWY | Direct Support Work Year |
| DT | Domestic Terrorism Program |
| FSL | Funded Staffing Level |
| FY | Fiscal Year |
| MISC | Miscellaneous Matters Program |
| NFIP | National Foreign Intelligence Program |
| 9/11 | September 11, 2001 |
| NIPCIP | National Infrastructure Protection/Computer Intrusion Program |
| OC/D | Organized Crime/Drugs Program |
| OCDETF | Organized Crime Drug Enforcement Task Force |
| OIG | Office of the Inspector General |
| OMB | Office of Management and Budget |
| PI | Preliminary Inquiry |
| RMA | Resource Management and Allocation |
| SWAT | Special Weapons and Tactics |
| TRAIN | Training Program |
| TURK | Time Utilization and Recordkeeping |
| USMS | United States Marshals Service |
| VCMO | Violent Crimes and Major Offenders Program |
| WCC | White Collar Crime Program |

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FEDERAL BUREAU OF INVESTIGATION RESPONSE



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

August 1, 2003

The Honorable Glenn A. Fine
Inspector General
U.S. Department of Justice
Room 4706
950 Pennsylvania Avenue N.W.
Washington, D.C. 20530

Dear Mr. Fine:

Reference is made to your memorandum, dated July 2, 2003, requesting the Federal Bureau of Investigation's (FBI) response to the Department of Justice (DOJ), Office of the Inspector General (OIG), draft audit report titled, "Federal Bureau of Investigation's Casework and Human Resource Allocation." This memorandum requested the FBI to review and provide written comments on the seven recommendations contained in the report. Specifically, you requested that the FBI comment as to its agreement or disagreement with each of the recommendations. Further, you have requested the FBI to identify actions completed and planned, including dates when corrective actions are expected to occur. Also in this memorandum, it was requested that if the FBI disagrees with the DOJ OIG's recommendations, that the FBI provide alternative corrective actions for consideration by DOJ OIG.

Enclosed are the FBI's written responses to the seven recommendations made by your office. The format of the enclosed document identifies the DOJ OIG draft audit report's recommendations followed by the FBI Executive Management's

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Mr. Glenn A. Fine

response. The responses to the recommendations have been coordinated through the FBI's Inspection Division. If you should have any questions regarding the responses or if I can be of further assistance, please contact me at (202) 324-2903.

Sincerely,



Kevin L. Perkins
Deputy Assistant Director
Inspection Division

Enclosure

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FBI Response
to
DOJ OIG Draft Audit Report
Federal Bureau of Investigation
Casework and Human Resource Allocation

Bureau-wide Comparative Analyses of Human Resource Utilization

Recommendation Number 1, Page 72: We recommend that the Director of the FBI regularly review resource utilization reports for the Bureau as a whole, as well as for the individual investigative programs, and explore additional means of analyzing the Bureau's resource utilization among the various programs.

Response: The FBI agrees with the recommendation. The FBI is in the process of providing the Director with an automated resource utilization report function and is developing a portfolio of new resource utilization reports that will be provided to the Director each pay period. Both the automated report function and the hard copy reports will present resource utilization information across organizational programs and within each program.

Level of Effort in the Violent Crimes and Major Offenders (VCMO) Program

Recommendation Number 2, Page 72: We recommend that the Director of the FBI research and implement methods for addressing the overutilization and high allocation of agent resources in the VCMO program.

OIG Rationale: The criminal investigations in the VCMO program fall into the third, and lowest, tier of the strategic plan, with a primary goal of assisting state and local law enforcement. Despite this, the FBI consistently over utilized its agent resources in the VCMO program during our review period. Also, the FBI opened more VCMO cases than in any other program. Since the Director stressed in May 2002 that the Bureau needed to shift from a reactive force to a proactive one, and this program has consistently been allocated a significant number of agent resources, its resource utilization should be further scrutinized.

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Response: The FBI disagrees with the statement in the OIG rationale that the primary goal of the VCMO Program (VCMOP) is assisting state and local law enforcement. The primary goal of the VCMOP is to combat significant violent crime in the United States and make the streets safe for its citizens. Assistance to state and local law enforcement is a component of this effort. The FBI also disagrees with the assumption that the VCMOP is entirely reactive in nature. Although part of the VCMOP mission will always require a reactive response to major violent crimes, the FBI's VCMOP has always promoted proactive measures to address violent crime, particularly with regard to intelligence gathering, implementation of joint task forces and criminal enterprise investigations as a means of reducing violent crime.

The FBI agrees with OIG's recommendation and has made significant progress toward its implementation.

Specifically, in March 2002 the Violent Crime and Major Offenders Section (VCMOS) instituted a measured response policy in bank robbery investigations in the VCMOP plan to focus resources on the most violent and/or serial bank robbers.

To provide greater flexibility in prioritizing the FBI's use of resources, in August 2002, the FBI established the Criminal Enterprise Investigative Program (CEIP) with a separate Funded Staffing Level. A total of 650 SA bodies were transferred from the VCMOP to ensure proactive criminal enterprise investigations of violent street gangs and major theft criminal enterprises are adequately addressed. In April 2003, CEIP Funded Staffing Level (FSL) was increased to its current level of 701.

In June 2003, the VCMOS implemented a new VCMOP program plan recognizing that, while combating significant violent crime in the United States to protect US citizens is a lower priority, it is still a recognized priority of the FBI. Additionally, the plan recognizes VCMOP has traditionally brought ancillary benefits to other FBI programs through the liaison relationships developed with other agencies, media and private industry, and development of broad based investigative capabilities of FBI personnel. The current VCMOP program plan seeks to complement state and local law enforcement and focus FBI efforts in those investigations where the FBI is in a unique position to make a contribution, primarily in those instances where investigations are multi-jurisdictional in nature and/or FBI has unique resources that benefit both the FBI and other involved agencies.

Additionally, the VCMOP and CEIP Program Plans further focused investigative efforts and instituted proactive

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initiatives to address specific crime problems in child prostitution, gang related crime in the most violent cities, and reduce bank robberies through improved security programs at financial institutions in the US. These plans also support the fight against terrorism by aggressively pursuing Crimes Aboard Aircraft, establishing Memorandums of Understanding with Department of Homeland Security to ensure coordinated responses, and targeting major theft groups whose proceeds are funneled back to countries harboring terrorist organizations.

As a result of these efforts, the FBI enhanced other priority programs through an overall reduction of VCMOP and CEIP FSL to its current level of 1710 in FY 2003. Additionally, current resource utilization is beneath established FSLs with VCMOP AOB of 936.67 (underburn of 72.33) and CEIP AOB at 499.03 (underburn of 201.97) through the third quarter of FY2003. Although these underburns have negatively impacted the CEIP, the underburn was considered necessary as the FBI temporarily diverted violent crime resources to address elevated terrorism threat levels as a result of the war in Iraq.

To further ensure resources are expended within established parameters, the VCMOS instituted quarterly reviews of resource utilization, statistical and case accomplishments. VCMOS will also review field office strategies, and goals and objectives, through the Annual Field Office Report (AFOR) reviews and assessments of field office performance as part of the Inspection process.

Rate of Case Openings and Closings Between 1998 and 2001

Recommendation Number 3, Page 73: We recommend that the FBI perform research to determine why the rate of case openings and closings is decreasing and the population of open cases is increasing.

Response from the Counterterrorism Division (CTD) and Counterintelligence Division (CD): After September 11, the FBI Director refocused the FBI's traditional crime-fighting orientation of investigating criminal acts after-the-fact for prosecution to place the highest priority on preventing terrorism. The Director also shifted resources to meet this new

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priority. As such, the volume of opened International Terrorism (IT) and Foreign Counterintelligence (FCI) cases being opened has increased. Additionally, IT cases are often in open and in pending status for years. Exhibit 1 depicts the pending and closed CTD cases. Exhibit 2 depicts the pending and closed FCI cases.

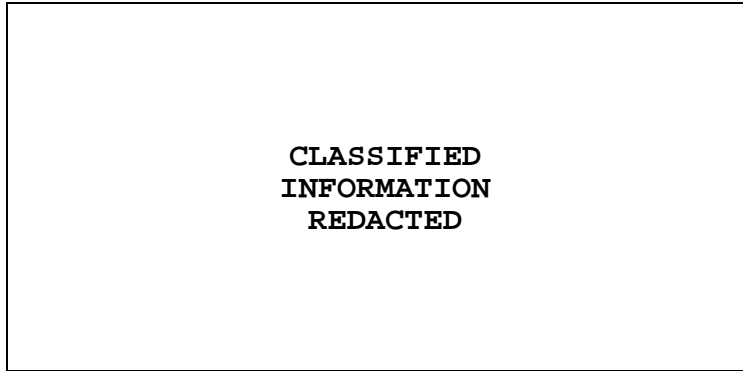


Exhibit 1: Closed, Pending and Received IT Cases
***FY 2003 reflects actuals as of 3/31/03**

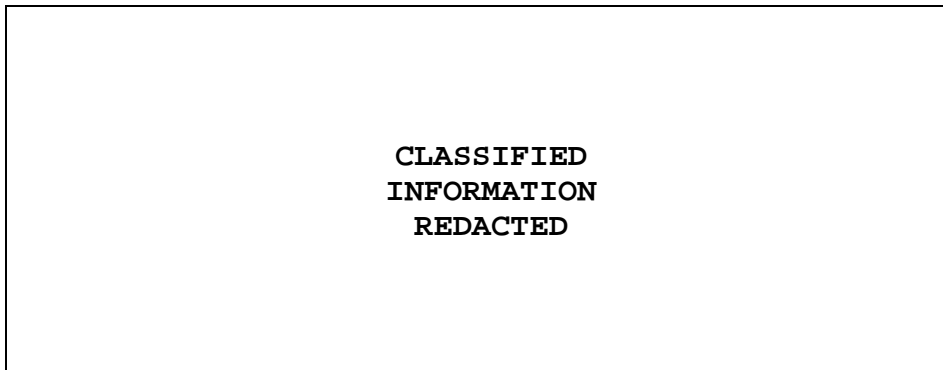


Exhibit 2: Closed, Pending and Received FCI Cases
***FY 2003 reflects actuals as of June 30, 2003**

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Other explanations for the increased time requirements for IT and FCI cases include the following:

- scope of FCI/IT cases is on intelligence gathering (not just criminal investigation) which is open-ended and not necessarily focused entirely on pushing the case toward the end goal of criminal prosecution
- the overseas nexus of FCI/IT cases creates additional time burdens
- a shift away from state sponsored terrorism to terrorism instigated by extremist groups which are located in various places all over the world
- increased emphasis on espionage and economic espionage cases, which are, by nature, intricate
- increased emphasis on priority country cases
- increased emphasis on counterproliferation cases, which are traditionally complex cases involving the necessity to coordinate with multiple agencies for a successful outcome

Response from the Criminal Investigative Division (CID):

The Criminal Intelligence Section (CIS) has administrative responsibility for only one investigative classification which was reviewed for this response. The "92" classification, Racketeering Enterprise Investigations (REI), which are intelligence gathering investigations, are governed by the Attorney General Guidelines with strict guidelines which specify under what circumstances the REI can be opened and when the REI must be closed. In view of the fact that REIs cover all criminal programs, any shift of resources to address non criminal investigative matters can affect the rate of case openings and closings. A review of REI openings/closings for fiscal years 2001, 2002, and 2003, determined that a total of 154 REIs were opened and 170 REIs were closed. At the beginning of FY 2001 there were 199 REIs pending. As of 6/30/03, there were 186 REIs pending. A breakdown by fiscal year for the REIs is listed below:

| | <u>Opened</u> | <u>Closed</u> |
|---------------|---------------|---------------|
| FY 2001 | 67 | 48 |
| FY 2002 | 54 | 52 |
| FY 2003 | 33 | 70 |
| Totals | 154 | 170 |

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The FBI Drug Program (DP) reviewed the data contained in the DOJ/OIG report relative to the above recommendation, as it pertained to DP investigations. In 1998, in support of the FBI's 1998-2003 Strategic Plan, the DP developed its five-year program plan. The plan detailed the FBI's strategy for disrupting and dismantling the most significant Drug Trafficking Organizations (DTO) through application of the Enterprise Theory of Investigation, and was the basis for the National Priority Target List, created by the DP to focus the FBI's limited counter-drug resources on the domestic components of DTOs posing the greatest threat to the United States.

Enterprise Investigations are strategically planned, long-term investigations that focus on all aspects of a defined criminal organization, utilizing an array of sophisticated investigative techniques that ultimately disrupt or dismantle the targeted organization. These Drug Enterprise Investigations require the FBI to devote years of investigative and prosecutorial effort in contrast to short-term investigations managed under other FBI criminal programs. The decrease in the rate of DP case openings and closings is, in part, the result of FBI field offices applying the Enterprise Theory of Investigation to DP investigations. Consequently, fewer drug investigations are initiated, but they remain open longer. A survey of 12 field offices, conducted in December 2001, revealed that 75% of Criminal Enterprise Investigations in the field were conducted within the DP.

Concurrent with the change in the strategic focus of DP investigations, the DP experienced decreases in Agent-funded staffing levels (FSL) since the beginning of FY 1998 (prior to FY 2000, the FSLs for the Organized Crime (OC) program and DP were combined). Using estimated figures for FY 1998 and FY 1999, the DP experienced a 12% decrease in its FSL between FY 1998 and the beginning of FY 2002. However, between FY 1998 and the end of FY 2002, the DP experienced a 51% decrease in its FSL. Further reductions in the DP during FY 2003 amounted to a decrease in the FSL of 68%.

Within CID, the DP's rate at which case openings and closing declined is commensurate with the change in strategic focus of the program and the reduction in Agent resources assigned to DP investigations.

APPENDIX VI

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The FBI is cognizant that the rate of case openings and closings is decreasing and that the population of open cases is increasing. During the period following 9/11, the massive

reorganization of the FBI presented unique challenges in determining an appropriate distribution of existing resources needed to effectively address the exigent Counterterrorism (CT) threat, while maintaining a sufficient presence within the Counterintelligence, Criminal and other programs. This reorganization necessitated the temporary diversion of FBI resources at an unprecedented level. As a result of this diversion of resources, significant number of existing criminal investigations went unaddressed or were under-addressed. As a result, these existing cases remained open which obviously is reflected in the rate of case closings and in the population of open cases.

Additionally, the temporary (and ultimately permanent) diversion of significant numbers of agents from Criminal programs to CT has had a corresponding reduction in the number of new investigations initiated within many Criminal programs. This is a significant factor in the declining rate of case openings/closings of criminal investigations.

Lastly, a factor which impacts primarily on the population of open cases is the reality that the FBI is actively engaged in a significant number of "Intelligence" investigations within the CT program which by their nature tend to be long term and thus may remain open for extended periods of time.

The limited analysis to date indicates a strong correlation between the percentage reduction in agents available to conduct criminal investigations, with the corresponding reduction in initiations of criminal investigations. It is expected that additional analysis will support this as the primary factor and will in no way support a conclusion of reduced productivity.

Timing of Funded Staffing Levels

Recommendation Number 4, Page 73: We recommend that the Director of the FBI review the current resource management and allocation process and make necessary changes to ensure that FSL allocations are made in a more timely manner.

APPENDIX VI

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Response: The FBI agrees with this recommendation and has already reviewed the process and determined an appropriate course of action. In the past, FBI executive management direction was to hold the FSL allocation in abeyance until a budget was passed. Then, once the Finance Division had

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reconciled any budgetary issues and provided the final funded position/workyear levels, the Resource Management and Allocation Office, Administrative Services Division, would allocate the FSL. This method has resulted in FSLs not being set until late in the year since the budget is typically not approved by Congress until after the start of a new fiscal year and many times as late as six months into the year.

The FBI has instituted a strategy whereby the allocation process will begin several months prior to the beginning of a fiscal year based on existing personnel resources and pending enhancement requests. This will be adjusted and modified as the Congress progresses toward a final determination of the FBI's budget. In this fashion, an allocation of available resources may occur shortly after the budget is enacted.

Utilization in the Applicant Matters and Training Programs

Recommendation Number 5, Page 73-74: We recommend that the Director of the FBI review the current planning factors and processes for the Applicant Matters and Training programs to more closely approximate the agent resources they actually need.

Response: Applicant Program resources are used in direct support of hiring FBI employees and in conducting backgrounds for certain other agencies. The FBI utilizes the services of Contract Investigators to conduct pre- FBI employment backgrounds. This has minimized the requirement for the use of Special Agent resources in the Applicant Program. There are certain aspects of the hiring process that require Special Agent resources such as in the testing and processing of FBI applicants. During a transition of Administration in the White House there is a seasonal increase in the requirement for applicant resources. Most high level government appointments require that FBI backgrounds be conducted by FBI Special Agents.

A review of allocated Applicant Program resources compared with actual utilization of resources shows a convergence from Fiscal Year 1996 through 2000. This occurred as a result of the use of Contract Investigators instead of FBI Special Agents. Although these resources are depicted as being utilized on applicants, they are in direct support of the FBI's most significant investigative priorities. These additional resources over the established FSL for the Applicant Program, are in actuality providing the human capital for the major investigative programs of the FBI. The temporary redirection of resources from the investigative programs into the Applicant Program is consistent and in direct support of those investigative programs.

A slight increase in actual utilization of applicant

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resources occurred in FY 2001 due to the backgrounds required during the transition of the Administration. This increase occurs at a change of Administration and exists for a short period of time. If additional resources were acquired for this resource need during a change of Administration, a redirection would occur during the several years of no Administration change. Many of these resources are required in areas of the country where the Administration had been based. The movement of resources into those geographic areas would be more costly than the temporary diversion of current resources assigned to those offices.

The FBI will review the current process in allocating resources in the Applicant Program and determine if a method can be developed to more accurately project and record resource allocation and utilization.

Data Errors and Omissions in the ACS System

Recommendation Number 6, Page 74: We recommend that the Director of the FBI ensure that the data in ACS is complete and accurate prior to converting to a new case management system.

Response: The FBI agrees with the recommendation. The Virtual Case File (VCF) application, scheduled to be released in December of 2003, will replace the Automated Case Support (ACS) system. All case-related information will be migrated from ACS into the VCF and made available to all authorized users. Because VCF is significantly different from ACS in facilitating workflow and how data is viewed, there will be situations where it does not make sense to move certain data over. Even so, all information in ACS will be strictly accounted for. Any data not moved over to the VCF will be logged, then archived in anticipation that this information may still be needed at some future date.

In preparation for the data migration, all data currently residing in ACS has been analyzed, looking for any anomalies or error conditions that could cause problems in the VCF environment. A Data Quality report has been produced that identifies areas of potential concern. Each one of these areas is currently being examined, prioritized, and analyzed for adjudication prior to migration to VCF.

Error conditions that have been discovered include business rule violations (e.g., open leads in closed cases), missing data in required fields, and invalid data (e.g., erroneous field office codes.) All of these conditions have been categorized and are in the process of being resolved by the ACS project team,

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with support from the Records Management Division. Any areas that need to be adjudicated will be presented to the newly formed Data Governance Board (DGB), made up of Data Stewards that represent all the operational divisions. These Data Stewards are charged with the responsibility to make any final decisions necessary to bring data error conditions or invalid data issues to resolution.

It has been determined that certain errors found in ACS must be fixed within ACS itself before the data can be moved over to the new environment (e.g., conflicting information, such as case open and Preliminary Inquiry dates, where it is unclear which information is valid.) Other errors can be handled by fixing them as they are moved over to VCF. These will be handled in parallel over the next five months in preparation for the final migration. Due to resource and time constraints, some lower priority error conditions may not be resolved prior to migration. However, they will continue to be tracked and resolved at a later date if deemed necessary.

| Task # | Compliance Task | Compliance Task Deliverable | Due Date | Compliance Task Status |
|--------|--|---|----------|------------------------|
| 1 | Analyze Quality of Data in ACS | Data Quality Report | 6/10/03 | Draft Completed |
| 2 | Define ACS to VCF Transformation Rules | Transformation Rule set; Gap Analysis Report; coded Transformation routines | 9/9/03 | |
| 3 | Fix Data Problems in ACS | Problem Reports | 11/1/03 | |
| 4 | Test Migration | Data Migration Dry Run reports | 11/15/03 | |
| 5 | Migrate Data | Final Data Migration | 12/13/03 | |

Usefulness of Monthly Administrative Reports (MAR) from the Automated Case Support (ACS) System

Recommendation Number 7, Page 75: We recommend that the Director of the FBI revamp the current Monthly Administrative Report format and determine if more useful information can be extracted from the ACS system and be provided to program managers to help them in performing their duties.

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Response: The FBI agrees with the recommendation. The Virtual Case File (VCF) team's initial mandate was to replace the current ACS application. Early in the project, it was decided that this was insufficient to support the needs of the FBI. Instead, a Business Process Reengineering (BPR) approach was undertaken to determine what business processes needed to be changed to make the FBI more effective. Operational and Program Management Subject Matter Experts (SME) have been consulted to determine what data is required to support their needs, including statistical and program management information.

Current reports, including the MAR, have been reviewed with these SMEs to determine their continued utility. In addition, suggested changes have been incorporated into the VCF design. For example, case closing information has been expanded to include more useful categories of closings, including those that track with the United States Attorney's Office.

Currently, the project team is validating that all appropriate information required to support the MAR is identified and captured in VCF. In addition, prior to implementation in December of 2003, the VCF will undergo acceptance testing to ensure that the application meets the defined requirements. This will take place starting in August of 2003 and will include testing all pertinent reports.

| Task # | Compliance Task | Compliance Task Deliverable | Delivery Date | Compliance Task Status |
|--------|---|---|---------------|------------------------|
| 1 | Determine Program Management Reporting Requirements | Software / System Requirements Statements | 11/25/02 | Completed |
| 2 | Design Program Management Reports | Gap Analysis; Report Definitions | 8/15/03 | |
| 3 | User Acceptance Test | Test Plans, Test Results | 11/18/03 | |
| 4 | Implements Reports | VCF Implementation | 12/13/03 | |

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**OFFICE OF THE INSPECTOR GENERAL, AUDIT DIVISION
ANALYSIS AND SUMMARY OF ACTIONS NECESSARY
TO CLOSE THE REPORT****Recommendation Number:**

1. **Resolved.** The FBI agreed with our recommendation and reported that it is in the process of providing the Director with an automated resource utilization report function. In order to close this recommendation, please provide us with documentation describing the new report function, and evidence that the Director has received reports on a regular basis. In the interim, please provide us with an implementation schedule that details when the system will be fully operational.
2. **Resolved.** The FBI responded that it agreed with our recommendation and sought to clarify our characterization of the Violent Crimes and Major Offenders (VCMO) program. As a result, we have made an adjustment in our discussion preceding Recommendation Number 2 in Chapter 9.

In response to our recommendation, the FBI stated that it has reduced the allocation of resources to the VCMO program and it is monitoring resource utilization and case activity in the program on a quarterly basis. This recommendation can be closed when we receive a copy of the FY 2003 and FY 2004 funded staffing levels and samples of the quarterly reviews.

3. **Resolved.** In its response, the FBI provided evidence that it performed some research into certain aspects of its increasing universe of open cases. Specifically, the FBI provided detailed information on the reasons why the number of cases open in the Counterterrorism and Counterintelligence Divisions has increased since 9/11. In addition, the Criminal Investigative Division (CID) reported that since FY 2001, the universe of open Racketeering Enterprise Investigations has decreased. The CID further reported that the Drug program had been allocated fewer resources since FY 1998 and its enterprise theory of investigations results in strategically planned long-term investigations. Therefore, fewer cases are opened, but these cases are open for longer periods of time. The FBI concluded that these results could not be interpreted as a reduction in productivity.

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However, the FBI did not address the entirety of its increasing case universe since 1998. Rather, much of its response points to increased counterterrorism work in the wake of 9/11 as a reason for the increase. As noted in our report, in April 1999 the FBI found it necessary to administratively close over 675,000 cases that had been unaddressed for long periods of time. The increasing volume of open cases invites the possibility that the FBI will have to take similar steps in the future and we believe that the FBI should further study this issue to alleviate the need for another large-scale administrative closure of cases. In order to close this recommendation, please provide us with the results of additional research that targets the increasing caseload between 1998 and 2001 for the FBI as a whole.

4. **Resolved.** According to the FBI, it has made changes to its resource allocation process so that funded staffing levels (FSLs) will be allocated in a more timely manner. To close this recommendation, please provide us with evidence that the new strategy has been officially implemented. In addition, please keep us informed of the Resource Management and Allocation office's actions to establish the FY 2004 FSLs.
5. **Unresolved.** In its response, the FBI provided further explanation for the difference between the allocated and utilized personnel resources in its Applicant Matters program and agreed to review its process for allocating resources to this program. However, the FBI's response did not address the significant differences in resource allocation and utilization in its Training program. This recommendation can be resolved when the FBI provides information related to its efforts to address these differences.
6. **Resolved.** The FBI provided us with an implementation schedule for its efforts to improve the quality of ACS data before its migration into the new Virtual Case File application. To close this recommendation, please provide us with a copy of the data quality report and evidence that the data has been improved and successfully migrated. In the interim, please keep us informed of the progress made towards the data migration.
7. **Resolved.** According to the FBI, in its creation of the Virtual Case File application, the Bureau utilized a Business Process Reengineering approach to determine what business processes needed to be changed to make the FBI more effective. Part of this involved reviewing the Monthly Administrative Reports to assess

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their utility. The FBI provided us with an implementation schedule for its plans to design new reports and implement them as part of the new Virtual Case File system. This recommendation can be closed when we receive samples of the test reports; feedback from subject matter experts to confirm that the new reports are acceptable, provide necessary data, and are an effective program management tool; results of the user acceptance tests; and evidence that the new reports have been implemented.