

**Bureau of  
Alcohol, Tobacco, Firearms and Explosives  
(ATF)**



**Fiscal Year 2023  
Congressional Budget Submission**

**Salaries and Expenses**

**February 2022**

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## Table of Contents

	Page
<b>I. Overview</b> .....	1
A. Introduction .....	1
B. FY 2023 Budget Request .....	8
C. Challenges .....	10
<b>II. Summary of Program Changes</b> .....	19
<b>III. Appropriations Language and Analysis of Appropriations Language</b> .....	21
<b>IV. Program Activity Justification</b> .....	22
A. Law Enforcement Operations	
Investigating and Preventing Violent Crime .....	22
1. Deter Illegal Firearms Trafficking and Violent Gun Crime .....	23
2. Firearms Criminal Possession and Use .....	25
3. National Integrated Ballistics Information Network (NIBIN) .....	26
4. Firearms Industry Operations .....	29
5. Combat Criminal Organizations .....	30
6. Deter Misuse of Explosives, Bombs and Bombing .....	30
7. Explosives Industry Operations .....	31
8. Research Fire and Investigate Arson .....	31
B. Investigative Support Services	
Delivery of the ATF's Forensic Expertise, Assets, and Intelligence to Improve Public Safety .....	33
1. Firearms and Explosives Licensing and Other Industry Services .....	34
2. Firearms Tracing .....	35
3. National Center for Explosives Training and Research .....	35
4. United States Bomb Data Center .....	37
5. Terrorist Explosives Device Analytical Center (TEDAC) .....	38
6. ATF Laboratories .....	38
7. Financial Investigations .....	39
8. Collaboration and Partnerships .....	40
9. Emergency Support Function (ESF)-13.....	41
10. Internet Investigations Center (IIC) .....	42
C. Performance Tables .....	
1. Law Enforcement Operations .....	44
2. Investigative Support Services .....	46
3. DOJ Strategic Plan Key Performance Measures (ATF Specific) .....	48

## Table of Contents (Continued)

	Page
D. Performance, Resources, and Strategies .....	49
1. Performance Plan and Report for Outcomes .....	49
2. Strategies to Accomplish Outcomes .....	49
3. Annual Priority Goals .....	49
<b>V. Program Increases by Item .....</b>	<b>50</b>
A. IOI Regulatory Enforcement and Diversion Control; .....	50
B. Combating Gun Violence .....	56
C. NIBIN and Crime Gun Intelligence .....	61
D. National Tracing Center (NTC) (Modernization) .....	69
E. Body Worn Cameras .....	74
<b>VI. Program Offsets by Item .....</b>	<b>N/A</b>
<b>VII. Exhibits</b>	
<b>Salaries and Expenses</b>	
A. Organizational Chart	
B. Summary of Requirements	
C. FY 2023 Program Increases and Offsets by Decision Unit	
D. Resources by DOJ Strategic Goal and Strategic Objective	
E. Justification for Technical and Base Adjustments	
F. Crosswalk of 2021 Availability	
G. Crosswalk of 2022 Availability	
H-R. Summary of Reimbursable Resources	
H-S. Summary of Sub-Allotments and Direct Collections Resources	
I. Detail of Permanent Positions by Category	
J. Financial Analysis of Program Changes	
K. Summary of Requirements by Object Class	
L. Status of Congressionally Requested Studies, Reports, and Evaluations	



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

### **A. Introduction**

Established as an independent Bureau in 1972, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) is dedicated to the reduction of violent crime, prevention of terrorism and the protection of the Nation. The ATF enforces and administers federal laws and regulations involving firearms and explosives and enforces federal criminal statutes relating to arson. The ATF protects the public by vigorously investigating crimes in these areas; regulates lawful commerce in firearms and explosives; and provides worldwide support to law enforcement, public safety, and industry partners. The ATF regulates the firearms and explosives industries from the point of manufacture or importation through retail sale.

The ATF carefully assesses and calibrates its exercise of enforcement and regulatory authorities to maximize public safety, particularly with respect to the reduction of violent firearm crime. With respect to firearms, the ATF enforces the Gun Control Act and the National Firearms Act (NFA); the two primary laws enacted by Congress to address firearms violence. The ATF also enforces the provisions of the Arms Export Control Act (AECA) addressing the importation of arms, ammunition, and implements of war. With respect to explosives and arson, the ATF enforces the provisions of Title XI of the Organized Crime Control Act of 1970, including the Safe Explosives Act of 2002 (SEA), the provisions of the Anti-Arson Act of 1982, and the NFA provisions relating to destructive devices. The SEA expanded the scope of explosives regulations administered by the ATF by establishing controls on the intrastate movement of explosives, and by mandating that all persons who receive explosives undergo a background check and obtain a federal permit.

The ATF's regulatory and enforcement strategies are interwoven to provide a comprehensive approach to the mission. The ATF establishes partnerships with Federal, state, local and international law enforcement partners; industry partners, provides training, and provides forensic expertise to maximize its effectiveness in preventing violent crime. The ATF works with its regulated industries to prevent violence and safeguard the public while endeavoring to minimize regulatory constraints that impact lawful commerce in firearms and explosives. The ATF's public safety mission is broad and its role in combatting firearm violence is critical to the Nation's priority of reducing violent crime. Electronic copies of the Department of Justice's Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: <https://www.justice.gov/doj/fy-2021-CJ>.

### **Frontline Business Model**

The ATF business model, Frontline, maximizes resources and provides optimal return on investment to the American taxpayers by applying risk analysis and intelligence assessment to allocate resources with an emphasis on the public safety mission. Frontline emphasizes a standardized way of doing business both internally and externally through strong leadership,

transparency, accountability at all levels, and streamlined measurements of effectiveness and accomplishments.

The Frontline business methodology, a key component of the ATF's risk management strategy, supports the ATF's continuing commitment to improve oversight of its efforts to meet mission goals and increase efficiency. The Frontline business model is a bottom-up approach in which each Field Office tailors the ATF's Strategic Goals to the geographic area that Field Office serves.

Under Frontline, field division domain assessments are a core tool. Domain assessments are comprehensive annual assessments that identify and analyze significant violent crime problems and industry compliance issues within each field division's area of responsibility. Domain assessments are driven by actionable intelligence and crime information. They propose a plan of action within the limits of available resources to mitigate or eliminate violent crime threats. They are flexible and allow for redeployment of investigative resources when needed.

First-line supervisors who have the best understanding of the challenges in their area of responsibility complete a domain assessment to explain how they will focus their office's resources to make the greatest impact on violent crime. The individual office domain assessments are combined at the Field Division level and the respective Special Agents in Charge (SACs) create a comprehensive intelligence-based plan for how that Field Division will protect their communities from violent criminals, criminal organizations, the illegal use and trafficking of firearms, the illegal use and storage of explosives, acts of arson and bombings, acts of terrorism, and the illegal diversion of alcohol and tobacco products.

Performance reviews are conducted by supervisors semi-annually, and performance data extracted from the ATF's case management systems are provided to SACs and Headquarters Deputy Assistant Directors (DADs) to facilitate the review process. Managers compare field division activities against their domain assessment priorities to ensure that resources are utilized in accordance with the domain assessment plan and goals are met.

This process often requires the ATF to balance immediate operational demands with longer-term investment in essential information technology, human capital development, and forensic science infrastructure. The ATF has addressed the Department's priorities to reduce gun violence and revitalize the Project Safe Neighborhoods (PSN) initiative over the past two fiscal years by focusing resources to enhance operational results from firearm investigations and by providing support to law enforcement partners in these investigations. This focus has yielded outstanding returns on taxpayer investment: ATF investigations have substantially contributed to record increases in the Department's prosecution of firearms offenses in FY 2018, 2019 and 2020.

### **Investigative and Regulatory Efforts**

#### *Law Enforcement Operations*

Resources and activities that are directly related to criminal investigations and industry operations inspections of FFLs and FELs comprise the Law Enforcement Operations decision unit. Core activities include investigations involving illegal firearms trafficking, firearms criminal use and possession, criminal organizations, arson & explosives crimes and tobacco enforcement, as well as firearms and explosives industry operations.

ATF criminal investigative efforts focus on reducing violent crime by targeting domestic and international firearms traffickers, violent criminal organizations, armed violent offenders, and career criminals.

The ATF works to reduce violent crime by targeting and dismantling the criminal organizations that pose the greatest threat to public safety. Criminal organizations, including gangs, use guns to terrorize communities, enforce territorial boundaries, retaliate against rivals and witnesses, and facilitate the growth of their criminal enterprises. The ATF has wide-ranging experience investigating, infiltrating, and dismantling criminal organizations that menace many communities, ranging from international gangs like MS-13 to national gangs like the Crips, Bloods, and Aryan Brotherhood to smaller neighborhood “street crews.”

The ATF uses Crime Gun Intelligence (CGI) in virtually all firearms-related violent crime investigations. CGI combines all available information on crime guns, shooting incidents, human intelligence, social media, telephone analysis and technology to disrupt the cycle of firearm violence by providing otherwise unavailable information to investigators, who use the CGI data to identify offenders illegally purchasing or transferring firearms and the offenders who use firearms to commit violent crimes.

The ATF applies these CGI principles in its execution of the Department of Justice (DOJ) PSN initiative. The preceding two years of this program have been instrumental in decreases in violent crime and increases in the overall number of federal gun prosecutions. Current ATF initiatives, described in Section IV, include expansion of the National Integrated Ballistics Information Network (NIBIN), expansion of the NIBIN National Correlation and Training Center (NNCTC), enhancement of Crime Gun Intelligence Centers (CGICs), and establishment of Crime Gun Strike Forces (CGSFs) and Crime Gun Enforcement Teams (CGETs) in cities experiencing extreme spikes in firearm violence.

In FY 2021, the ATF initiated over 37,000 criminal firearms investigations and referred more than 16,000 defendants for prosecution on firearms offenses in spite of the temporary closure of United States Attorney Offices across the country due to the COVID pandemic. These investigations focused on armed violent offenders – the “trigger-pullers” who terrorize communities and the firearms traffickers who supply guns to criminals and criminal organizations. With ATF support, state and local law enforcement agencies have increased their effectiveness in firearms investigations, as reflected by the substantial increase and record number of firearms trace requests submitted to the ATF National Tracing Center (NTC). The rate of growth in tracing has accelerated in last 12 months. In FY 2020, the NTC received 490,844 trace requests followed by 548,186 trace requests in 2021, an 11.7 percent growth. The NTC is currently forecasting a single year 10 percent increase for 2022. In FY 2021, the NTC received

an average of 45,682 trace requests per month. The incoming trace count exceeded 49,000 requests during each of the last four months of FY 2021.

### *Investigative Support Services*

Resources and activities that support ATF law enforcement operations comprise the Investigative Support Services decision unit. Core activities include but are not limited to firearms and explosives licensing and other firearms industry services; firearms tracing; National Center for Explosives Training and Research (NCETR); United States Bomb Data Center (USBDC); Terrorist Explosives Device Analytical Center (TEDAC); Internet Investigation Center (IIC); the ATF laboratories; financial investigations; collaboration and partnerships; and ESF-13.

Federal Firearms Licensee (FFL) burglaries, thefts, and robberies are a significant source of illegally trafficked firearms and directly fuel violent crimes involving guns. The number of reported burglaries peaked in calendar year (CY) 2017 at 577 burglaries (7,841 stolen firearms), while the number of reported robberies peaked in CY 2018 at 36 robberies (329 stolen firearms). In response, during the last quarter of FY 2017, the ATF implemented a policy of responding to all FFL burglaries and robberies with teams consisting of both special agents (SAs) and industry operations investigators (IOIs) and expediting the processing of evidence from these incidents in its forensic laboratories. The ATF also developed an automated system that sends urgent alerts about FFL burglaries and robberies to other FFLs in the geographic area where the incident has occurred, allowing them to take additional precautionary measures.

During CY 2021, FFL burglary and robbery reports decreased from CY 2020. In CY 2021 burglary incidents decreased to 277, a 44 percent decrease from CY 2020. In CY 2021, robbery incidents decreased to 21, a 5 percent decrease from CY 2020. By strategically redirecting resources to confront crimes against FFLs, the ATF enhanced its ability to identify, arrest, and prosecute criminals and recover stolen firearms as soon as possible, thus mitigating the substantial threat they pose to public safety. In addition to proactive enforcement measures, the ATF has teamed up with the National Shooting Sports Foundation (NSSF) in order to promote Operation Secure Store (OSS). OSS is a comprehensive joint initiative to promote FFL safety and security measures in order to deter robberies and burglaries.

The ATF has sole federal regulatory authority over FFLs authorized to engage in the business of manufacturing, importing, or selling firearms in the U.S. The ATF conducts licensing qualification investigations on those who seek to engage in the business of firearm manufacture and dealing, issues FFLs, administers regulations applicable to FFLs (including recordkeeping requirements for the acquisition and disposition of each firearm”, and conducts FFL inspections. ATF inspection of firearms licensees is focused not only on ensuring regulatory compliance, but also on integrating and analyzing risk factors to detect diversion from lawful commerce and identifying “straw purchasers” who illegally purchase firearms to supply guns to criminals. The ATF keeps the firearms industry updated on regulatory and statutory changes and on issues that affect the industry. In addition, the ATF publishes a semi-annual newsletter with industry specific information which is posted on the ATF website and conducts seminars for licensees.

The ATF is recognized for its expertise in bombing and explosives investigations and in the reconstruction of explosives incidents. ATF SAs (Certified Explosives Specialists (CES) and CES Bomb Technicians), Explosives Enforcement Officers (EEO), and forensic personnel are highly trained and experienced in investigating post-blast scenes. As such, ATF explosives specialists provide training to Federal, state, local, tribal, and international law enforcement agencies. Investigating criminal bombings and the illegal use of explosives is an integral part of the ATF's overall violent crime reduction strategy.

The ATF also has primary federal jurisdiction over the investigation of arsons and is uniquely equipped for this mission with specialized capabilities, expertise, and experience. The ATF's highly trained Certified Fire Investigators (CFI) responds to fires of federal interest and investigates arson-for-profit schemes and provide technical expertise to their state and local counterparts. In many cases, the ATF's unique knowledge, technical resources, forensic capabilities, and jurisdictional authority are essential in solving arson related crimes. CFI's conduct fire scene examinations, render origin and cause determinations, provide expert testimony, and provide training to Federal, state and local fire investigators. The ATF'S CFIs are considered experts in the field of fire investigations and are continually recognized for their contributions to the community. Their skill set was particularly relevant during the civil unrest in 2020.

The ATF's National Response Team (NRT) consists of highly trained and experienced SAs, CFIs, CESs, EEOs, electrical engineers, and other experts to support major arson and explosives investigations in the United States and Internationally. Recent activations include the Conception Diving Boat fire which claimed 34 lives, the Christmas Day 2020 bombing in Nashville, Tennessee and the 2018 serial bombings in Austin, Texas. The NRT's experts work in conjunction with ATF partners to investigate large-scale explosion and fire incidents.

The Fire Research Laboratory (FRL) is a unique fire testing facility that can replicate many fire scenarios in laboratory testing conditions. The scientists, engineers, and CFIs at the FRL use advanced scientific and technical methods to make the ATF the definitive source of sciencebased fire investigation and training.

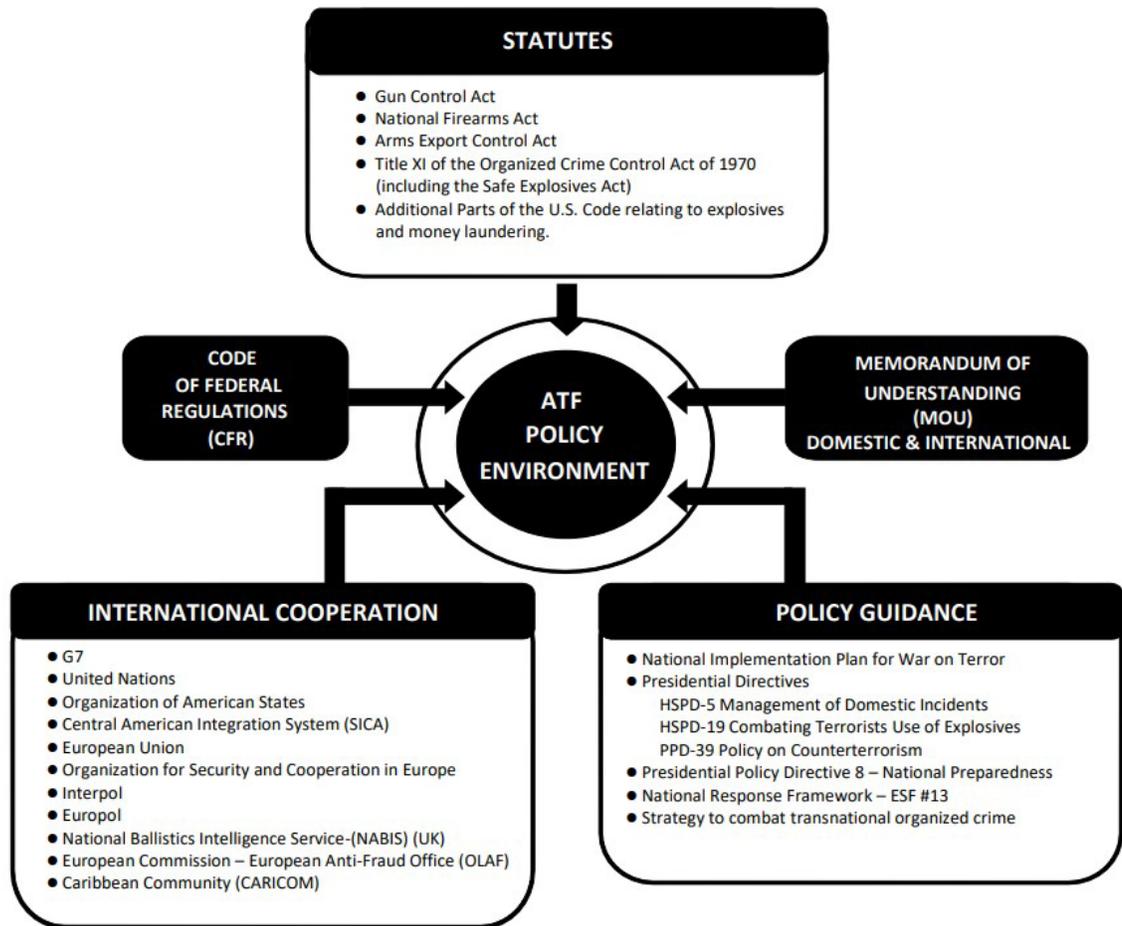
As the primary federal law enforcement agency that regulates the explosives industry, the ATF enforces the Safe Explosives Act (SEA) and licenses businesses and individuals that engage in manufacturing, importing, or dealing in explosives, or receiving or transporting explosives materials. The SEA expanded the scope of explosives regulations administered by the ATF by establishing controls on the intrastate movement of explosives, and by mandating that all persons who receive explosives undergo a background check and obtain a federal permit.

The ATF's criminal and regulatory programs are a key means by which the U.S. Government enforces federal explosives laws and prevents criminals and terrorists from obtaining explosives for use in bombings. Federal law requires that any manufacturer, importer, or dealer of explosives must have a federal explosives license. Individuals who acquire, possess or transport explosives must hold a federal explosives permit. The ATF establishes standards for the storage of explosives materials to which licensees must adhere. IOIs conduct compliance inspections to

prevent diversion and promote the safe and secure storage of explosives. IOIs also detect and assist in explosives diversion investigations. When a significant safety hazard or loss of explosives is discovered, IOIs directly address these incidents to ensure the threat is mitigated.

The ATF continues to leverage, build, and rely on a full spectrum of interagency partnerships to prevent terrorism and abate violent crime: Federal, state, local, tribal, and international law enforcement agencies; other public safety agencies; local communities; and industry. The ATF partners with these entities to safeguard the public through investigations, information and intelligence sharing, training, research, the use of technology, and as the DOJ lead agency for coordination of Emergency Support Function (ESF-13), Public Safety and Security, under the National Response Framework (NRF).

**Chart 1. ATF Mission and Budget Strategy Policy and Legislative Environment**



**FY 2022–2026 Agency Strategic Goals and Performance Goal Measures**

**Mission Activities**

**Strategic Goal 1: Protect National Security**

1.1 Protect the American people from international and terrorism.

**Strategic Goal 3: Enforce Federal Laws that Protect Public Safety and Economic Security**

3.1 Reduce Violent Crime

**Strategic Goal 4: Advance Civil Rights, Equity, and Justice for All**

4.3 Reform and strengthen the criminal and juvenile justice system to ensure fair and just treatment for all.

**Strategic Goal 5: Modernize Department Management Practices and Promote Good Government**

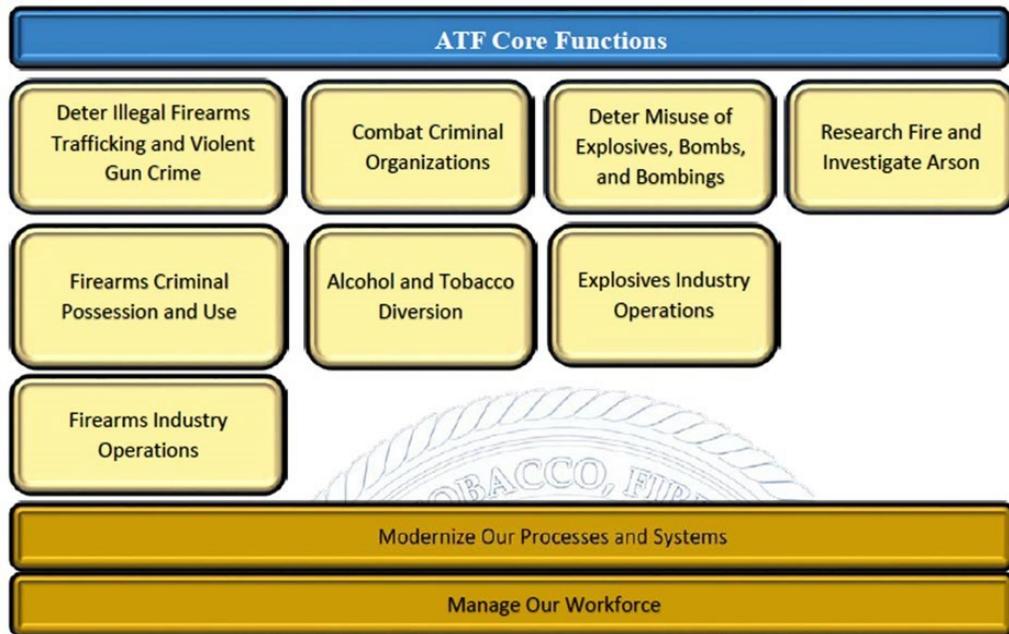
5.1 Achieve management excellence through innovation.

5.2 Recruit, retain, and foster for talented, high-performing, and inclusive workforce representative of the public we serve.

**ATF Priorities**

The ATF reduces violent crime by enforcing Federal laws and regulations related to firearms, criminal organizations, explosives, and arson groups; the agency organizes its activities into core functions that reflect these activities. The ATF’s Executive Staff has prioritized organizational focus and resources on these core functions and their corresponding strategic goals.

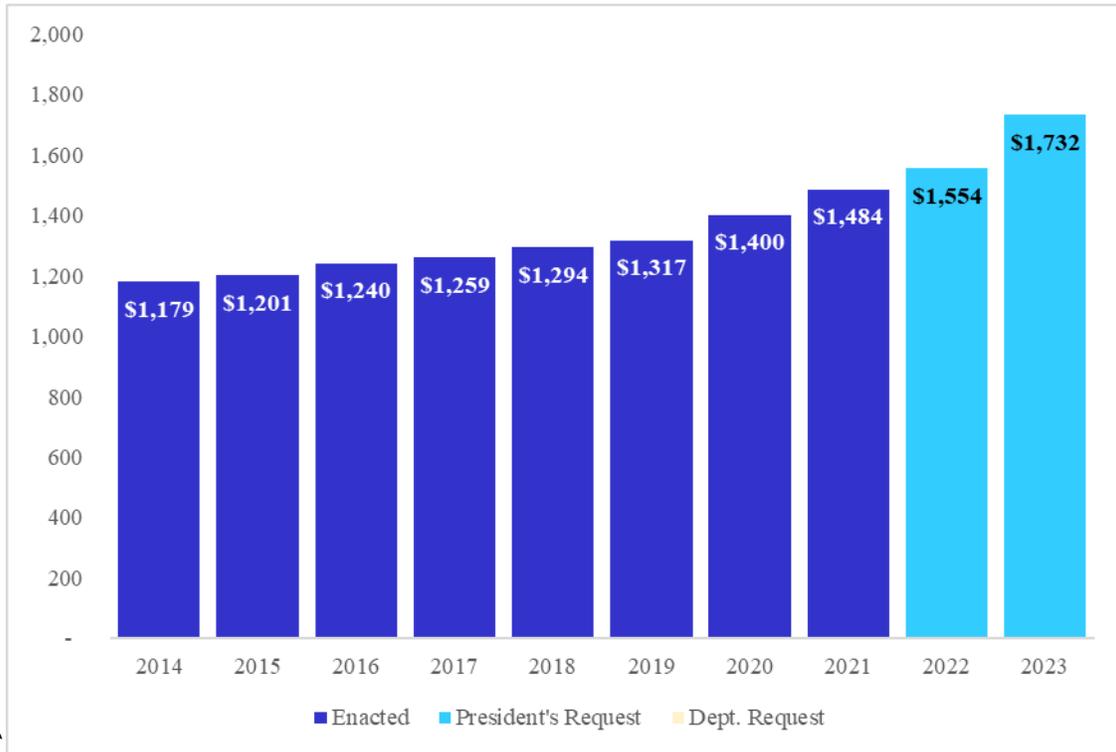
**Chart 2. ATF Core Functions**



## B. FY 2023 Budget Request

The ATF's FY 2023 budget request totals \$1,732,528,000 for Salaries and Expenses (S&E), with 5,776 total positions and 5,316 full-time equivalents (FTE). Included within this amount is \$54,845,000 for base adjustments that are essential to maintain core resources and the current services level of special agents, IOIs, and support professionals. This request also includes \$123,222,000 in program enhancements to support Bureau missions.

**Chart 3. ATF Appropriated Funding, by Fiscal Year (\$ in millions)**



### **Maintaining Current Services**

The FY 2023 request includes \$54.8 million in base adjustments to maintain current services. Within this amount, \$45.1 million funds pay and benefits to continue support of special agents, industry operations investigators, and other personnel; \$3.6 million supports domestic rent, facilities, and relocation costs for ATF offices, laboratories, and training centers nationwide; and \$6.1 million supports other adjustments.

### **Program Enhancements**

The FY 2023 budget request contains five program enhancements for S&E totaling \$123.2 million.

### *IOI Regulatory Enforcement and Diversion Control*

The first program increase provides \$20.1 million and 183 positions to support the ATF's efforts to increase its cadre of industry operations investigators, overall staffing levels, and support for critical programs such as NIBIN and the National Firearms Act. This initiative will improve inspections and oversight of FFLs and combat violent firearms crime and protect the public by hiring more IOIs that conduct inspections of FFLs to ensure compliance with applicable Federal, state, and local laws and regulations.

### *Combating Gun Violence*

The second program increase provides \$53.7 million and 148 positions to address surging firearms violence in American communities. The ATF will be working collaboratively with federal, state, and local partners and will identify and expand the best use of crime gun intelligence to address the "market" or "source" areas for illegally trafficked firearms into these areas. The ATF will be embedded with local homicide units and expand the availability of its NIBIN Correlation Center, which will be utilized to match ballistics from crime scenes to other ballistic evidence nationwide.

### *NIBIN and Crime Gun Intelligence*

The third program increase provides \$21.2 million and 16 positions as part of the Department's Crime Gun Intelligence-based strategy to reduce violent crime and protect communities. This initiative will increase the ATF's capability to perform NIBIN correlation reviews as well as provide NIBIN equipment and program support to the remainder of ATF field divisions to allow for law enforcement partners not currently participating in the NIBIN program the opportunity to enter ballistic evidence into NIBIN. The initiative will also integrate CGI and NIBIN principals with established curricula for intelligence-led policing, integrating the practical application of CGI and NIBIN within an academic setting.

### *National Tracing Center (NTC) Modernization*

The fourth program increase provides \$14.4 million and 13 positions to modernize the systems and applications utilized in support of the core firearms tracing mission, along with 13 positions to offset increasing work volumes. This initiative will incrementally incorporate technology enhancements while augmenting personnel until such time that the proposed IT solutions have been fully delivered.

### *Body Worn Cameras*

The fifth program increase provides \$13.7 million and 6 positions, to provide digital case management software and video cloud storage from the body worn cameras (BWCs) of federally deputized Task Force Officers (TFOs). This initiative will allow the ATF to support digital cloud

storage of BWC video for both TFOs whose parent agency mandates the use of BWCs during enforcement operations while they serve on federal task forces, as well as ATF special agents under the BWC requirements set forth in the recent DOJ Body-Worn Camera Policy.

### **C. Challenges**

The ATF faces substantial external and internal challenges affecting its ability to meet mission critical goals and objectives. These include, but are not limited to:

- Responding to increasing rates of violent gun crime in cities such as Chicago, IL; St Louis, MO; and Memphis, TN; and reported FFL burglaries, thefts, and robberies.
- Responding to the significant raise in use and recoveries of NFA and unclassified weapons such as Private Manufactured Firearms (PMFs) and Auto Sears, which cause challenges in prosecuting when involved in crimes.
- Keeping pace with an unprecedented increase in the volume of NFA weapon applications due largely to changes in state laws regarding silencers and other NFA weapons, as well as with out-of-business records (OBR).
- Establishing and funding a technology refresh strategy to modernize and better integrate the ATF's outdated information and forensic technology assets, infrastructure, and services that are essential to execute coordinated and comprehensive violent crime reduction strategies, such as case management, firearms tracing, NFA, and NIBIN.
- Establishing and funding technology to keep pace with increased criminal activity and consistent changes through the use of electronic media and the ability to recover and examine.
- Improving productivity and customer service in the face of significant increases in workload requirements in both the law enforcement and services elements; and
- Meeting the ongoing hiring, training, and knowledge transfer demands posed by the retirement and attrition of SAs and experienced staff.

### **External Challenges**

#### *Crime Rates*

According to the FBI's 2019 Uniform Crime Report (UCR) data (<https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019>), the overall number of violent crimes in the U.S. decreased 0.5 percent from 2018 to 2019. Murders increased by 0.3 percent nationally and the murder rate (murders per 100,000 people) decreased by 0.2 percent. Notwithstanding the overall reduction in violent crime and murders, however, 31 states witnessed higher homicide rates in 2019. Similarly, 33 states witnessed increased rates of aggravated assault. Nationally, 10,258 or 73.7 percent of all murders were committed with a firearm. In total, the UCR reports that over 293,761 victims were murdered, robbed, or assaulted with a firearm in 2019.

Regrettably, UCR data also indicates that the overall rate of violent crimes cleared by arrest was 45.5 percent. 61.4 percent of murders were cleared by arrest (no data is available for the percentage of murders with a firearm cleared by arrest). Robberies with a firearm were cleared at a rate of 22.2 percent. Aggravated assaults with a firearm were cleared at a rate of 31.3 percent. Of the 32,981 arson offenses reported, 23.8 percent were cleared by arrest or other exceptional means.

FBI violent crime tracking in its Crime Data Explorer shows a continued drop in violent crime into the second quarter of 2019 before indicating an increase in violent crime in the third and fourth quarters of 2019 (<https://crime-data-explorer.app.cloud.gov/explorer/national/unitedstates/prelim-quarter>). Additionally, several large metropolitan areas reported dramatic rise in gun crime in CY 2020 and early CY 2021.

Violent gun crime is an external challenge that has strained the ATF's ability to respond to requests for assistance and the needs of the nation's cities and citizens most affected by violence in the U.S. As state and local law enforcement increasingly request the ATF's assistance with firearm violence, the DOJ has prioritized a more robust federal effort to assist local law enforcement and ensure that long-term trends of reduced violence are sustained.

These efforts have included deployment of additional special agents and resources to areas experiencing persistent firearm violence and spikes in firearm violence. The ATF continues to vigorously recruit and train its cadre of special agents to make federal resources available to those state and local jurisdictions that need assistance in combating spikes in gun violence. The ATF is simultaneously enhancing IOI resources that increase compliance with federal firearms laws and investigate FFL burglaries, robberies, and thefts to address illegal firearms trafficking and the diversion of firearms from legal commerce. The ATF is also continuing to improve its CGI capabilities through the NIBIN program, CGICs, and forensic services.

#### *FFL Burglaries, Thefts, and Robberies*

The ATF continues to respond to reported FFL burglaries, thefts, and robberies, which are a significant source of illegally trafficked firearms and directly contribute to the rise in violent gun crime. FFL burglaries decreased by 44 percent between CY 2020 through CY 2021 (from 492 incidents to 277), while FFL robberies decreased by 5 percent during the same period (from 22 incidents to 21). The number of firearms stolen during FFL burglaries and robberies decreased in CY 2021 to 2,936 compared to 5,961 in CY 2020 a 51 percent decrease.

Investigative experience shows that each of those stolen firearms is almost assuredly destined for criminal use in the immediate area of the theft. The ATF is devoting all necessary resources to confront the surge in crimes against FFLs as an urgent public safety matter by identifying the perpetrators and recovering as many stolen firearms as possible. The ATF responds to all FFL burglaries and robberies with both SAs and IOIs and makes the ATF's laboratory services available on an expedited basis to process evidence and provide timely leads to investigators. In concert with these efforts, the ATF has developed a system to send out alerts on FFL thefts to other FFLs in the geographic areas near thefts.

## *Personally, Manufactured Firearms (PMFs) and 3D Printed Firearms*

Traditionally, every crime gun in the United States starts off as a legal firearm. Unlike narcotics or other contraband, the criminal's supply of firearms does not begin in clandestine factories or with illegal firearms smuggling. Crime guns, at least initially, start out in the legal market, identified by serial number and transfer documentation.

Over the last several years, law enforcement agencies have encountered a significant increase in the recovery of non-serialized and counterfeit firearms in criminal investigations. Most often, private, non-licensed individuals have assembled these firearms using a variety of parts that are not in and of themselves subject to federal or state regulation and are readily available in the marketplace. This trend initially emerged with rifles, such as the AR and AK platforms, assembled from unfinished receivers that are sold without serial numbers.

In more recent years, law enforcement has increasingly encountered non-serialized, semiautomatic handguns that private individuals have assembled from "kits" and other parts sold on the internet and by retailers. The rate at which prohibited persons possessing PMFs rose 126 percent from CY 2018 to CY 2019. Examination of acquisition methods reveals that prohibited persons obtain kits and parts on the open market without vetting, background checks, or regulatory exchange records.

Many PMFs can be assembled utilizing common household tools, and by observing internet instructional videos, an individual can quickly complete a functional firearm with little to no experience. Additionally, prohibited persons can assemble firearms that are unlikely to be successfully traced. Possession of PMFs by prohibited persons increases the possibility or likelihood of their usage in violent incidents, thus endangering the public and law enforcement.

Additionally, 3D printing of firearms is not a new concept and is increasing in popularity. With the practicality and popularity of additive manufacturing on the rise commercially, the cost of 3D printers is on the decline making them readily available to small businesses as well as hobbyists. Some of the smaller 3D printers are not much larger than a typical household printer and are comparably priced. Eventually, 3D printers that produce metal parts will become mainstream and the cost will decline to the point that the hobbyist will be able to make metal 3D printed firearms from home, as well. A portion of these 3D printed firearms will be "Undetectable Firearms" in that they will not be as detectable as the security exemplar by virtue of not being detectable by metal detectors calibrated to detect the security exemplar as required by Undetectable Firearms Act of 1988.

## *Firearms Commerce*

The growth in firearms commerce continues to challenge the ATF. The significant workload increases are due, in large part, to changes in many state laws that directly affect the ATF's regulatory workload. For example, from FY 2012 to FY 2016, the ATF experienced a 260

percent increase in NFA weapon applications. Based on actual data received in the first quarter of FY 2021, NFA anticipates a total volume of NFA forms could be 638,000. This amount received would surpass the previous highest year of FY 2016 (41F) by nearly 100,000. The ATF's goal, reported to the Department quarterly, is to process all NFA requests within 90 days. Only 19.6 percent of NFA tax paid applications met this standard in FY 2020. NFA applications, however, have far outpaced the number processed, leading to backlogs. Even with the support of redirected industry operations personnel resources, the ATF continues to struggle to meet performance targets, and wait time remains significant.

Another external challenge for the ATF, directly attributable to the dynamics of firearms commerce, is meeting the workload demands associated with the substantial turnover in the composition of the licensed industry. Excluding collectors, the ATF issued original FFLs to over 52,000 new members of the firearm industry between FY 2014 and FY 2020 only 31 percent of those new licensees are still in business today. Over the past 5 years, the ATF has conducted nearly 65,325 qualification inspections and assisted an average of 13,065 new business entities per year (50 businesses per workday) in their efforts to establish and operate a lawful firearms business.

While the overall size of the industry has remained relatively constant during the same period, the turnover in the population of industry licensees creates a corresponding increase in the number of qualification and compliance inspections the ATF must conduct. Moreover, the ATF must act on a new license application within 60 days of receipt. New licensees often require greater technical assistance from the ATF, which creates significant additional demand for the ATF's inspection resources to timely facilitate lawful commerce in firearms. This transition in the industry challenges the ATF's ability to conduct basic, scheduled compliance inspections, and to meet its goal of conducting compliance inspections on all dealers, pawnbrokers, manufacturers, and importers once every three years in the license cycle.

Performing timely FFL compliance inspections has also been challenging due to longer time commitments required by the ATF's IOIs to conduct a thorough inspection of the FFL. As the volume of firearms commerce continues to increase, the number of individual firearms records and transactions that FFLs maintain has significantly increased, leading to lengthier inspection times. Additionally, under the ATF's risk-based inspection program, the ATF focuses on those licensees with actual or potential compliance problems. These at-risk compliance inspections are often more complex, requiring greater IOI resources.

In FY 2020, the ATF was able to complete approximately 6,340 FFL compliance inspections, a decrease of 52.7 percent over FY 2019 due to the COVID pandemic and local and national quarantine protocols. The lack of timely inspections presents an immediate and sustained risk to public safety. The ATF utilizes risk-based assessments to focus limited inspection resources on entities that have been identified as potentially at risk for non-compliance. These at-risk assessments look for indicators of regulatory and criminal violations. As the DOJ Office of Inspector General (OIG) has noted, "additional actions are needed for the ATF to fully achieve its goal of keeping communities safe and secure by detecting and preventing the sale of firearms to individuals who are prohibited from possessing them." In order to confront this challenge, the

ATF's budget request prioritizes the recruitment, training and deployment of additional IOI resources that will enhance capabilities associated with regulatory inspections, industry compliance and FFL outreach. Enhancing the ATF's IOI workforce will begin to address the ongoing problems of the diversion of firearms from legal commerce and illegal firearms trafficking, which contribute to the fueling of gun violence.

The NTC Division received more than 490,000 trace requests in FY 2020, which represents an 8.4 percent increase over FY 2019 and an increase of 43.1 percent over the past ten years. The NTC processed 68 million out-of-business paper records and another 111 million electronic outof-business records in FY 2020, which represents a 19 percent increase over the prior year. During FY 2020, the NTC entered 1.2 million firearms as part of multiple sales, a 228 percent increase in the last decade. Between these and other records, the NTC enters 168.5 million more records now than 10 years ago, with fewer personnel. Hiring priorities have been centric on Firearms Enforcement Officers (FEOs), special agents, and NFA over recent years which impacted the NTC's ability to backfill positions. The NTC's unprecedented incoming volume with civil unrest, combatting violent crime, and increasing firearms thefts have required the NTC to operate with staffing not commensurate with workflow. About 87 percent of the NTC is staffed by contracted employees, and the remaining are ATF personnel.

The NTC uses a system named eTrace to provide law enforcement with a means to send trace requests and receive trace results. The eTrace application is currently used by 8,439 law enforcement agencies with over 59,294 users throughout the United States and in 44 other countries. eTrace currently serves as the primary trace data collection and dissemination tool for the global law enforcement community, however; there have been no functional enhancements to the application since version 4.0 (Spanish eTrace) was deployed in March 2010. Furthermore, NTC firearms tracers must use multiple incompatible systems to obtain a single disposition within a trace request, most of which do not permit the user to cut and paste information between them. This includes NTC Connect, a system that allows the NTC to query the transaction records of participating firearms manufacturers, importers, and wholesalers by a single serial number to obtain a disposition. When processing out-of-business records into the imaging system, tracers can only retrieve most of these by FFL number, which requires searching thousands of records to look for a single firearm.

The NTC seeks to automate nearly the entire process, relying on manual intervention only in exceptional circumstances, to improve efficiency and reduce unnecessary processing delays. Accomplishing this objective involves three approaches: (1) consolidation and integration of systems into eTrace with a complete configurable workflow process, (2) linkage to an automated NTC Connect query process, and (3) linkage to the image repository with indexing by key data elements (i.e.: FFL number, transaction date, and firearms description). To meet workload demands in the interim, the ATF must increase current contract performance measures.

Modernization and consolidation of all trace processing, validation, workflow, and reporting functions into a single standard web-enabled firearms tracing application (eTrace) would significantly improve the NTC Division's operational efficiency and accuracy, reduce costs, improve timeliness, and provide value-added investigative capabilities for ATF partners.

### *Investigative Technologies*

The ATF continues to expand its technical capabilities in order to investigate gun related violent crime and the criminal use of explosives and fire. The ATF continues to be challenged with this expansion due to the cost of technological advances as well as the ability to deploy them.

Smart phones and other type devices have become a part of everyday life and are also integral in the solving of crimes. Phones particularly are no longer just devices used solely to make calls; they are a complete digital footprint of a person's everyday life. The information gleaned from these devices has been critical in solving crimes as well as providing exculpatory evidence to defendants.

The San Bernardino terror attack brought to light the challenges in accessing important evidence from digital devices, and the fact that law enforcement cannot rely on assistance from the manufacturers and service providers for these devices in gaining access. Law Enforcements' inability to "crack" these devices led to the ATF taking on the additional cost of approximately \$1,600 per device in order to access them. While this scenario only lasted approximately six months, eventually being rectified with technology advances by Law Enforcement, it led to unanticipated costs incurred by the ATF and emphasized the necessity of the ATF maintaining cutting edge technology to address a rapidly evolving digital world.

These additional costs can be expected to continue in the future due to the constant change in the digital world and its continued importance in everyday life. In addition to these costs, the ATF relies solely on the special agents in the field to take on the collateral duty of a device extraction technician in order to achieve this task. With this combining of tasks, a robust and fluid training model is needed to continually upgrade the systems and train the Agents to stay in line with the change of technology.

### *Civil Unrest*

FY2020 saw widespread civil unrest throughout the country. The ATF played an active role in investigating violent crimes associated with civil unrest, particularly as it relates to the criminal use of fire. In FY 2020 continuing into FY 2021, the ATF initiated at least 416 arson investigations related to civil unrest. Of those 416 cases, 71 were referred for prosecution recommending charges against 109 defendants. The ATF activated its NRT 4 times during the civil unrest in 2020 to investigate over 250 arson fires in the cities of Minneapolis, St. Paul, Chicago, and Kenosha, WI; this is in addition to the responses by ATF Field Offices to events in their local areas of responsibility. Although not an NRT deployment, the ATF also sent several Certified Fire Investigators and Certified Explosives Specialists to Portland, Oregon to investigate acts of arson and the use of explosives against federal properties, law enforcement personnel and associated locations.

Additionally, the ATF's SRT deployed to support security operations in the National Capital

Region during the civil unrest in summer of 2020, as well as in response to the riots at the United States Capitol in January 2021. The ATF also supported the security posture in the National Capital Region for the presidential inauguration in January 2021 with the deployment of two SRTs and one NRT. As these types of events are in reaction to current events, the ATF cannot predict when or how widespread events like this may be and what resources the ATF will need to contribute to investigate violent crimes associated with these events.

## **Internal Challenges**

### *Attrition*

While the ATF continues to be challenged by the on-going attrition of its special agent workforce, the ATF is also continuously updating its hiring models and recruitment systems to ensure that these challenges related to attrition are addressed in the most aggressive manner possible. The ATF has vigorously leveraged training capabilities at the ATF Academy located at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA to ensure that the ATF is maximizing training capabilities to meet the challenges posed by special agent attrition. The ATF currently has 2,600 special agents. The mandatory retirement age for federal law enforcement agents is 57, per 5 U.S.C. §§ 8335 and 8425. In the next three years, 619 current ATF SAs will become eligible to retire and 129 will reach mandatory retirement age. Of the 2,600 agents, 479 (17.27 percent) of the current agent cadre are age 50 or above.

Agents eligible to retire include special agents with highly specialized skill sets such as Certified Fire Investigators (CFIs), Certified Explosives Specialists (CESs), agents on the Special Response Teams (highly experienced, specially trained agents who deploy to complex, high risk law enforcement operations), and agents on the NRT who deploy to complex explosives and fire incidents. Most importantly, these special agents are the ATF's most experienced personnel, those who conduct criminal investigations nationally and train new agents. Their experience and capabilities are invaluable to the development of the next generation of the ATF special agents, as it typically takes a minimum of 3-5 years of close mentoring and on-the-job training for a new special agent to acquire the skills necessary to achieve full productivity levels. Lastly, many of the ATF's senior SES executives are also eligible for retirement.

### *Training*

Over the last few years, the ATF has escalated agent hiring to offset increased attrition and address shortfalls stemming from the FY 2011-2013 hiring freeze. The ATF National Academy reports the following special agent training efforts:

- **FY2020.** (3) SABT classes graduated in FY2020. (63) agents graduated in FY2020. Of these, (19) were hired during FY2019 and (44) were hired during FY2020.
- **FY2021.** (6) SABT classes graduated in FY2021. (134) agents graduated in FY2021. Of these, (1) was hired during FY2019, (123) were hired or converted during FY2020, and (10) were hired during FY2021.
- **FY2022.** ATF National Academy has (7) SABT classes scheduled to start in FY2022. So far during FY2022, (4) SABT classes have graduated. (88) agents have graduated so far in FY2022. Of these, (10) were hired during FY2020 and (78) were hired or converted during FY2021.

The ATF hired 140 SAs during FY 2021; however, the COVID-19 pandemic significantly disrupted training of these new hires when FLETC shut down multiple times temporarily due to concerns about community spread of the virus. Additionally, the COVID pandemic has again disrupted the training of newly hired special agents and industry operations investigators in FY 2021 and FY2022.

FLETC has capped the “in-residence” student population to 1,500 trainees. This restriction coupled with temporary delays in training due to COVID have delayed training and caused lost classes for special agents. Due to these restrictions, the ATF is exporting the industry operations investigator training to NCETR in Huntsville, Alabama.

The FLETC shutdown resulted in a significant delay in training delivery, because the newly hired SAs began their careers in local field divisions rather than starting at the ATF National Academy. Alternate training for these new agents had to be developed quickly and delivered via remote learning methodologies. These SAs are returning to the ATF National Academy as FLETC resumed operation, but FY 2020 hires will be training at FLETC well into FY 2021.

In addition, the ATF implemented a major revision of the SA on-the-job training (OJT) program, streamlining and focusing objectives, and reporting criteria to ensure new agents receive appropriate experiential learning during their first two years. As of the end of FY 2020, over 360 SAs are engaged in their on-the-job training program.

The ATF has also implemented new leadership development programs, including a new introduction to leadership training, partnerships with the U.S. Army War College, and the 9/11 Memorial and Museum to prepare the existing agent cadre for management and executive positions. The ATF continues to offer advanced training for all SAs, IOIs and new CFIs, CESSs, and other specialty positions to leverage current agent and investigator experience and facilitate knowledge transfer to newer agents and investigators.

### **Decision Units**

Each fiscal year, the ATF develops its annual Spend Plan based on historical decision unit (DU) spending trends, current services funding requirements, and program changes. The ATF continues to assess options for better management of DU allocations. This includes addressing

short-term solutions, processes, and IT systems that can more effectively allocate resources by DU, monitor DU budget execution, and achieve DU targets within reprogramming thresholds.

### **Addressing ATF Challenges**

The FY 2023 request will provide the funding necessary for the ATF to focus efforts on the communities most affected by violent crime, continue addressing the external and internal challenges outlined above, and leverage and sustain gains from prior years. The ATF seeks to maintain the effective investments made in areas that remain critical to securing the safety and security of the country and to strengthen and build upon them incrementally.

This request will serve to enhance the Administration's efforts to reduce gun violence across the U.S. by sustaining the smart incremental investments in proven programs supported over the past several years. This investment will increase the ATF's ability to collaborate with federal colleagues as well as state and local partners who are critical to the abatement of violent crime in America's cities and neighborhoods. For example, the requested NIBIN enhancement will focus on reducing firearms violence through evidence-based targeting, investigation, and prosecution of "trigger-pullers" and their sources of crime guns.

The ATF will also continue its comprehensive risk-based approach towards mitigating critical infrastructure deficiencies in personnel, oversight, management, operational capacity, and fixed operational costs.

## II. Summary of FY 2023 Program Changes

Item Name	Description				Page
	Purpose	Pos.	FTE	Dollars (\$000)	
<b>Improving FFL/IOI Regulatory Enforcement and Diversion</b>	This initiative will improve inspections and oversight of Federal Firearms Licensees (FFLs) and combat violent firearms crime and protect the public by hiring more IOIs.	183	92	\$20,137	50
<b>Combating Gun Violence</b>	This initiative will address surging firearms violence in American communities. The ATF will collaborate with Federal, state, and local partners to identify and expand the best use of crime gun intelligence, embed with local homicide units, and expand its NIBIN Correlation Center.	148	124	\$53,745	56
<b>NIBIN and Crime Gun Intelligence</b>	This initiative will increase capability for NIBIN correlation reviews and provide NIBIN equipment and program support to all remaining ATF field divisions. This expansion will add law enforcement partners not currently participating in the NIBIN program. The initiative will also integrate CGI and NIBIN principals into established curricula for intelligence-led policing.	16	6	\$21,208	61
<b>National Center Trancing (NTC) Modernization</b>	This initiative will incrementally incorporate technology enhancements and augment personnel to reduce out-year operations and maintenance costs, increase workflow efficiency, improve accuracy, and reduce trace completion times. Modernization will significantly improve the NTC Division's operational proficiency and build capacity.	13	6	\$14,424	69

<b>Body Worn Cameras</b>	This initiative supports digital cloud storage of BWC video for TFOs whose parent agencies mandate the use of BWCs during enforcement operations, and for ATF special agents in compliance with DOJ BWC policy.	6	3	\$13,708	74
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### **III. Appropriations Language and Analysis of Appropriations Language**

#### **Salaries and Expenses**

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local enforcement agencies, with or without reimbursement, [\$1,554,461,000,] \$1,732,528,000 of which not to exceed \$36,000 shall be for official reception and representation expenses, not to exceed \$1,000,000 shall be available for the payment of attorneys' fees as provided by section 942(d)(2) of title 18, United States Code, and not to exceed \$25,000,000 shall remain available until expended: *Provided*, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That such funds shall be available to investigate and act upon applications filed by corporations for relief from federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities for the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments.

#### **Analysis of Appropriations Language**

No substantive changes are proposed.

## IV. Program Activity Justification

### A. Law Enforcement Operations

<b>LAW ENFORCEMENT OPERATIONS</b>	<b>Permanent Positions</b>	<b>FTE</b>	<b>Amount (\$000)</b>
2021 Enacted	4,091	3,828	1,134,580
2022 President Budget	4,187	3,877	1,189,729
Adjustments to Base and Technical Adjustments		47	41,940
2023 Current Services	4,187	3,924	1,239,669
2023 Program Increases	336	168	105,930
2023 Program Decreases	0	0	0
2023 Request	4,523	4,092	1,337,599
<b>Total Change 2022-2023</b>	<b>336</b>	<b>215</b>	<b>147,870</b>

### Investigating and Preventing Violent Crime

Protecting Americans against violent crime is a top DOJ priority. The ATF's mission is to reduce violent crime involving firearms, explosives, and arson. To accomplish this unique and important mission, the ATF's programs and initiatives focus on the investigation and prevention of violent crime. According to the FBI's 2019 Preliminary Semiannual Uniform Crime Report data<sup>1</sup>, for 550 reporting cities with a population of over 100,000 there were 164,670 aggravated assaults, 3,501 murders, and 70,773 robberies from January to June in 2019. Additionally, Americans are faced with increasing incidents of indiscriminate active shooter events or mass shootings in schools, shopping malls, churches, and other public places. In FY 2019, 28 active shooter incidents<sup>2</sup> (defined as one or more individuals actively engaged in killing or attempting to kill people in populated areas) killed 97 people and injured an additional 150 victims.

#### *Investigative and Inspection Accountability*

The ATF establishes and reinforces accountability at all levels by giving a SAC the necessary tools to prioritize and address the specific violent crime threats in their areas. SAs, IOIs, and

<sup>1</sup> <https://ucr.fbi.gov/crime-in-the-u.s/2019/preliminary-report/tables/table-4/table-4.xls/view>

<sup>2</sup> <https://www.fbi.gov/file-repository/active-shooter-incidents-in-the-us-2019-042820.pdf/view>

supervisors conduct continuous reviews throughout the life of investigations and inspections to evaluate anticipated outcomes and impacts when weighed against risk and resource utilization.

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### *Measurement*

The ATF Performance Review process evaluates actual performance against the Bureau's performance goals as outlined in the ATF's Strategic Management Performance Index. Throughout the course of investigations and inspections, first level supervisors monitor progress and performance to ensure effective and efficient resource allocation. Additionally, staff at all levels engage in periodic Performance Review sessions with their peer supervisors, Assistant Special Agents in Charge (ASACs) and SACs, who then collaborate to evaluate field-wide performance and provide feedback to the field. At the end of the fiscal year, the SAC also meets with their respective Deputy Assistant Director and the Assistant Director of Field Operations to review year-end performance. Through these meetings, both parties identify accomplishments, deficiencies, and resource needs for the next year.

### *Core Activities*

The core activities in Law Enforcement Operations that constitute the ATF mission include, but are not limited to, investigations and inspections that address:

1. Deter Illegal Firearms Trafficking and Violent Gun Crime
2. Firearms Criminal Possession and Use
3. NIBIN
4. Firearms Industry Operations
5. Combat Criminal Organizations
6. Deter Misuse of Explosives, Bombs and Bombings
7. Explosives Industry Operations
8. Research Fire and Investigative Arson

In FY 2021, these core law enforcement operations activities resulted in the following significant accomplishments:

- 11,224 cases and 16,497 defendants referred for prosecution
- 7,901 convictions
- 5,968 firearms compliance inspections
- 3,672 explosives compliance inspections

## **1. Deter Illegal Firearms Trafficking and Violent Gun Crime**

The ATF's illegal firearms trafficking enforcement efforts seek to reduce violent crime by stemming the flow of firearms to violent criminals. Illegally trafficked firearms are considered "tools of the trade," which drug traffickers, gang members, and other violent criminals use to commit their crimes. They also negatively affect interstate and international commerce. The ATF identifies, investigates, and arrests individuals and members of organizations who illegally supply firearms to violent or prohibited individuals. Furthermore, the ATF deters the diversion of firearms from lawful commerce into the illegal market with enforcement strategies.

Illegally trafficked firearms fuel violent crime and have a negative impact on interstate and international commerce. Firearms diverted from lawful commerce into the illegal marketplace are the "tools of the trade" that drug traffickers, gang members, terrorists and other violent criminals use to commit crimes. The goal of the ATF's illegal firearms trafficking enforcement efforts is to reduce violent crime by stemming the flow of firearms to violent criminals both in the United States and Internationally. The ATF identifies, investigates, and arrests individuals and dismantles organizations that illegally supply firearms to prohibited individuals. To accomplish this goal the ATF utilizes intelligence-based with enforcement strategies, regulatory measures and embraces new technology. These include, but are not limited to, the creation, analysis and use of CGI through NESS, crime gun trace data, multiple sales reports, FFL compliance inspections, exploitation of social media and other sources of information that all lead to the dissemination of accurate, timely, relevant and actionable leads to identify firearms trafficking.

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

The ATF's firearms trafficking strategy complements the continued focus on intelligence and the deployment of resources to specific localities where there is a high rate of gun violence. The comprehensive approach tracks the movement of firearms from legal to illegal commerce, from the source areas where firearms are acquired and transported to black markets, or to market areas where firearms are illegally sold. Often, these illegally trafficked firearms find their way to "trigger-pullers." ATF SAs and IOIs work together with Federal prosecutors in a source area to reduce the flow of diverted firearms into criminal market areas, thus impacting violent crime and gang violence, often thousands of miles away from the respective source market area.

As Internet commerce flourishes, firearms-related commerce grows with it. While many of these firearms-related transactions are lawful, the Internet also provides a forum for individuals intent on evading the law – as either a buyer or a seller – to conduct unlawful transfers with a degree of anonymity.

To combat illegal firearms trafficking facilitated by the Internet, the ATF established an IIC, serviced by legal counsel and staffed with special agents, industry operations specialists, and intelligence research specialists (IRSSs). Using cutting-edge technology, this team identifies illegal firearms trafficking occurring online, and provides actionable intelligence to the relevant ATF field division for follow-up investigation. When an investigation is national in scope or affects multiple ATF field divisions, the IIC coordinates intelligence and operations to ensure any resulting criminal investigation and prosecution has the widest impact. As part of this coordination process, the ATF works closely with the Department's Criminal Division to determine the best venue for prosecution.

Using this same approach, ATF personnel are constantly scanning for Internet-based threats of violence, particularly those involving “soft” targets like schools and houses of worship. With great sense of urgency, IIC personnel make all attempts to identify the person making the threat, locate the individual as best possible, and immediately refer to law enforcement where the individual is located. The ATF has no federal jurisdiction related to these threats; the local field office works jointly and closely with appropriate law enforcement agencies.

The IIC also provides comprehensive investigative and intelligence support to ATF field divisions on matters relating to Internet-based criminal activity related to the ATF’s areas of jurisdiction. Support includes technical online investigative tasks and legal support for Internet-related warrants and subpoenas. The IIC also serves as the single de-confliction point for online investigations both within the ATF and between other agencies.

The IIC subject matter experts also provide training on law enforcement methods and techniques for Internet investigations. These include social media tools. IIC members are instructed on these matters at the ATF’s National Academy, different field divisions, the Department’s National Advocacy Center (NAC), and training hosted by Europol for member nations.

The IIC has identified a number of significant firearms traffickers who used the Internet to facilitate their crimes. On-going firearms trafficking investigations involve individuals and organizations using the surface web as well as the anonymous dark web. The ATF also investigated international firearms trafficking rings where U.S. sourced firearms were destined for delivery to criminal organizations or prohibited persons outside of the United States and vice versa. Other investigations involved prohibited persons soliciting innocent people selling their firearms on the Internet.

## **2. Firearms Criminal Possession and Use**

The law enforcement community has long recognized the clear link between the availability of criminally possessed firearms and violent crime. Firearm violence associated with drug trafficking and violent crime threatens citizens’ safety and livelihoods while eroding the quality of life in American cities. The ATF employs a threat matrix to identify patterns of firearm violence and deploys its resources to efficiently disrupt and prevent gun violence.

In January 2020, the ATF began Operation Relentless Pursuit, an initiative aimed at combating violent crime in seven of America's most violent cities, through a surge in federal resources. The ATF focused on reducing crime gun violence through its increased resources in Albuquerque, Baltimore, Cleveland, Detroit, Kansas City, Memphis, and Milwaukee. Through Relentless Pursuit, the ATF held accountable the "trigger-pullers," firearms traffickers, violent criminals, and those who supply them the guns to terrorize communities.

In July 2020, the ATF began Operation LeGend, a sustained, systematic, and coordinated law enforcement initiative across all federal law enforcement agencies working in conjunction with state and local law enforcement officials. Operation LeGend was initiated to fight the sudden surge of violent crime in Kansas City, Missouri. Operation LeGend is named after four-year-old LeGend Taliferro, who was shot and killed while he slept early in the morning of June 29, 2020, in Kansas City. The ATF surged resources to Kansas City to help state and local officials fight the surge of violent crime. Operation LeGend was later expanded to multiple cities across the United States, including, Albuquerque, Chicago, Cleveland, Detroit, Memphis, Milwaukee, and St. Louis. The ATF utilized every available tool, including NIBIN and firearms tracing, to identify, investigate and support the prosecution of the most violent firearm offenders.

### **3. NIBIN**

The mission of the ATF's NIBIN Program is to reduce firearms violence through aggressive evidence-based targeting, investigation, and prosecution of shooters and their sources of crime guns. NIBIN continues to aid ATF and its law enforcement partners in identifying "triggerpullers" and removing violent offenders from America's streets before they can re-offend. The ATF administers NIBIN for Federal, state, local, and tribal law enforcement agencies to solve crimes by establishing investigative leads through links between crime guns and criminals. NIBIN is the only interstate automated ballistic imaging network in operation in the U.S. and is available to every major population center in the U.S. to support local violent crime reduction strategies.

The NIBIN system is a collection of digital ballistic images of ammunition components recovered from crime scenes and recovered crime gun test fires. As with fingerprints, every firearm has unique identifying characteristics. The barrel of a weapon leaves distinct markings on a bullet or projectile, and the breech and firing pin mechanisms leave distinct markings on the cartridge case. Using these markings, firearm technicians and examiners can examine bullets and cartridge casings to determine if they were expelled from the same firearm.

Through the NIBIN Program, the ATF strategically deploys Integrated Ballistic Identification System (IBIS) equipment to Federal, state, and local law enforcement agencies for their use in imaging and comparing these unique markings on crime gun evidence. The ATF has worked to place the program in strategic locations across the country with the goal of giving investigators an edge in the fight against firearms-related violence. As of February 2022, 262 NIBIN sites operate nationwide, and the ATF will provide additional sites with this technology and ability to share ballistic information for the remainder of 2022 and continuing into 2023.

The ATF's NIBIN Program uses an integrated investigative approach which works in concert with other Federal, state, local, and tribal law enforcement agencies in combating firearms-related violence using technology to compare images of ballistic evidence obtained from crime scenes and recovered firearms. NIBIN is a proven investigative and intelligence tool that can identify leads that were not previously available; can link firearms evidence from multiple crime scenes that were committed with the same firearm; and can link firearms evidence from a crime scene to a recovered firearm.

The ATF's NIBIN network may be searched locally, regionally, nationally, and internationally in an automated environment to identify investigative leads. Law enforcement resources realize the true potential of NIBIN by following up on the investigative leads to solve crimes associated with these shooting incidents. In FY 2021, NIBIN partners confirmed more than 7,000 hits and issued 146,000 investigative leads using this technology.

NIBIN partner sites began issuing leads in FY 2014 as the program changed its paradigm from a forensic tool to an investigative tool. NIBIN "leads" are potential ballistic links that either have been made by a firearms examiner or trained technician upon comparison of the ballistic images. NIBIN "hits" on the other hand, are ballistic links that have been confirmed by a firearms examiner under a comparison microscope. NIBIN hits require additional time and the ability to compare two physical pieces of ballistic evidence. With the emphasis on NIBIN as an investigative tool, sites have shifted focus and efforts to providing timely NIBIN leads to investigators in lieu of the microscopic comparison. In FY 2014, NIBIN sites issued more than 800 leads, and has grown to more than 146,000 leads provided to investigators in FY 2021. The establishment of the ATF's NNCTC was a significant factor in this increase in investigative leads. This has been an impactful move forward for the program because these leads represent new investigative avenues for law enforcement to focus their efforts to take active shooters off the streets before they re-offend. Leads are issued more quickly than a confirmed hit, which means the information is fresh for investigators to pursue these armed criminals.

The ATF has conducted an evaluation of this program and as a result dedicated infrastructure resources to ensure effective program oversight. As part of this evaluation, the ATF has changed how this program is supported to increase the number of shooters recommended for prosecution. Past funding has supported the replacement of outdated equipment and software upgrades to imaging that enables firearms technicians and examiners to discern distinct markings more easily on the cartridge casings and link evidence for separate cases. Recent funding provided for software upgrades to the NIBIN network that has increased the efficiency of reviews by NIBIN users.

The ATF will continue to emphasize the program's focus on providing useful ballistic information in a timely manner for investigative action thus resulting in more referrals for prosecutions and impact on violent crime. The ATF is utilizing NIBIN along with other investigative tools and assets as part of an overall crime gun intelligence solution to effectively identify and target criminal shooters and their source of crime guns that are plaguing communities.

As part of this effort, the ATF established the NNCTC, a centralized facility capable of performing correlation reviews of ballistic images submitted by NIBIN sites anywhere in the United States. Correlation reviews are a critical function of the NIBIN process and are the means by which ballistic leads are determined for investigative use. The NNCTC accomplishes this on behalf of a NIBIN site to relieve that local facility of the labor and machinery costs associated with NIBIN. Moreover, the expertise and capability of the NNCTC's Correlation Review Specialists (CRS) and Firearms and Tool Mark Examiners allows lead generation turnaround time to be decreased to 24-48 hours where it might otherwise be more than a month left to the local site.

This consistent and timely turnaround of NIBIN leads provides investigators relevant and valuable information to identify and apprehend violent offenders more quickly. The NNCTC is currently reviewing correlations for over 120 NIBIN sites. Since the NNCTC opened in April 2016, it has provided over 195,000 investigative leads to law enforcement and has performed over 703,000 correlation reviews.

In addition to providing correlation review services, the NNCTC provides NIBIN training to the ATF's law enforcement partners. As of January 2022, the Training Center has provided training in NIBIN acquisition, correlation review, cartridge case triage, and NIBIN Authorized Trainer to over 1,500 individuals.

The ATF's NIBIN and NTC are two primary sources of crime gun data and are the pillars of every successful CGI program. NIBIN is the only interstate automated ballistic imaging network in operation in the U.S. and is available to every major population center in the U.S. as an essential lead generating tool to combat firearm violence. According to the Major Cities Chief's Association, ballistic imaging is one of the most useful federal resources. Due to the success of the program, the amount of NIBIN sites throughout the U.S has increased from (152) in FY 2015 to (250) in FY 2021 NIBIN allows firearm technicians and examiners to review digital images of shell casings and projectiles to determine if they were expelled from the same firearm, creating links between shootings and gun recovery events. By applying consistent protocols that emphasize prompt NIBIN processing, the ATF gives investigators actionable leads that result in faster identification and apprehension of violent offenders – often before they can commit further offenses.

The NTC, which is the sole entity able to trace firearms from manufacture to the point of first retail sale, also provides investigators valuable intelligence and leads. By tracing crime guns recovered by law enforcement, the ATF discerns patterns that aid in identifying the diversion of firearms into illegal commerce. The number of actionable leads has increased from (10,091) in FY 2015 to (104,206) in FY 2020, a 932 percent increase.

The ATF NNCTC performs timely ballistics analysis and correlation services as well as expert level training in ballistic image acquisitions and correlations reviews to Federal, state and local law enforcement partners. By providing this invaluable service, the NNCTC frees up local sites to perform other critical aspects of the NIBIN process, thereby increasing their ability to provide critical violet gun crime leads in investigators in a timely fashion. As of March 2021, the

NNCTC has conducted 478,639 correlation reviews resulting in over 128,009 leads to over (700) partner agencies while maintaining a 99.6 percent lead confirmation rate.

To enhance law enforcement, use of NIBIN investigative leads, the ATF created a web-based application known as the NIBIN Enforcement Support System (NESS) to collect, analyze, refer, track, and support NIBIN and other crime gun data. NESS facilitates information sharing between the ATF and its state and local law enforcement partners by providing intelligence to agents, investigators and intelligence specialists in the field. NESS can assist investigators identify the most active firearms being used in their areas. NIBIN leads target the most violent offenders regardless of gender, race or geographical location.

Additionally, the ATF has established several CGSFs and CGETs dedicated solely to intelligence-driven targeting of violent offenders and the timely follow-up of crime gun intelligence leads through proven protocols. CGSF and CGETs protocols align with the PSN initiative focus on reducing violent firearm crime and include the full range of CGI such as ballistic evidence, crime gun processing, timely lead generation, and robust and effective intelligence. Several of the ATF CGETs have state and local homicide investigators embedded with their groups to address the growing trend of firearm related homicides and violence.

#### **4. Firearms Industry Operations**

Besides the threat to public safety, illegal firearms negatively impact the firearms industry by stunting their legal sales as well as revenue introduced to the U.S. economy.

The ATF regulates the firearms industry from the point of manufacture or importation through retail sale to ensure FFL compliance with all applicable laws and regulations. The ATF implements appropriate accountability to safeguard industry inventories from theft through proactive inspection. In addition, the ATF regularly conducts training for FFLs with the intent to educate and encourage voluntary controls and foster cooperation with law enforcement officials.

As part of its regulatory role, the ATF determines which FFL applicants are eligible to engage in a firearms business. Upon determination, the ATF educates licensees on their legal responsibilities. Approved FFLs must maintain acquisition and disposition records of their inventory of firearms. The ATF has the authority to request information from these records to assist with criminal investigations.

Proper and timely recordkeeping by FFLs is critical for successful crime gun tracing and is required for all firearms transactions by licensees. Failing to account for firearms in inventory is a serious public safety concern since unaccounted firearms cannot be fully traced to the retail purchaser. The ATF's FFL inspection program uses information related to recovered firearms to detect indicators of illegal firearms trafficking. The ATF processes provides leads to investigators for inspection of specific dealers who may be violating federal laws intended to protect the American public.

Through this regulatory framework, the ATF tracks each firearm recovered in a crime from its point of manufacture or importation through the chain of distribution to the point of first retail sale, a process known as “tracing.” By tracing all crime gun recoveries submitted to the ATF, Investigators can discern patterns of firearms purchases, locations of purchase, and weapon types. These patterns provide invaluable leads in identifying persons who divert firearms into illegal commerce. By targeting these persons, the ATF stems the flow of illegal guns for convicted felons, drug traffickers, or gang members who commit violent crimes. Moreover, after connecting a firearm to an illegal gun trafficker, the ATF makes every effort to interdict and prosecute these individuals to prevent gun violence.

In FY 2021, the ATF completed approximately 6,721 FFL compliance inspections. As of FY 2021, there were 136,846 active FFLs in the U.S. Over the past five years, the ATF has assisted an average of 10,525 still active new business entities per year in their initial entry into the regulated firearms industry. That translates to 50 new businesses per workday. The ATF’s efforts establish lawful firearms businesses. It is expected that the industry will continue to grow based on high market demand.

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

## **5. Combat Criminal Organizations**

Criminal organizations threaten all communities across the U.S. Gangs remain key distributors of narcotics and are sophisticated and flagrant in their use of firearms for violence and intimidation. According to the 2015 National Gang Report (NGR), gang membership and gang-related crime continues to rise. The 2015 NGR highlighted current and emergent trends of violent criminal gangs in the U.S., and illustrated that gangs continue to commit violent and surreptitious crimes – both on the street and in prison – that pose a significant threat to public safety in most jurisdictions across the nation.

The ATF focuses its extensive and distinct investigative resources on areas experiencing the most violent crime. The ATF’s Strategy targets the most serious offenses, prosecuting the most dangerous criminals, directing assistance to crime ‘hot spots,’ and pursuing new ways to promote public safety, deterrence, efficiency, and fairness. The ATF developed strategies to address violent crime spikes and to execute operations intended to weaken and dismantle armed violent criminal organizations.

Each of the ATF’s 25 field divisions works collaboratively with their Federal, state, and local partners, as well as the U.S. Attorney’s Office. Partnership plays a vital role in combating violent gun crime. It allows law enforcement agencies to operate together with unity of effort to stem the flow of crime guns, investigate, and prosecute the offenders affiliated with criminal organizations and gangs who use them to commit violent crimes. Through partnerships, law

enforcement leaders coordinate missions, strategies, tactics, and intelligence to effectively prioritize and maximize impact on violent crime.

ATF CGSFs partner with Federal, state, and local law enforcement agencies to collect crime gun intelligence in cities identified by their high rates of violent gun crime. Crime gun tracing, along with NIBIN results and local agency police reports, are funneled to ATF CGICs to analyze and produce actionable intelligence. Once received, agents and officers form enforcement strategies to target, arrest, and prosecute the “trigger-pullers” and the illegal firearms traffickers who provide them with firearms.

## **6. Deter Misuse of Explosives, Bombs, and Bombings**

Criminal bombings and the illegal use of explosives are violent acts that threaten neighborhoods and communities, as well as national security at home and abroad.

The ATF strives to reduce violent crime involving the misuse of explosives; to assist state or local officers; to advance public safety and security; to deny the acquisition of explosive materials by statutorily prohibited persons; to remove hazards to the public caused by improper storage or use of explosive materials; and, to provide assistance to agencies in combatting terrorism and violent crime.

The ATF has aligned its mission, resources, and expertise with the National Strategy to Counter Improvised Explosives Devices (IEDs). The ATF manages the USBDC, which in turn is responsible for maintaining, and enhancing the outward facing Bomb Arson Tracking System, the statutorily mandated and Attorney General designated National arson and explosives incident repository and case management system. Currently, the USBDC has in excess of 2,500 interagency partners and 12,000 users of BATS who contribute arson and explosives intelligence and information for critical regional and national situational awareness.

The ATF is tasked with the responsibility and authority to inspect the storage of explosives by federal explosives licensees and to track thefts, losses, and recoveries of explosives. The ATF’s mission extends to ensuring only qualified and legitimate applicants enter the explosives industry and that licensees keep proper records and use sound business practices to help prevent theft, explosives incidents, or the diversion of explosives to criminal or terrorist purposes.

The ATF’s criminal enforcement mission, combined with the ATF’s regulatory responsibility, gives the ATF a comprehensive perspective on activity involving explosives in this country. This perspective allows the ATF to impact public safety through the identification and correction of explosives storage violations that, unchecked, could pose significant risk to the public.

## **7. Explosives Industry Operations**

Explosive materials diverted from legal commerce into the hands of criminal organizations and gangs, or terrorist organizations constitute a tangible threat to public safety and legal commerce.

The ATF's criminal and regulatory programs enforce federal explosives law and prevent criminals and terrorists from obtaining explosives for use in bombings.

On a three-year cycle, as required by the Safe Explosives Act, the ATF's IOIs conduct compliance inspections of approximately 9,400 explosives licensees and permittees nationwide to detect, investigate, and prevent diversion, and promote the safe and secure storage of explosives. The Federal Explosives Licensing Center screens license and permit applicants, in conjunction with the FBI, to ensure applicant eligibility to lawfully receive and use explosives. It further screens employees of such licensees and permittees to ensure prohibited persons do not have access to explosives.

## **8. Research Fire and Investigate Arson**

Loss of lives and property due to arson remains a significant threat to communities, businesses, and the American people. Under Title 18 of the United States Code, the ATF is designated as the Federal agency primarily responsible for enforcing criminal provisions of the federal laws related to fire investigations, conducting research to help investigators reconstruct fire and explosives incidents, and conducting financial investigations to identify illegal arson-for-profit schemes.

ATF SAs investigate potential acts of arson motivated by profit, ideology, or other criminal intent. Some of the more recent significant events the ATF has been called upon for its expertise include investigating fires that occurred during the civil unrest in the cities of Minneapolis, St. Paul, Chicago, and Kenosha. The ATF was also instrumental in investigating the fire that occurred on the USS Bonhomme Richard and the Conception dive boat fire that killed over thirty people. The ATF also trains Federal, state, local, and international law enforcement agencies on how to investigate and solve such crimes.

The ATF has primary Federal jurisdiction over the investigation of arson crimes and is uniquely equipped for this mission with specialized capabilities, expertise, and experience. The vast majority of fires are investigated at the local level. The ATF responds to fires of federal interest and to provide its specialized skills when needed by state and local authorities. In many cases, the unique knowledge, technical resources, forensic capabilities, and jurisdictional authority of the Federal Government are essential in solving arson related crimes and removing arsonists from a community. The ATF's combination of CFIs, accelerant detection canines, NRT, forensic laboratories, forensic auditors, fire prevention, electrical, and mechanical engineers, and the Fire Research Laboratory (FRL) provide comprehensive technical expertise for investigating arson crimes that is unmatched in the U.S. Additionally, the USBDC and BATS provide critical intelligence and information to the ATF and the interagency community related to occurrence of arson incidents both regionally and nationally.

## B. Investigative Support Services

<b>INVESTIGATIVE SUPPORT SERVICES</b>	<b>Perm. Pos.</b>	<b>FTE</b>	<b>Amount (\$000)</b>
2021 Enacted	1,194	1,179	349,307
2022 President's Budget	1,223	1,193	364,732
Adjustments to Base and Technical Adjustments	0	15	12,905
2023 Current Services	1,223	1,208	377,637
2023 Program Increases	30	16	17,292
2023 Program Decreases	0	0	0
2023 Request	1,253	1,224	394,929
<b>Total Change 2022-2023</b>	<b>30</b>	<b>31</b>	<b>30,197</b>

### **Delivery of the ATF's Forensic Expertise, Assets, and Intelligence Services to Improve**

#### **Public Safety**

The ATF continues to leverage, build, and rely on its partnerships with all law enforcement entities – Federal, state, local, tribal, and international law enforcement, public safety agencies, communities, and industries to prevent terrorism and abate violent crime. The ATF partners with these entities to safeguard the public through information and intelligence sharing, training, research, the use of technology, and by its lead role in the coordination of ESF-13.

Resources and activities that support the ATF's law enforcement operations comprise the Investigative Support Services (ISS) decision unit. Core activities include, but are not limited to:

1. Firearms and Explosives Licensing and Other Firearms Industry Services
2. Firearms Tracing
3. NCETR
4. USBDC
5. TEDAC
6. ATF Laboratories
7. Financial Investigations
8. Collaboration and Partnerships

9. ESF-13

10. Internet Investigations Center

NIBIN also enables information sharing by supporting transfer of CGI evidence to Federal, state, local, tribal and international law enforcement agencies. The NTC is responsible for tracing firearms recovered in crimes. As part of its public safety mission, the ATF issues licenses to individuals and businesses through the Federal Firearms Licensing Center, and the Federal Explosives Licensing Center supporting legal commerce of these regulated commodities. Information sharing activities include working with the TEDAC, the USBDC, and NCETR. The ATF is devoted to increasing U.S. capabilities at the Federal, state, and local level in detecting, deterring, and responding to arson and explosives incidents including criminal and terrorist bombings and explosives recovery incidents, which have a major impact on public safety.

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

The ATF issues licenses to legitimate firearms and explosives manufacturers, importers, and dealers. Under current regulations, the ATF is required to act upon firearms license applications within 60 days and explosives license application within 90 days of perfecting the application. During FY 2021, the ATF conducted 15,181 firearms application inspections and 923 explosives application inspections.

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

Market demand for NFA services continues to set annual records, which has resulted in an increased workload over the past several years. In FY2021, the ATF received over 689,822 NFA registration applications and processed 546,224 NFA registration and transfer applications. Much of the increase from prior fiscal years can be attributed to changes in several state laws that allow for the use of gun silencers for hunting purposes. In Fiscal Year 2021 NFA received the highest volume of taxpaid applications surpassing the previous record high year of 2016 following the 41F regulation change. NFA total revenue collections for FY 2021 was over \$87.8M. All tax revenue collected by the NFA as part of the Form 1 and Form 4 fees as well as that collected as part of the Special Occupational Tax (SOT) (including penalties and interest) is deposited into the General Treasury Fund. ATF receives no direct benefit from the tax revenue collected. The increase in overall firearms commerce continues to significantly increase the ATF’s workload and impact the ATF’s ability to meet internal and external performance targets.

The ATF regulates the importation of firearms, ammunition, and other defense articles by issuing import permits. The ATF also regulates the importation and possession of firearms and ammunition by non-immigrant aliens. The ATF maintains close liaison with the Department of State, Department of Defense, and U.S. Customs and Border Protection to ensure that the permits

issued do not conflict with the foreign policy and national security interests of the U.S. During FY2021, the ATF processed 12,290 import permit applications. The Attorney General has delegated to the ATF the authority to administer the permanent importation provisions of the AECA. Under the AECA, the ATF regulates the permanent importation of firearms, ammunition, and other defense articles into the U.S. The ATF processes applications to import items from domestic businesses, members of the U.S. military returning from abroad with personal firearms, non-immigrant aliens temporarily hunting or attending legal sporting activities in the U.S., and U.S. citizens re-establishing residency after living abroad. Through industry outreach and regulation, the ATF provides technical advice to the public regarding import requirements applicable to firearms, ammunition, and implements of war.

## **2. Firearms Tracing**

The ATF NTC traces firearms used or suspected to have been used in crimes for law enforcement to provide investigative leads. The NTC traces firearms annually for more than 7,000 Federal, state, and local law enforcement agencies. Firearms tracing is the sole function of the ATF and is critical to law enforcement in their efforts to link suspects to firearms in criminal investigations and to detect illegal firearms traffickers. In FY 2021, the NTC processed 548,186 firearms trace requests. The demand for timely and accurate trace data will continue in order to more quickly identify and apprehend the most violent firearms offenders. The NTC also operates a series of programs that relate to and support firearms tracing to include the eTrace Program, Multiple Sales for Handguns Program, FFL Theft Program, Interstate Theft Program, Out-of-Business Records Program, and Demand Letter Program.

The trace information allows the ATF to:

- Provide the requesting Federal, state, local, and tribal law enforcement agencies leads designed to help link suspects to firearms in criminal investigations.
- Identify illegal firearms traffickers through recurring patterns and trends indicative of illegal firearms trafficking.
- Analyze aggregate trace data, to help communities develop focused strategies and programs that address specific factors that contribute to gun-related crime.

Trace information and analysis is vital to solving violent crime and identifying illegal firearms trafficking trends.

## **3. NCETR**

Preventing the criminal use of explosives is one of the core missions of the ATF, and NCETR serves as the Bureau's primary source for explosives research, training, and intelligence. The ATF is the primary agency responsible for administering and enforcing the regulatory and criminal provisions of the federal laws pertaining to destructive devices, explosives, and bombs. The ATF has extensive expertise in the investigation and forensic analysis of explosives incidents arising from criminal use of explosives or terrorists' acts.

The ATF utilizes NCETR as the focal point of its role in the government-wide effort to safeguard the public from acts of violence utilizing explosives. NCETR provides basic and advanced explosives training and research that leverages lessons learned and best practices to safeguard the public and reduce deaths and injuries from explosives crimes and accidents and aligns this support with the national counter-IED effort. At NCETR, the ATF provides specialized training, techniques, and uses advanced technology and procedures to support forensic investigations and explosives enforcement.

Additionally, the ATF contributes greatly to the global Counter-IED (C-IED) efforts through a focus on the interoperability between public safety bomb technicians and explosives specialists with their military Explosives Ordnance Disposal (EOD) colleagues. This is accomplished through a well-established training program focusing on the identification, processing, and disposal of Homemade Explosives (HME), in partnership with the Department of the Army. EOD personnel from all branches of the armed forces attend the NCETR HME course prior to mobilization.

In partnership with the Department of the Army, NCETR also leads and coordinates the annual “Raven’s Challenge,” an interoperability exercise for public safety bomb squads and military EOD personnel at four locations across the country that involves realistic IED incident scenarios and live fire training.

NCETR also has oversight of the ATF’s National Canine Division (NCD) located in Front Royal, Virginia. ATF’s canine program is the only canine program in the U.S. supported by a laboratory and the first federally accredited explosive detection canine program. The ATF National Forensic Science Laboratories support the ATF NCD in the research and development of explosive and accelerant compounds and compositions for canine training, third party testing, instruction into the properties and chemical breakdown of accelerant and explosives, and support in all forensic related issues. The ATF NCD conducts evaluation and analysis of new and emerging facets within the explosives and accelerant detection canine arena and shares this vital information with its partners in a concerted effort to provide the best tools possible for safety and security in the fight against violent crime and terrorism. The ATF remains at the forefront of combating violent crime through such innovative programs as training explosives detection canines in the recognition of peroxide explosives and the standardized National Odor Recognition Testing.

The Explosives Research and Development Division (ERDD) at NCETR is an investment in scientific knowledge generation and technology development that allows the ATF to adapt and respond to changes to the ongoing threat posed by the criminal misuse of explosives. Meeting the challenges and embracing the opportunities of a dynamic future are not only indicative of high-quality research and development but are responsive to the needs of the Nation’s C-IED efforts. Current research partners include the National Counterterrorism Center, the Army Corps of Engineers, and the University of Alabama-Huntsville. In short, NCETR ERDD provides value by improving the safe storage and disposal of explosives and enhancing the prosecution of explosives cases to serve the ATF and the larger law enforcement community.

The integration of the ATF's Fire Investigation and Arson Enforcement Division (FIAED) is the most recent addition to NCETR. FIAED oversees the National Response Team Program, Certified Fire Investigator Program, Fire and Arson Investigation Training Programs, and the Arson and Explosives Criminal Investigative Analysis (Profiler) Program. These programs further support the ATF's efforts to identify, target, and dismantle criminal enterprises and other offenders that use fire or explosives in furtherance of violent criminal activity and investigate violators who use fire or explosives to damage or destroy property that affects interstate or foreign commerce.

The ATF's National Response Team is the only group of crime scene investigators in the world accredited by ISO and ANSI Standard 17020, allowing the NRT to render an opinion as to the origin and cause of fire or explosion. NCETR is in the process of also accrediting both its CES and CFI programs to both ISO and ANSI standards.

#### **4. USBDC**

In 1996, Congress passed Public Law 104-208, the 1997 Omnibus Consolidated Appropriations Act, directing the Secretary of the Treasury to establish a national repository of information regarding arson incidents and the actual and suspected criminal misuse of explosives throughout the United States. The Secretary of the Treasury, recognizing the ATF's expertise in the investigation of arson and explosives related incidents, tasked the ATF with carrying out this congressional mandate.

The Homeland Security Act of 2002 transferred the law enforcement duties and responsibilities of the ATF from the Department of the Treasury to the DOJ. In 2004, the Attorney General, acting under the statutory authority of Title 18, U.S.C., Section 846 (b), designated the ATF's BATS as the consolidated national repository for information related to arson and the suspected criminal misuse of explosives. The USBDC was then established and given the responsibility for management of BATS.

The USBDC is the repository for all United States explosive and arson data, and shares intelligence on explosives incidents, devices, terrorist groups, and fire incidents both domestically and worldwide. The USBDC contains the Bomb Arson Tracking System (BATS) which is provided to Federal, state, and local law enforcement agencies to document, report and archive activity regarding explosives, fire, and arson investigations. BATS currently has over 11,000 active users from 2,300 agencies. The USBDC also provides explosives tracing to law enforcement agencies worldwide as well as records for the theft and recovery of explosives.

BATS is a web-based case management system that allows investigators across the country to capture details of bomb and arson cases, including the area of origin or device placement, casualties, financial loss, fire descriptors, collateral crimes, device components, and descriptions and photographs of how the device was constructed and delivered. BATS also allows investigators to build cases in the BATS application while maintaining critical operational security of their information. Images of arson and explosive scenes can be shared through the

BATS secure web connection. Currently the USBDC has over 2,600 interagency partners and supports over 12,000 users of BATS.

The USBDC Arson & Explosive Intelligence Division collects, analyzes, and disseminates timely information and relevant tactical and strategic intelligence within the ATF, and to external Federal, state, local, tribal, military, and international partners. The USBDC provides statistical analysis of current trends and patterns to aid in the detection, deterrence and prevention and prosecutorial support related to arson and the criminal misuse of explosives. The USBDC is available to assist other Federal, state, and local law enforcement and fire service investigators with arson and explosives investigations. The USBDC is staffed with ATF SAs, IRSs, an IOI, and support personnel who are all experienced in arson and explosives related investigations.

The USBDC also provides explosives tracing services to duly authorized law enforcement agencies across the United States and in many foreign countries. Tracing is the systematic tracking of explosives from manufacturer to purchaser (or possessor) for the purpose of aiding law enforcement officials in identifying suspects involved in criminal violations, establishing stolen status, and proving ownership. The creation of the National Repository has achieved for these industries, as well as law enforcement, the most proficient and productive method for researching the movement of an explosive. Explosives manufacturers, importers, wholesalers, and retail dealers in the United States and foreign countries cooperate in the tracing endeavor by providing, on request, specific information from their records of manufacture, importation, or sale. Because of its licensing authority, the ATF is the only Federal agency with authorized access to these records.

## **5. TEDAC**

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

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

## 6. ATF Laboratories

The ATF laboratory system comprises three traditional forensic science laboratories (FSLs) and a fire research laboratory (FRL) that provide direct support to ATF SAs and other federal and state law enforcement agencies in the investigation of violent crimes and other potential threats to public safety. ATF scientists and engineers play an integral role supporting violent crime investigations, often times providing the critical links between the crimes and the suspects or providing a lead to a previously unknown suspect.

All ATF laboratories are accredited by the ANSI National Accreditation Board (ANAB) to the ISO 17025 (2017) standard. In addition, the Forensic Science Laboratory-Washington meets the requirements of the FBI Quality Assurance Standards for Forensic DNA Testing Laboratories. The ATF Laboratories support investigations through the scientific analysis of evidence; providing technical support at fire, explosion and shooting scenes; providing training to ATF SAs, prosecutors, and state and local law enforcement and forensic scientists in these areas; supporting the prosecution of violent criminals by providing expert testimony; and conducting scientific research to enhance forensic capabilities. FSL and FRL experts support the ATF's National and International Response Teams (NRT and IRT) and provide training and support to the ATF's explosives and accelerant detection canine programs, homemade explosives (HME) courses, the National Firearms Examiners Academy, fire debris analysis courses, as well as other specialized areas of instruction.

The FSLs maintain a unique expertise in areas supporting criminal investigations involving firearms, explosives and suspected arson. The laboratories' Forensic Chemists provide chemical and physical analyses of bombs, improvised device components, fire debris, and trace evidence. The ATF laboratories have developed unsurpassed expertise in the specialized area of touch DNA analysis, in which low levels of DNA can be recovered from firearms, bombs, and other tools of violent criminals. The ATF's capabilities in the area of latent print examination and tool mark analysis focus on providing links between the evidence recovered from violent crimes and the perpetrators of the acts. The ATF laboratories are world leaders in the applications of forensic science to the types of evidence encountered in violent crimes investigated by the ATF.

The Fire Research Lab (FRL) is staffed with fire protection engineers, mechanical engineers, electrical engineers and technicians, and is the only laboratory of its kind in the world dedicated to the specific needs of the criminal fire investigation community. It provides the necessary facilities, equipment, and staff to support complex criminal fire investigation issues. Forensic examinations include fire scene reconstructions, flashover determination, validation of fire pattern indicators, impacts of accelerants on fire growth and spread, ignition studies and electrical fire cause analysis.

In FY 2021, the ATF's laboratories accomplished the following:

- Received 1,584 requests for analysis and testing.
- Completed analysis on 1,349 forensic cases (FSL).
- Performed 237 laboratory case testing experiments (FRL).

- Performed 495 laboratory research testing experiments (FRL).
- Provided 91 days of expert testimony in the courts.
- Worked 332 days at crime scenes.
- Provided 464 days of training for Federal, state, and local investigators and examiners.

Some figures may be lower compared to prior fiscal years due to the COVID pandemic.

## **7. Financial Investigations**

The Financial Investigative Services Division (FISD) supports approximately 450 criminal financial investigations, an average of over 10 cases per employee, annually. The ATF's forensic auditors are experts in the field of forensic accounting and financial investigations. They conduct comprehensive and complex financial investigations for SAs in support of criminal investigations and document appropriate financial criminal charges to further the prosecution in these cases.

In addition to identifying financial charges, ATF forensic auditors assist in developing additional investigative leads and co-conspirators through the financial records and they quantify purchases, sales, losses, and profits for criminal investigations. These cases include arson-for-profit, firearms and firearms associated narcotics trafficking cases, contraband cigarette trafficking, the use of explosives and bombings in the furtherance of financial frauds, counterterrorism, threats to public safety, investigations into gang and other organized criminal enterprises, and complex investigations involving both domestic and international money laundering.

These complex investigations often involve criminal organizations, multiple subjects and their businesses, varied and numerous money laundering schemes, asset identification, and forfeiture. The ATF's forensic auditors also assist other directorates and offices within the Bureau on office reviews, special projects, PACT Act and regulatory inspections and other requests for assistance.

## **8. Collaboration and Partnerships**

The ATF is engaged in many cooperative agreements, collaborations, and partnerships with other Federal agencies, private industry, and in the international arena. For example, the ATF is fully engaged with and provides support to government anti-terrorism efforts, especially the FBI-led Joint Terrorism Task Forces (JTTFs). The ATF participates in JTTFs and assigns one ATF special agent to the National JTTF at the National Counter-Terrorism Center. In working with the JTTF, the ATF plays an important part in terrorism cases that involve firearms, bombs, illegal explosive possession.

The ATF furthers fulfillment of its mission by participating in other multi-agency efforts such as High Intensity Drug Trafficking Areas, High Intensity Financial Crime Areas, and the Organized Crime Drug Enforcement Task Force. Through these partnerships, ATF plays a major role in the prevention and investigation of violent firearms crimes involving criminal organizations and gangs, and provides direct investigative expertise to criminal explosives, arson incidents, and

threats. These collaborative efforts also make the ATF a key component in combating organized crime that threatens U.S. national and economic security.

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

The ATF's International Affairs Division (IAD) is at the forefront in the ATF's mission of combatting violent crime and other threats to public safety. The IAD's primary mission is to protect the public against crimes of violence by conducting and coordinating investigations involving transnational criminal organizations. The IAD's international offices are strategically positioned to extend the ATF's reach beyond U.S. borders and enable the ATF to combat violent crime before it reaches the United States. The IAD serves to further the ATF's mission and protect U.S. policies and interests by focusing personnel and resources primarily in the Western Hemisphere. The ATF has offices in Mexico, El Salvador, Canada, Bahamas, and Jamaica. Additionally, the ATF has representation at Europol in the Netherlands.

Through partnerships with such agencies as the International Narcotics and Law Enforcement Affairs, the International Criminal Investigative Training Assistance Program, and the Office of Overseas Prosecutorial Development (OPDAT), the ATF's IAD is able to provide capacity building, specialized training, and facilitate information sharing with foreign partners. The ATF's IAD also partners with the DOJ International Law Enforcement Academy (ILEA) to provide expert and specialized training to participating countries throughout the world. The IAD's participation in the ILEA program allows the ATF to train foreign law enforcement in many uniquely ATF areas such as post-blast investigations, arson investigations and fire science, firearms and explosives identification techniques, and international firearms trafficking investigation techniques. This specialized training helps better facilitate information sharing and assists foreign law enforcement in developing sound investigative skills and programs.

## **9. Emergency Support Function-13**

Ensuring the safety and protection of the public is a critical service needed in the aftermath of any disaster. The ATF is the Department's lead agency for management of Emergency Support Function-13 (ESF), one of 15 emergency support functions established by the National Response Framework (NRF). The close relationships the ATF has developed and maintains across the law enforcement and first responder communities are crucial to provide fast, effective, and appropriate resources when needed an emergency or major disaster.

Through ESF-13, federal law enforcement assets are directed to assist Federal, state, territorial, local, and tribal authorities with public safety and security-related missions ranging from serious but purely local incidents to large-scale terrorist attacks or catastrophic disasters. All ESF-13 responses are a collaborative effort among partner law enforcement agencies, but the ATF is

ultimately responsible for maintaining a robust national capability to perform the functions outlined in the ESF-13 Annex to the NRF. The ATF is required to do the following:

- Conduct ESF-13 law enforcement planning for the 50 states, District of Columbia, five territories, and federally recognized tribes.
- Maintain liaison and build relationships with Federal, state, territorial, and local and tribal law enforcement agencies, FEMA, emergency operations centers, and other first responders in all 10 FEMA regions.
- Conduct national and regional interagency training.
- Assess shortfalls in state and local capabilities.
- Participate in annual national emergency exercises.
- Participate in planning activities and other regional meetings.
- Activate and respond, when necessary, to support the Federal Government response to emergencies, major disasters, or acts of terrorism.
- Provide personal protection equipment and officer safety equipment to all responding federal law enforcement officers in support of ESF-13.
- Maintain a robust logistical capability to move personnel and equipment in support of the Federal Government response to emergencies, major disasters, or acts of terrorism.
- Maintain robust situational awareness to ensure all personnel are properly informed of ESF-13 status and the condition of public safety and security in the disaster area.

The ATF supports operational travel of ESF-13 headquarters and regional staff for mandated activities throughout the year. Since 2014, ESF-13 has participated in 38 national activations, deployed over 6,000 personnel, and provided over \$125 million in mission assignment funding. ESF-13 has participated in 526 federal and state exercises and 908 federal and state trainings. In the 10 FEMA regions, ESF-13 has participated in 178 Regional Interagency Steering Committee meetings. ESF-13 personnel have been involved in 3,162 federal planning and liaison meetings and 1,756 state planning liaison meetings.

## **10. Internet Investigations Center (IIC)**

The IIC is staffed with federal agents, legal counsel, and investigators. It conducts and coordinates multi-jurisdictional operations and provides investigative direction to disrupt and dismantle online criminal activity within the ATF's enforcement and regulatory jurisdiction. The IIC uses investigative and analytic techniques to identify domestic and international offenders and the associations among them.

The ATF established the IIC to track illegal online firearms trafficking and to provide actionable intelligence to agents in the field related to FFL burglaries, arson, firearms trafficking and violent crime. The IIC has already identified a number of significant traffickers operating over the Internet; its work has led to prosecutions against individuals and groups using the dark web to traffic guns to criminals or attempting to buy firearms illegally online. The IIC also investigates

buyers and sellers who use the Internet to facilitate illegal firearms transactions, both the surface web and the dark web. For example, to identify an anonymous user on the dark web, the IIC works to establish a user's "digital footprint" on the surface web.

In 2016, the IIC also issued a report about Internet firearm transactions. This report and others highlighted various aspects of Internet-facilitated firearm transactions:

- The relative anonymity of the Internet makes it an ideal means for prohibited individuals to obtain illegal firearms.
- The more anonymity employed by a firearms purchaser, the greater the likelihood that the transaction violates federal law.
- Firearm transactions that occur on the dark web is more likely to be completed in person, by mail, or by common carrier, rather than through an FFL.

Similarly, ATF personnel constantly scan for Internet-based threats of violence, particularly those involving "soft" targets like schools and houses of worship. With great sense of urgency, IIC personnel make all attempts to identify the person making the threat, locate the individual as best possible, and immediately refer to law enforcement where the individual is located. The ATF has no federal jurisdiction related to these threats; the local field office works jointly and closely with appropriate law enforcement agencies.

The IIC also provides comprehensive investigative and intelligence support to ATF field divisions on matters relating to Internet-based criminal activity within ATF's jurisdiction. Support includes technical online investigative tasks and legal support for Internet-related warrants and subpoenas. The IIC also serves as the single deconfliction point for online investigations both internally within the ATF and externally with other agencies.

## C. Performance Tables

<b>Decision Unit: Law Enforcement Operations</b>													
<b>DOJ Strategic Goals &amp; Objectives:</b> <u>Goal 1:</u> Protect National Security <u>Objective 1.1:</u> Protect the American people from international and domestic terrorism <u>Goal 3:</u> Enforce Federal Laws that Protect Public Safety and Economic Security <u>Objective 3.1:</u> Reduce Violent Crime													
<b>PERFORMANCE AND RESOURCES TABLE</b>													
<b>Decision Unit: Law Enforcement Operations/Investigative Support Services</b>													
WORKLOAD/RESOURCES		Target		Actual		Projected		Projected		Changes		Requested (Total)	
		FY 2020		FY 2020		FY 2021		FY 2022		Current Services Adjustments and FY 2023 Program Change		FY 2023 Request	
Total Costs and FTE		FTE	\$,000	FTE	\$,000	FTE	\$,000	FTE	\$,000	FTE	\$,000	FTE	\$,000
Law Enforcement Operations Strategic Objective 1.1		1,252	343,571	1,179	331,987	880	260,953	892	273,638	49	34,010	941	307,648
Law Enforcement Operations Strategic Objective 3.1		2,659	730,089	2,623	738,939	2,948	873,627	2,985	916,091	166	113,860	3,151	1,029,951
<b>Total Costs</b>		<b>3,911</b>	<b>1,073,660</b>	<b>3,802</b>	<b>1,070,926</b>	<b>3,828</b>	<b>1,134,580</b>	<b>3,877</b>	<b>1,189,729</b>	<b>215</b>	<b>147,870</b>	<b>4,092</b>	<b>1,337,599</b>
OUTCOME Measure	Impact the threat to public safety caused by illegal firearms trafficking.	102		103.2		102		102		0		102	
OUTCOME Measure	Impact the threat to public safety caused by criminal possession and use of firearms.	101		94.1		101		101		0		101	
OUTCOME Measure	Impact the threat to public safety caused by criminal organizations.	98		99.8		98		98		0		98	
OUTCOME Measure	Impact the threat to public safety caused by bombs and explosives.	99		84.6		99		99		0		99	
OUTCOME Measure	Impact the threat to public safety caused by the criminal use of fire.	102		89.7		102		102		0		102	
OUTCOME Measure	Improve public safety by increasing compliance with Federal laws and regulations by firearms industry members.	91		63.7		91		91		0		91	
OUTCOME Measure	Improve public safety by increasing compliance with Federal laws and regulations by explosives industry members.	102		101.6		102		102		0		102	

PERFORMANCE AND RESOURCES TABLE										
Decision Unit: Law Enforcement Operations/Investigative Support Services										
Performance Report and Performance Plan Targets		2017	2018	2019	2020		2021		2022	2023
		Actual	Actual	Actual	Target	Actual	Target	Actual	Target	Target
OUTCOME Measure	Impact the threat to public safety caused by illegal firearms trafficking.	103.6	98.5	99.1	102	103.2	102	99.1	102	102
OUTCOME Measure	Impact the threat to public safety caused by criminal possession and use of firearms.	108.1	96.6	89.3	101	94.1	101	88.2	101	101
OUTCOME Measure	Impact the threat to public safety caused by criminal organizations.	98.3	98.6	98	98	99.8	98	96.9	98	98
OUTCOME Measure	Impact the threat to public safety caused by bombs and explosives.	107.1	104.3	105.8	99	84.6	99	95.1	99	99
OUTCOME Measure	Impact the threat to public safety caused by the criminal use of fire.	101.7	102	102.6	102	89.7	102	104.4	102	102
OUTCOME Measure	Improve public safety by increasing compliance with Federal laws and regulations by firearms industry members.	99.4	101.2	101.1	91	63.7	91	94.1	91	91
OUTCOME Measure	Improve public safety by increasing compliance with Federal laws and regulations by explosives industry members.	103.4	102.3	104.6	102	101.6	102	103.8	102	102

PERFORMANCE AND RESOURCES TABLE													
Decision Unit: Investigative Support Services													
<b>DOJ Strategic Goals &amp; Objectives:</b> <b>Goal 1: Protect National Security</b> <b>Objective 1.1: Protect the American people from international and domestic terrorism</b> <b>Goal 3: Enforce Federal Laws that Protect Public Safety and Economic Security</b> <b>Objective 3.1: Reduce Violent Crime</b>													
PERFORMANCE AND RESOURCES TABLE													
Decision Unit: Investigative Support Services													
WORKLOAD/RESOURCES		Target		Actual		Projected		Projected		Changes		Requested (Total)	
		FY 2020		FY 2020		FY 2021		FY 2022 Request		Adjustments and FY 2023 Program Change		FY 2023 Request	
<b>Total Costs and FTE</b>		<b>FTE</b>	<b>\$,000</b>	<b>FTE</b>	<b>\$,000</b>	<b>FTE</b>	<b>\$,000</b>	<b>FTE</b>	<b>\$,000</b>	<b>FTE</b>	<b>\$,000</b>	<b>FTE</b>	<b>\$,000</b>
Law Enforcement Operations Strategic Objective 1.1		380	104,429	358	100,912	271	80,341	274	83,888	7	6,945	282	90,834
Law Enforcement Operations Strategic Objective 3.1		809	221,911	797	224,609	908	268,966	919	280,844	24	23,252	942	304,095
<b>Total Costs</b>		<b>1,189</b>	<b>326,340</b>	<b>1,155</b>	<b>325,521</b>	<b>1,179</b>	<b>349,307</b>	<b>1,193</b>	<b>364,732</b>	<b>31</b>	<b>30,197</b>	<b>1,224</b>	<b>394,929</b>
OUTCOME Measure	Impact the threat to public safety caused by illegal firearms trafficking.	102		103.2		102		102		0		102	
OUTCOME Measure	Impact the threat to public safety caused by criminal possession and use of firearms.	101		94.1		101		101		0		101	
OUTCOME Measure	Impact the threat to public safety caused by criminal organizations.	98		99.8		98		98		0		98	
OUTCOME Measure	Impact the threat to public safety caused by bombs and explosives.	99		84.6		99		99		0		99	
OUTCOME Measure	Impact the threat to public safety caused by the criminal use of fire.	102		89.7		102		102		0		102	

OUTCOME Measure	Improve public safety by increasing compliance with Federal laws and regulations by firearms industry members.	91	63.7	91	91	0	91
OUTCOME Measure	Improve public safety by increasing compliance with Federal laws and regulations by explosives industry members.	102	101.6	102	102	0	102

**PERFORMANCE AND RESOURCES TABLE**

**Decision Unit: Investigative Support Services**

Performance Report and Performance Plan Targets		2017	2018	2019	2020		2021		2022	2023
		Actual	Actual	Actual	Target	Actual	Target	Actual	Target	Target
OUTCOME Measure	Impact the threat to public safety caused by illegal firearms trafficking.	103.6	98.5	99.1	102	103.2	102	99.1	102	0
OUTCOME Measure	Impact the threat to public safety caused by criminal possession and use of firearms.	108.1	96.6	89.3	101	94.1	101	88.2	101	0
OUTCOME Measure	Impact the threat to public safety caused by criminal organizations.	98.3	98.6	98	98	99.8	98	96.9	98	0
OUTCOME Measure	Impact the threat to public safety caused by bombs and explosives.	107.1	104.3	105.8	99	84.6	99	95.1	99	0
OUTCOME Measure	Impact the threat to public safety caused by the criminal use of fire.	101.7	102	102.6	102	89.7	102	104.4	102	0
OUTCOME Measure	Improve public safety by increasing compliance with Federal laws and regulations by firearms industry members.	91.8	101.2	101.1	91	63.7	91	94.1	91	0
OUTCOME Measure	Improve public safety by increasing compliance with Federal laws and regulations by explosives industry members.	103.4	102.3	104.2	102	101.6	102	103.8	102	0

**DOJ Strategic Plan Key Performance Measures (ATF Specific)**

**Attorney General Priorities: Goal 3, Objective 3.1; Goal 4, Objective 4.3**

<b>Attorney General Priorities</b>			<b>FY 2021 Baseline</b>	<b>FY 2022 Target</b>	<b>FY 2023 Target</b>
Objective 3.1	Agency Priority Goal	Increasing the percentage of urgent firearm trace requests completed within 48 hours to 95% from a 2020 baseline of 83.4%	83.4%	95.0%	95.0%
Objective 3.1	Agency Priority Goal	Increasing the percentage of firearms cases that target traffickers or other large-scale enterprises to 39% from a 2021 baseline of 29%	29.0%	34.2%	39.0%
Objective 3.1	Agency Priority Goal	Increasing the number of inspections of federal firearms licensees to 7,410 from a 2021 baseline of 6,721.	6,721	7,061	7,410
Objective 4.3	Performance Measure and Agency Priority Goal	Percent of federal law enforcement agents who receive Use of Force Sustained Training within a 3-year period	100.0%	95.0%	95.0%
Objective 4.3	Performance Measure and Agency Priority Goal	Percent of federal law enforcement officers equipped with Body Worn Cameras (BWCs), and associated training	5.5%	38.0%	38.0%

## D. Performance, Resources, and Strategies

### 1. Performance Plan and Report for Outcomes

The ATF Performance Index is a management tool that helps facilitate informed decision-making regarding the ATF's priorities, activities, and resources. The Performance Index aligns the ATF's budget decision units with the Bureau's strategic goals, core functions, and performance goal measures provide comprehensive tracking and measurement of performance across the Bureau by:

- Summarizing related facts (indicators) into a single outcome (performance goal measure) to show impact, effectiveness, and progress towards established goals (targets).
- Collecting trend analysis over time of the impact and effectiveness of performance goal measures (outcome) relative to the established base year.

### 2. Strategies to Accomplish Outcomes

The ATF's strategies to investigate and prevent violent crime are focused under Frontline. The ATF develops customized strategies within each of its 25 field divisions based on assessments of the most significant violent crime threats within their areas of responsibility. The assessments factor in emerging crime trends, significant criminal activity, issues faced by local industry members, the proximity and priorities of federal, state, local and other external partners, available ATF resources, as well as, unique data and intelligence developed by the ATF, and other intelligence and crime-related data available through federal, state and local partners. All of this information is used to plan the best use of resources at the local and national level for the greatest impact to reduce violent crime and safeguard the public.

### 3. Annual Priority Goals

Upon its completion of the FY 2022 – FY 2026 DOJ Strategic Plan, the Department will have official Priority Goals.

## V. Program Increases by Item

<b>Item Name:</b>	<b>IOI Regulatory Enforcement and Diversion Control</b>
Strategic Goal:	TBD at a later date per JMD guidance
Strategic Objective:	TBD at a later date per JMD guidance
Budget Decision Unit(s):	Law Enforcement Operations (LEO)

## Investigative Support Services (ISS)

Organizational Program: Diversion of Firearms from Legal Commerce  
Tobacco Diversion

Program Increase: Positions 183 Agt/Atty 2 FTE 92 Dollars \$20,137,000

### **Description of Item**

The ATF is requesting an increase of \$19.3 million and 183 positions to improve inspections and oversight of Federal Firearms Licensees (FFLs). The request includes 160 industry operations investigators, 1 Attorney and 8 additional support staff to address the ability of the ATF to increase FFL inspections. As part of its primary mission to combat violent firearms crime and protect the public, the ATF is responsible for licensing persons engaged in manufacturing, importing, and dealing in firearms. The ATF also ensures that those who are licensed to engage in those businesses do so in compliance with applicable laws and regulations. The ATF is requesting a program enhancement to increase the number of IOIs who will conduct inspections, regulatory oversight and outreach to the FFLs in order to ensure compliance with provisions of the Gun Control Act.

The ATF is also using the requested increase to fund 12 positions for Firearms Enforcement Officers (FEOs) an additional attorney, and a paralegal specialist for the increased field case workload associated with PMFs, 3D Printed firearms, and “Stabilizing Braces.”

### **Justification**

#### *Regulating the Firearms Industry*

In 2020, there were more than 20,000 homicides using a firearm, leading it to outpace the next highest recent year, 2017, by more than 3,600 homicides. The rise resembles other alarming trends: last year, the United States saw the highest one-year increase in homicides since it began keeping records, with the country’s largest cities suffering a 30 percent spike. Gunshot injuries also rose dramatically, to nearly 40,000, over 8,000 more than in 2017. FFLs play a key role in safeguarding the public from violent firearm crimes by maintaining accurate records, instituting internal controls, and performing background checks on potential firearms purchasers. The ATF partners with the industry through the IOIs educating the FFLs and advocating for best practices to prevent firearms related crimes and to ensure the traceability of firearms when crimes do occur. The IOIs conduct inspections of FFLs to ensure compliance with applicable federal, state and local laws and regulations, and educate licensees on the specific requirements of those laws and regulations. IOIs also review the required records kept by FFLs to identify individuals potentially associated with trafficking firearms or involved in other criminal activity. Compliance inspections assist to ensure traceability of crime guns is maintained. The information obtained during these

inspections, paired with additional crime gun intelligence, allows law enforcement to identify traffickers and associates, disrupt the shooting cycle, and reduce violent crime.

With an increase of FFLs and other program initiatives, coupled with the inevitable attrition of IOIs, the need for additional personnel and resources is evident. The number of field IOIs conducting inspections has declined during the previous four years, from 626 in 2017, 624 in 2018, 607 in 2019, and 565 in 2020.<sup>3</sup> With the current IOI academy class it has increased to 577. This number reflects the number of IOIs assigned to field offices and conducting inspection of the regulated firearms and explosives industries. The number of active FFLs continues to increase currently with 136,846 holding a license, of which 83,467 are engaged in the business of dealing, pawnbroking, manufacturing or importing firearms. In addition to regulating the firearm industry, IOIs also regulate the explosives industry with 9,054 active federal explosives permittees and licensees.

In FY 2021, the IOIs were able to conduct 6,721 firearm compliance inspections while also conducting 15,181 firearm qualification inspection for those applicants looking to become licensed with the ATF. In addition, the IOIs also conducted 3,672 explosive compliance inspections. Over the previous five fiscal years, the ATF on average inspects 12.6 percent of FFLs annually, not including collectors. For the ATF to have 100 percent inspections on all 83,467 licensed business entities, each IOI would have to conduct approximately 133 inspections per year or about one inspection every 2 business days. This is an impossibility given that a large number of FFLs have sufficient volume as to require multiple IOIs to conduct the inspection over the course of several days. This also does not account for the ATF’s requirement to conduct explosive compliance inspections or qualifying inspection for FFL and FEL applicants. The ATF utilizes CGI to better prioritize which FFLs are inspected, however; the prioritization of these inspections has caused many FFLs to go years between inspection.

Fiscal Year	Inspections	Licensed Business Entities*	Percent Inspected
2016	9,790	80,119	12.2%
2017	11,009	80,493	13.7%
2018	10,323	80,055	12.9%
2019	13,079	78,100	16.7%
2020	5,827	77,740	7.5%

\*Does not include Collector of Curio and Relics (Type 03)

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*PMFs, 3D Printed Firearms, and “Stabilizing Braces”*

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<sup>3</sup> The numbers referenced include all GS-13 and below IOIs assigned to field offices.

This program enhancement requests 12 FEOs, an additional attorney, and a paralegal specialist for the increased field case workload associated with PMFs, 3D Printed firearms, and “Stabilizing Braces.”

Complex criminal cases associated with PMFs have increased by 42 percent through FY 2020 and FY 2021. This increase does not include other firearm exhibits. The ATF is seeing a significant increase in the recovery of non-serialized firearms during criminal investigations and firearms being made using 3D printers. Additive (3D) manufacturing has increased in popularity and the designs are very complex and require the expertise of FEOs to identify the manufacturing techniques and classify the firearms according to current law. Many of the PMFs are found disassembled to avoid detection which requires trained firearm experts (FEOs) to identify and classify in criminal prosecution. The workload and demand for FEOs to support ATF Field Operations and other federal agencies in support of PMF criminal cases, search warrants, mass shootings, and training new Special Agents and IOIs is overwhelming. Firearm Enforcement Officer positions are essential in meeting the real time need now and in the future for Violent Crime Gun cases. The FEOs are very specialized technical positions that require approximately 24-36 months before certified to perform operational tasks independently. FEOs are subject matter experts with all firearms and ammunition as defined in the law.

Possession of PMFs, whether through weapons kits or 3D printing, by prohibited persons increases the possibility or likelihood of their usage in violent incidents, thus endangering the public and law enforcement. On May 7, 2021, the Attorney General signed ATF proposed rule 2021R-06, “Definition of “Frame or Receiver” and Identification of Firearms,” that would amend ATF’s regulatory definition of a firearm to “(A) any weapon (including a starter gun) which *will or is designed to or may readily be converted* to expel a projectile by action of an explosive.” The proposed rule amends the definition of a firearm to include the kits referenced above as well as require FFLs to appropriately mark PMFs that are transferred into their inventory.

On June 7, 2021, the Attorney General signed ATF proposed rule 2021R-08, “Factoring Criteria for Firearms with Attached ‘Stabilizing Braces,” that would amend the ATF’s regulations to clarify when a rifle is “intended to be fired from the shoulder.” The proposed rule outlines the factors the ATF would consider when evaluating firearms equipped with a purported “stabilizing brace” to determine whether these weapons would be considered a “rifle” or “short-barreled rifle” under the Gun Control Act of 1968, or a “rifle” or “firearm” subject to regulation under the National Firearms Act.

### **Impact on Performance**

To set strategic enforcement priorities, the request for an additional 160 IOI positions would provide the ATF with the necessary resources to work towards achieving a 5-year inspection cycle of FFLs. These inspections ensure traceability of crime guns is maintained and that firearms are kept out of the hands of prohibited individuals. IOIs also educate licensees in proper recordkeeping and business practices during the inspection process. Additional resources will ensure FFLs are regularly inspected to identify and prevent illegal firearm trafficking, thus

working to reduce violent firearms crimes in communities. It will also ensure non-compliant FFLs are brought into compliance and addressed through administrative actions. The additional 160 IOIs will improve public safety consistent with the Department's values – the true measure of success.

The ATF projects a need of 889 IOIs assigned to field offices to reach a balance of ensuring mandated work is completed and current FFLs receive a compliance inspection at least every 5 years. This estimate assumes the licensed population remains at current levels and does not change substantially. Consistently, as in the past five years, the top two violations IOIs have cited FFLs during compliance inspections have been failure to maintain an accurate, complete, and timely acquisition and disposition (A&D) record of firearms and failure to obtain a completed ATF Form 4473, Firearm Transaction Form. These top two violations demonstrate that FFLs need to be held accountable with routine compliance inspections. This can only be achieved with additional IOIs to conduct the compliance inspections. Properly maintaining firearm records is critical for completing an urgent firearm trace in order to quickly identify an individual responsible for a violent crime and expeditiously apprehend him or her before any further risk to public safety can occur.

## Funding

### 1. Base Funding

FY 2021 Enacted				FY 2022 President's Budget				FY 2023 Current Services			
Pos	Agt/ Atty	FTE	Amount (\$000)	Pos	Agt/ Atty	FTE	Amount (\$000)	Pos	Agt/ Atty	FTE	Amount (\$000)
700	0	700	110,254	700	0	700	110,254	700	0	700	110,254

### 2. Personnel Increase Cost Summary

Type of Position/Series	FY 2023 Request (\$000)	Positions Requested	Full Year Modular Cost per Position (\$000)	Annualizations (\$000)			
				1st Year	2nd Year	FY 2024 (net change from 2023)	FY 2025 (net change from 2024)
General Investigative (1800-1899) (FFL Inspections)	17,540	160	171.9	109.6	62.0	9,923	9,755
Miscellaneous Operations (0001-0099) (FFL Inspections)	568	8	129.1	71.0	74.4	595	576
Attorneys (0905) (FFL Inspections)	245	2	217.5	122.8	90.3	148	144
Paralegals / Other Law (0900-0999) (FFL Inspections)	71	1	129.1	71.0	74.4	74	72
Firearms Enforcement Officers (FEOs) (FFL Inspections) (1801)	852	12	129.1	71.0	74.4	893	864
<b>Total Personnel</b>	<b>19,276</b>	<b>183</b>				<b>11,633</b>	<b>11,411</b>

### 3. Non-Personnel Increase/Reduction Cost Summary

Non-Personnel Item	FY 2023 Request	Unit Cost (\$000)	Quantity	Annualizations (\$000)
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	(\$000)			<b>FY 2024 (net change from 2023)</b>	<b>FY 2025 (net change from 2024)</b>
FEO Operations	861			431	0
<b>Total Non-Personnel</b>	<b>861</b>			<b>431</b>	<b>0</b>

**4. Justification for Non-Personnel Annualizations**

N/A

**5. Total Request for this Item**

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/ Atty	FTE	Personnel	Non- Personnel	Total	FY 2024 (net change from 2023)	FY 2025 (net change from 2024)
Current Services	700	0	700	71,665	38,588	110,254	130,146	141,348
Increases	183	2	92	19,031	861	19,892	11,202	11,411
<b>Grand Total</b>	<b>883</b>	<b>2</b>	<b>792</b>	<b>90,696</b>	<b>39,449</b>	<b>130,146</b>	<b>141,348</b>	<b>152,759</b>

**6. Affected Crosscuts: National Security, Violent Crime, & Gun Safety**

**Item Name:** **Combating Gun Violence**

Strategic Goal: **To be determined at a later date per JMD guidance**

Strategic Objective: **To be determined at a later date per JMD guidance**

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

Organizational Program: Firearms Criminal Possession and Use  
Illegal Firearms Trafficking

Program Increase: Positions 148 Agt/Atty 124 FTE 124 Dollars \$53,745,000

**Description of Item**

The ATF is requesting \$53.7 million and 148 positions to address surging firearms violence in American communities.

*DOJ-CSCGV Firearms Trafficking Strike Forces*

The ATF’s staffing requirements to support CSCGV are identified below:

- 122 Special Agents to staff the DOJ Firearms Trafficking Strike Force groups to followup on the increasing amount of investigative leads and conduct criminal enforcement operations;
- 8 Industry Operations Investigators to the ATF’s DOJ Firearms Trafficking Strike Force groups to increase firearms industry inspection capabilities;
- 4 Industry Operations Intelligence Specialists to the ATF’s DOJ Firearms Trafficking Strike Force and CGI groups to increase firearms industry intelligence and investigative capabilities;
- 8 Intelligence Research Specialists to the ATF’s DOJ Firearms Trafficking Strike Force and CGI groups to increase tactical intelligence and support capabilities;
- 4 Intelligence Analysts (IA) to the ATF’s DOJ Firearms Trafficking Strike Force groups to increase tactical support capabilities;

- 2 DOJ Firearms Trafficking Strike Force Field Division Attorneys to provide additional legal guidance and recommendations for the ATF's firearms trafficking investigations and industry operations inspections;
- \$7.2 million to expand and acquire additional space to host the DOJ Firearms Trafficking Strike Force groups.

## **Justification**

### *DOJ-CSCGV Firearms Trafficking Strike Forces*

As a part of the ATF's focused and strategic enforcement, and in implementing the Department of Justice's Comprehensive Strategy for Combating Gun Violence (CSCGV), the ATF leveraged its trace data to identify eight cities (New York, Chicago, Los Angeles, San Francisco, Boston, Baltimore, Newark, and Washington, D.C.) for Firearms Trafficking Strike Forces. Working collaboratively with Federal, state, and local partners, the ATF will identify and expand the best use of crime gun intelligence to address the "market" or "source" areas for illegally trafficked firearms into these areas. The ATF will be embedded with local homicide units and expand the availability of its NIBIN Correlation Center, which will be utilized to match ballistics from crime scenes to other ballistic evidence nationwide. Special Agents will also work to perfect Project Safe Neighborhood and Federal racketeering investigations to target gangs and other organized crime groups who are disproportionately responsible for increases in murders and other serious violent crime in communities.

### *Critical Operations Support*

The ATF serves a vital role in the DOJ's strategy to reduce violent crime and protect communities from firearms violence. Since its inception in 1972, the ATF has prioritized special agent hiring to address ongoing violence in America's communities. In coordination with the DOJ, the ATF has continued to hire, train, and deploy special agents in order to backfill positions resulting from a retirement bubble originating from large increases in the agent population in the 1990s. Even after accounting for inflationary adjustments, the cost to backfill these positions has increased significantly due to the costs associated with equipping and training agents on technologies not available in the 1990s and the expansion of the ATF's mission to include the enforcement of laws and regulations relating to the use of explosives.

To maintain staffing levels that meet the demand for field operations, the ATF has absorbed reductions to critical core areas. Specifically, the ATF has been unable to move special agents to cover critical vacancies, adequately replace aging vehicles and equipment, or fully fund travel for missions and training. These reductions are not sustainable over the long run without adversely affecting the ATF's law enforcement operations and crime gun intelligence capabilities. The ATF greatly appreciates the DOJ's support of the FY 2021 request for \$53.3 million to address and mitigate these deficiencies. This request for Critical Operations Support seeks \$ 8.8 million to obtain the balance of the initial request since it was not fully funded in the

ATF's 2021 Enacted budget. This funding will ensure that the current cadre of ATF agents are properly resourced to fight violent crime with modern techniques and carry out the mission sent forth in this budget to its fullest potential.

### **Impact on Performance**

The enhancements to DOJ-CSCGV Firearms Trafficking Strikeforce, Operation Southbound, and Critical Operations Support will advance the ATF's Strategic Goal #1, Deter illegal Firearms Trafficking and Violent Gun Crime and Strategic Goal #2, Combat Criminal Organizations.

Operation DOJ Firearms Trafficking Strikeforce was developed to support DOJ's Comprehensive Strategy to Combat Gun Violence. Leveraging the ATF's best practices in firearms trafficking investigations, with an emphasis on crime gun intelligence, will not only lend to the success of these Strike Force groups, but enhance the ATF's overall capability to impact violent gun crime. Requested additional resources for these Strike Force Groups are critical to success and will enable these groups to perfect criminal cases on both ends of the firearms trafficking and violent crime spectrum.

## Funding

### 1. Base Funding

FY 2021 Enacted				FY 2022 President's Budget				FY 2023 Current Services			
Pos	Agt/ Atty	FTE	Amount (\$000)	Pos	Agt/ Atty	FTE	Amount (\$000)	Pos	Agt/ Atty	FTE	Amount (\$000)
2,238	1,647	2,238	505,899	2,238	1,647	2,238	505,899	2,238	1,647	2,238	505,899

### 2. Personnel Increase Cost Summary

Type of Position/Series	FY 2023 Request (\$000)	Positions Requested	Full Year Modular Cost per Position (\$000)	Annualizations (\$000)			
				1st Year	2nd Year	FY 2024 (net change from 2023)	FY 2025 (net change from 2024)
Intelligence (0132) (Strike Force)	1,136	16	129.1	71.0	74.4	1,191	1,152
Attorneys (0905) (Strike Force)	246	2	217.5	122.8	90.4	181	89
General Investigative (1800-1899) (Strike Force)	877	8	171.9	109.6	62.0	496	488
Criminal Investigative (1811) (Strike Force)	35,197	122	369.8	288.5	1.5	188	11,776
<b>Total Personnel</b>	<b>37,456</b>	<b>148</b>				<b>2,056</b>	<b>13,505</b>

### 3. Non-Personnel Increase/Reduction Cost Summary

The request includes additional personnel and contractors to provide additional and ongoing coordination, intelligence briefs, investigatory operations, and inspections. Specifically included are resources to accomplish the following:

- Travel costs for ATF MIT investigators to perform localized and concentrated inspections.
- New office space for the ATF’s Firearms Trafficking Task Forces, the Firearms Trafficking Strike Force Groups, and the multiple agency partners within. The cost of the space will include 20,000+ SF rentable, construction, furniture, and IT.

Non-Personnel Item	FY 2023 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2024 (net change from 2023)	FY 2025 (net change from 2024)
Firearms Trafficking Strike Force Space Buildout	\$7,200		1	(\$6,500)	\$0
Major Inspection Team	\$250			\$0	\$0
Critical Operations Support	8,839			\$0	\$0
<b>Total Non-Personnel</b>	<b>\$16,289</b>			<b>(\$6,500)</b>	<b>\$0</b>

#### **4. Justification for Non-Personnel Annualizations**

The Major Inspection Team personnel will need to travel into ATF Field Divisions to conduct coordinated targeted inspections on a yearly basis. They will need to travel in at least once a year for up to a month at a time. Each person’s details costs \$6,250 per month. An average of 10 people per MIT would travel to 4 Field Divisions for up to a month each. (10 people x \$6,250 x 4 locations x 1 month = \$250,000 per year).

The additional personnel request for the Firearms Trafficking Task Forces and Strike Force groups will support the need for additional space. \$7.2 million dollars is requested for additional office space for the task forces and Strike Force groups.

#### **5. Total Request for this Item**

Category	Positions	Amount Requested (\$000)	Annualizations (\$000)
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	Count	Agt/ Atty	FTE	Personnel	Non- Personnel	Total	FY 2024 (net change from 2023)	FY 2025 (net change from 2024)
Current Services	2,238	1,647	2,238	328,834	177,065	505,899	559,644	555,200
	148		74	37,456	16,289	53,745	(4,444)	23,201
<b>Grand Total</b>	<b>2,386</b>	<b>1,647</b>	<b>2,312</b>	<b>366,290</b>	<b>193,354</b>	<b>559,644</b>	<b>555,200</b>	<b>578,401</b>

**6. Affected Crosscuts:** National Security, Violent Crime, Gun Safety, Transnational Crime,

**Item Name:** NIBIN and Crime Gun Intelligence

**Strategic Goal:** TBD at a later date per JMD guidance

**Strategic Objective:** TBD at a later date per JMD guidance

**Budget Decision Unit(s):** Law Enforcement Operations

**Organizational Program:** National Integrated Ballistics Information Network (NIBIN)

Program Increase: Positions 16\_Agt/Atty 0 FTE 8 Dollars \$21,208,000

**Description of Item**

The ATF requests \$21.2 million and 16 positions to expand the Agency’s capacity to reduce violent crime nationwide and support the DOJ’s Comprehensive Strategy for Reducing Violent Crime, including Project Safe Neighborhoods. The ATF Firearms Operations Division (FOD) has identified four initiatives that will enhance the application of evidence-based intelligence and advanced analytics to investigative and enforcement operations targeting prolific shooters and the most violent offenders in communities:

- *Initiative #1: NIBIN National Correlation and Training Center (NNCTC) Campus Plan (Phase One).* The ATF requests \$10.1 1 million and 6 positions (3 Firearms and Toolmark Examiners, 2 IBIS Technicians, at the NNCTC. This will increase ATF’s capability to

perform NIBIN correlation reviews and training for law enforcement agencies nationwide. In furtherance of the NNCTC Campus Plan (Phase One), the ATF also requests one additional position (1 project officer,) to provide NIBIN/CGI training to Federal, state, local and tribal / NIBIN partners in support of a unified mission to combat gun violence. This request would also fund the services of an independent source to provide analysis and feedback regarding current business practices and funding to expand the capacity of the current facility.

- *Initiative #2: CGI and NIBIN Enforcement Support System.* The ATF requests a total of \$2.4 million and 1 position, a Data Scientist, for development support, and enhanced analytics for the NESS Application and CGI. This funding will support Record Management System (RMS) data ingest, provide access, training, and support to state and local partner agencies for a more collaborative approach to fighting gun violence, couple NESS and CGI data with advanced analytical methods to develop actionable insights about firearm violence, and provide development support to enhance existing connections and build new connections between the NIBIN and RMS data within NESS.
- *Initiative #3: Division NIBIN Program and Field Support (Phase Two).* The ATF requests \$2.4 million and 4 positions (1 Program Manager, 1 Contract Specialist, and 2 Program Analysts) to supply NIBIN equipment, and program support for the remainder of ATF field divisions, not previously included in phase one, in accordance with the DOJ Memorandum of Understanding to support Federal partners. The expanded NIBIN capabilities of ATF division offices will assist in aligning enforcement activities of Federal, state, local and tribal law enforcement partners and provide a more strategic approach to combating gun violence for law enforcement resources.
- *Initiative #4: ATF Crime Gun Intelligence Center of Excellence (CGICEx) with a partnering university or higher learning facility (Phase One).* The ATF requests \$5.4 million and 5 positions (2 Firearm and Toolmark Examiners, 2 IBIS technicians and 1 program analyst) at the CGICEx to perform correlation reviews in conjunction and coordination with the ATF's NNCTC. The creation of the CGICEx, which would encompass the NNCTC-II, would also require the acquisition of a physical location to house the facility. This will establish a secondary location for the ATF NNCTC which will provide correlation reviews for Federal, state, local, and tribal law enforcement partners.

## **Justification**

The ATF employs a comprehensive violence reduction strategy in partnership with Federal, state, local and tribal law enforcement to reduce victimization, increase accountability, and break the cycle of violence through technology. The FOD relies heavily on NIBIN, the only interstate automated ballistic imaging network in operation in the United States. NIBIN enables an

integrated investigative approach, providing a platform on which Federal, state, local and tribal law enforcement agencies can access technology to compare images of ballistic evidence obtained from crimes scenes and recovered firearms to combat firearm violence across jurisdictional boundaries.

NIBIN is a proven investigative and intelligence tool that can identify leads that were not previously available; can link firearms evidence from multiple crime scenes together that were committed with the same firearm; and can link firearms evidence from a crime scene to a recovered firearm. The foundation of the following four initiatives is rooted with NIBIN technology, each adding value by improving different parts of the process. Combined, these initiatives support the overall mission to reduce firearms violence through aggressive targeting, investigation, and prosecution of shooters and their sources of crime guns.

*Initiative #1: NNCTC Campus Plan Huntsville (Phase One)*

The NNCTC provides a consistent and timely turnaround of NIBIN leads within 24-48 hours to CGICs and the ATF’s law enforcement partners. These NIBIN leads provide investigators relevant and valuable information to help focus enforcement resources on investigations that will have the most significant impact on violent firearm crimes in communities. The NNCTC currently has the capacity to process more than 1,200 correlation reviews per day, servicing over 120 NIBIN sites and providing NIBIN lead referrals to over 700 police departments that contribute evidence to these sites. Additionally, over 50 NIBIN sites have requested acceptance into the NNCTC which attests to its reputation amongst law enforcement partners.

To enhance national effectiveness of NIBIN in the reduction of firearm violence, the ATF has committed to providing correlation review service for all sites on the NIBIN network that request it. To assure capacity is equal to demand, the ATF has created a phased approach for expansion of the NNCTC. The table below demonstrates the need for additional resources in FY 2023, as well as the success of the NIBIN Program and the NNCTC itself

<b>NIBIN Statistics</b>									
	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022 (Thru Jan 2022)	FY 2022 (Estimated)	% Increase FY 2016 to FY 2021 (Final)
Partner Sites/1	155	167	183	211	235	250	254	270	61%
Acquisitions/2	238,873	283,212	320,472	384,247	472,952	575,727	184,886	582,504	141%
Leads/3	23,635	41,495	47,056	67,639	104,206	146,617	54,785	164,355	520%
Hits/4	9,677	8,654	7,630	6,484	6,775	7,094	1,397	4,191	-27%

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/1 The number of Partner Sites is exclusive to non-ATF NIBIN Acquisition Sites and does not include the three ATF NIBIN Labs, the ATF Transportable Units, or NIBIN Vehicles.

/2 Acquisitions represent the digital imaging of various firearm-related markings present on cartridge casings entered into NIBIN.

/3 Leads represent an unconfirmed, potential association between two or more pieces of firearm ballistic evidence based on a correlation review of the digital images in the NIBIN database by either a firearms examiner or a trained NIBIN technician. They are intended to provide a lead for investigative purposes.

/4 Hits represent the result of two or more firearms ballistic evidence acquisitions that have been confirmed as a match by a firearms examiner. Hits are based on correlation review of digital images using MatchPoint Plus™ and microscopic confirmation by a firearms examiner. This information and intelligence can be used for investigative purposes and is suitable for court purposes.

In 2019, the NNCTC moved to a new larger leased facility in Huntsville, AL. Upon joining the NNCTC, NIBIN sites can focus on entries vice correlation which in turn increases the number of NIBIN acquisitions. The increase of NIBIN sites requires the continued expansion of the NNCTC and the valuable service it provides. This initiative would include a campus plan for continued growth and expansion of the NNCTC and the NIBIN program. This would also allow the CGI to be used for consolidated instruction and criminal investigations.

In FY 2022, the NNCTC will have approximately 242 contracted CRS to provide correlation service for network sites. However, with NIBIN coverage increasing, so will the need for expanded space at the NNCTC, additional contractors, personnel, and equipment to continue to provide value to the ATF and its partners in combatting violent crime. To provide quality correlation reviews to the growing number of NIBIN sites, the NNCTC will add 75 CRSs and 13 FTE employees to provide expertise and guidance to the contractors as well as CGI trainees.

#### *Initiative #2: CGI and NESS*

The requested funding includes automating ingestion and optimization of CGI data from Federal, state, local, or tribal record management systems (RMS). Automating this data entry process will allow law enforcement personnel to analyze and investigate associated shooting events in a more efficient manner by focusing resources to have the greatest impact on violent crime in communities. This request also includes onboarding additional law enforcement agencies by providing NESS access and training to further facilitate a united collaboration.

Basic eTrace data is also ingested into NESS nightly, however, the process to submit a trace request on a firearm recovered by law enforcement is still manual. Funding is also requested for FOD and the NTC to build the capability to automate trace requests using a combination of NIBIN and event data.

Additionally, using NESS data in conjunction with advanced analytics will allow the ATF to identify connections between law enforcement investigations beyond the NIBIN hits or leads.

This includes leveraging the ATF's NIBIN and NESS data to ultimately assist field users in identifying patterns of violence. The request would also cover operating and maintenance costs, supports changes in NIBIN data, and incorporates functionality enhancements as needed.

A primary benefit of this initiative is that it will provide the ATF and other law enforcement personnel with easily accessible data and insight on shooters, shooting events, firearms tracking, and patterns of firearm violence. This will help focus enforcement resources on efforts that will have the most significant impact on violent crime in communities, especially the gun violence. NESS data and analytical insights can also assist with developing focused and strategic enforcement priorities nationwide, as part of Project Safe Neighborhoods Strategic Plans.

#### *Initiative #3: Division NIBIN Program (Phase Two)*

To ensure all firearms the ATF takes into custody are entered into NIBIN in a timely manner, field divisions must have access to NIBIN acquisition equipment. Phase Two of the Division NIBIN Program would provide equipment to five additional ATF field divisions who do not currently have NIBIN equipment. NIBIN equipment would be placed at the division office, where it would be accessible not only to ATF agents but to other Federal, state, local and tribal partners as well. Through Phase One of this initiative, the ATF has been able to provide additional NIBIN services to law enforcement agencies who had not previously had access to or participated in the NIBIN program.

#### *Initiative #4: ATF CGICEx with a partnering university or higher learning facility (Phase One).*

The CGICEx will establish a secondary location for the ATF NNCTC (NNCTC-II) which will increase the capacity to provide correlation reviews for additional Federal, state, local and tribal law enforcement partners.

### **Impact on Performance**

In FY 2023, the ATF plans to utilize the requested budget increase to directly reduce gun crime violence, consistent with the Attorney General's, the DOJ's, and the ATF's strategic and targeted priorities. The funding will ultimately contribute to bolstering the following initiatives and greater results:

#### *Initiative #1: NNCTC Campus Plan Huntsville (Phase One)*

The NNCTC campus plan will allow for continued expansion of services to NIBIN partners and increase the capacity for correlation reviews. The increased capacity for correlation reviews will allow the ATF to service additional sites new to the NIBIN program and remain consistent with the timely turnaround of NIBIN leads within 24-48 hours. These NIBIN leads will allow law enforcement resources to effectively investigate shooting cases identified as being related

through NIBIN. Consolidating CGI instruction into the NNCTC campus plan will allow for instruction to new sites and IBIS specialists and CGI investigators to remain in unison as new trends and best practices evolve.

*Initiative #2: CGI and NESS*

With increased optimization and automated ingestion of RMS data, NESS will effectively and efficiently assist NIBIN partners with the investigation of firearm related violence. Automating this data entry process will allow law enforcement personnel to analyze and investigate associated shooting events in a more efficient manner by focusing resources to have the greatest impact on violent crime in communities. The onboarding of additional law enforcement agencies for input into and access to NESS will further facilitate collaboration between Federal, state, local and tribal law enforcement efforts in combatting violent crime. NESS data and analytical insights can also assist with developing focused and strategic enforcement priorities nationwide, as part of PSN Strategic Plans. Additionally, this proposed initiative will provide the ATF and partnering law enforcement personnel with easily accessible data and insight on shooters, shooting events, firearms trafficking, and patterns of firearm violence.

*Initiative #3: Division NIBIN Program (Phase Two)*

Providing NIBIN equipment to five additional ATF field divisions would allow for law enforcement partners not currently participating in the NIBIN program the opportunity to have ballistic evidence entered into NIBIN. By creating these additional NIBIN sites in ATF field divisions throughout the country, the continued expansion of the NIBIN program would be available to more communities affected by gun violence.

*Initiative #4: ATF CGICEx with a partnering university or higher learning facility (Phase One).*

This initiative will integrate CGI and NIBIN principals with established curricula for intelligence-led policing. The CGICEx will provide a secondary location for the NNCTC while partnering with a university or higher learning facility. Integrating the practical application of CGI and NIBIN within an academic setting would allow sharing the CGI model with future and current law enforcement practitioners. Also, the increased capacity for correlation reviews will allow the ATF to service additional sites new to the NIBIN program and remain consistent with the timely turnaround of NIBIN leads within 24-48 hours. These NIBIN leads will allow law enforcement resources to effectively investigate shooting cases identified as being related through NIBIN.

Improvements to ballistics data sharing with requesting United States Attorney's Offices could be facilitated through a two-fold approach in this initiative. First, a statistical data management center at the CGICEx could identify trends and provide data-driven insights related to firearms violence. Second, NESS provides partner law enforcement agencies with a consistent and standardized format to collect, view, and disseminate NIBIN data in a timely manner. Increasing the number partner agencies with NESS access will improve NIBIN data sharing amongst agencies, including US Attorneys' offices participating in and prosecuting cases involving

NIBIN. These combined efforts will provide valuable insights, continue in enhancing communications, and aid investigations between participating law enforcement partner agencies and U.S Attorney’s offices.

## Funding

### 1. Base Funding

FY 2021 Enacted				FY 2022 President’s Budget				FY 2023 Current Services			
Pos	Agt/ Atty	FTE	Amount (\$000)	Pos	Agt/ Atty	FTE	Amount (\$000)	Pos	Agt/ Atty	FTE	Amount (\$000)
47	17	38	61,740	47	17	38	61,740	47	17	38	61,740

### 2. Personnel Increase Cost Summary

Type of Position/Series	FY 2023 Request (\$000)	Positions Requested	Full Year Modular Cost per Position (\$000)	Annualizations (\$000)			
				1st Year	2nd Year	FY 2024 (net change from 2023)	FY 2025 (net change from 2024)
Miscellaneous Operations (0001-0099)	1,065	15	129.1	71.0	74.4	1,116	1,080
Business & Industry (1100- 1199)	71	1	129.1	71.0	74.4	74.4	71.9
<b>Total Personnel</b>	<b>1,136</b>	<b>16</b>				<b>1,190.4</b>	<b>1,151.9</b>

**3. Non-Personnel Increase Cost Summary**

Non-Personnel Item	FY 2023 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2024 (net change from 2023)	FY 2025 (net change from 2024)
NNCTC (Campus Plan)	10,057	10,057	1	1,384	604
CGI/NESS	2,362	2,362	1	224	71
Division/Field Support	2,288	2,288	1	29	56
CGICEx	5,364	5,364	1	800	147
<b>Total Non-Personnel</b>	<b>20,071</b>	<b>20,071</b>	<b>1</b>	<b>2,437</b>	<b>878</b>

**4. Justification for Non-Personnel Annualizations**

Out-year funding will be required for this program and will be provided as part of the FY 2023 budget request.

**5. Total Request for this Item**

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/ Atty	FTE	Personnel	Non-Personnel	Total	FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Current Services	47	17	38	40,131	21,609	61,740	82,948	86,575
Increases	16	0	8	1136	20,071	21,208	3,627	2,029.9
<b>Grand Total</b>	<b>63</b>	<b>17</b>	<b>46</b>	<b>41,267</b>	<b>41,680</b>	<b>82,948</b>	<b>86,575</b>	<b>88,605</b>

**6. Affected Crosscuts: Violent Crime, National Security, Gun Safety, Southwest Border**

**Item Name:** **National Tracing Center (NTC) Modernization**

Strategic Goal: **TBD at a later date per JMD guidance**

Strategic Objective: **TBD at a later date per JMD guidance**

Budget Decision Unit(s): Investigative Support Services (ISS)

Organizational Program: NTC Division, Firearm Tracing Program

Program Increase: Positions 13 Agt/Atty 0 FTE 6 Dollars \$14,424,000

**Description of Item**

The ATF requests \$14.4 million to modernize the systems and applications utilized in support of the core firearms tracing mission, along with 13 positions to offset increasing work volume. The current position allocation for the NTC Division is insufficient to keep pace with the everincreasing volume of incoming trace requests from the global law enforcement community. Based on historical trace data and forecasting models, which project a 7 percent annual growth rate in terms of incoming trace requests, it will be necessary to allocate additional personnel at an equivalent rate. At the same time, the NTC Division requires a significant investment in technology enhancements, which would drastically curb the need to continuously add personnel, by streamlining internal processes and improving operational proficiency.

The goal of this initiative is to incrementally incorporate technology enhancements while augmenting personnel until such time that the proposed IT solutions have been fully delivered. Collectively, these enhancements will provide a substantial return on investment by reducing out year operations and maintenance costs, increasing workflow efficiency, improving accuracy, and significantly reducing trace completion times.

The 13 positions requested in FY 2023 will enhance functional capacity at the NTC and will be added to coincide with the proposed IT development. Other areas of support such as contracting, and procurement will be integral in supporting acquisition and delivery of the technology improvements to the NTC.

**IT Investment Requirements:**

Consolidated Firearms Tracing Application (eTrace Modernization with enhanced data sharing capabilities)	\$11,500,000
NTC Connect (formerly A2K) Automation	\$800,740
GIS Mapping component in eTrace	\$1,200,000

The total estimated cost for all technology enhancements required in support of NTC operations is \$14.48 million. The proposed IT investments are listed in priority order, however some of these projects could occur concurrently. The consolidation of firearms tracing applications through an eTrace modernization effort with enhanced data sharing capabilities will serve as a key building block for the remaining IT investments. This modernization effort will significantly improve the operational proficiency of the National Tracing Center Division and build capacity to meet expectations in firearms tracing capabilities for Federal, state, local and international law enforcement agencies.

**Out-Year/Recurring Costs (FY 2023 through FY 2025):**

Annual O&M Cost (beginning in late FY 2024)	\$2,500,000
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The annual operations and maintenance costs associated with the production implementation of new IT systems and solutions is estimated at 10 percent of total development cost. This would equate to \$3.0 million annually after all functionality is delivered. However, the overall O&M costs for maintaining the NTC Division’s Firearm Tracing Applications (FTA portfolio) should be significantly lower than current costs given that multiple disparate systems will be eliminated or consolidated.

**Justification**

The NTC has an insufficient number of employees to effectively control processes and sustain institutional knowledge across its program areas and insufficient production capacity to meet the ever-increasing workload. This in turn has negatively impacted the NTC’s ability to meet established DOJ performance measures. It should also be noted that the work products of the NTC Division are widely utilized throughout the agency (CGI Analytics) and by external law enforcement partners as a primary data source for developing enhanced investigative leads.

Over the last ten years, the volume of incoming trace requests has increased by 63%. There was an 11.7% increase in traces between FY-20 and FY-21 when law enforcement agencies recovered and traced 548,186 firearms. The NTC Division is forecasting a 9.5% annual increase for FY-22 (600,368) and FY-23 (657,403) respectively. This increase in volume has significantly impacted the NTC Divisions ability to respond to law enforcement trace requests in a timely manner. In FY-21, the average time to complete a trace request increased from 8 to 14 days, with an expectation of nearly doubling by the end of FY-23 unless technology enhancements are implemented, and additional personnel are allocated.

There have been no significant IT enhancements for any mission critical NTC systems and applications since eTrace version 4.0 was deployed at the end of 2009. The modernization and consolidation of all trace processing, validation, workflow and reporting functions into one standard web-enabled firearms tracing application, would significantly improve the productivity of the NTC Division, while also reducing operational costs (personnel and space).

The Crime Gun Tracing Modernization effort will provide a decentralized trace analysis and reporting capability, while also ensuring a consistent approach to collect, view, and disseminate firearms trace related data in a timely manner. This investment will also establish an enhanced information sharing platform via eTrace, thereby empowering all participating law enforcement components with increased flexibility in managing and sharing trace data at various levels and across jurisdictions (local, state, multi-state, and national); thus, increasing and improving the sharing of gun trace data amongst and across US Attorneys’ offices.

**Impact on Performance**

In FY 2021 the NTC processed 548,186 trace requests. There are currently more than 8,500

Federal, state, local and foreign law enforcement agencies (including Canada, Mexico, the Caribbean, most of Central America, parts of Western Europe, Australia, and Japan), utilizing eTrace to send trace requests and get trace results from the NTC. The NTC is significantly under capacity to support the demand for firearms trace results, which are often time-sensitive, particularly those submitted as Urgent trace requests. Failure to invest in technology improvements will result in significantly inflated out year costs in terms of operations and maintenance, increased human resource requirements, physical space allocations, lost productivity, and most importantly delays in responding to the needs of law enforcement partners. The successful implementation of the proposed technology enhancements will drastically curb the requirement to continuously add personnel by substantially increasing operational efficiency, specifically the ability to complete more traces per person which translates to more production per dollar.

This requested increase will advance the ATF’s Strategic Goal 1: Deter Illegal Firearms Trafficking and Violent Gun Crime by sustaining the Firearms Tracing Program which produces the underlying data and information critical to the identification of firearms traffickers.

This requested increase will advance the ATF’s Strategic Goal 5: Modernize ATF Processes and Systems through the modernization of NTC business processes and systems for improved information sharing and knowledge management and the use of innovative technologies to support ATF’s mission.

This requested increase will support DOJ Priority Goal: Reduce Violent Crime and Promote Public Safety by producing Firearms Trace Results for law enforcement to generate enhanced investigative leads.

**Funding**

**1. Base Funding**

FY 2021 Enacted				FY 2022 President’s Budget				FY 2023 Current Services			
Pos	Agt/Atty	FTE	Amount (\$000)	Pos	Agt/Atty	FTE	Amount (\$000)	Pos	Agt/Atty	FTE	Amount (\$000)
52	2	52	32,439	52	2	52	32,439	52	2	52	32,439

**2. Personnel Increase Cost Summary**

Type of Position/Series	FY 2023 Request (\$000)	Positions Requested	Full Year Modular Cost per Position (\$000)	Annualizations (\$000)			
				1st Year	2nd Year	FY 2024 (net change from 2023)	FY 2025 (net change from 2024)
Clerical and Office Svcs (0300-0399)	142	2	129.1	71.0	74.4	149	144
General Investigative (1800-1899)	1,206	11	171.9	109.6	62.0	682	669.9
<b>Total Personnel</b>	<b>1,348</b>	<b>13</b>				<b>831</b>	<b>813</b>

**3. Non-Personnel Increase/Reduction Cost Summary**

Non-Personnel Item	FY 2023 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2024 (net change from 2023)	FY 2025 (net change from 2024)
Consolidated Firearms Tracing Application (eTrace Modernization)	11,500			2,500	75
NTC Connect (formerly A2K) Automation	800				
GIS Mapping component in eTrace	1,200				
<b>Total Non-Personnel</b>	<b>13,500</b>			<b>2,500</b>	<b>75</b>

**4. Justification for Non-Personnel Annualizations**

Non-personnel cost summary will be, but not limited to, technology enhancements, firearms tracing applications through an eTrace modernization effort with enhanced data sharing capabilities will serve as a key building block for the remaining IT investments.

**5. Total Request for this Item**

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/ Atty	FTE	Personnel	Non- Personnel	Total	FY 2024 (net change from 2023)	FY 2025 (net change from 2024)
Current Services	52	2	52	21,085	11,354	32,439	46,863	50,194
Increases	13	0	7	1,348	13,500	14,424	3,331	888
<b>Grand Total</b>	<b>65</b>	<b>2</b>	<b>59</b>	<b>22,433</b>	<b>24,854</b>	<b>46,863</b>	<b>50,194</b>	<b>51,082</b>

6. Affected Crosscuts: National Security, Violent Crime and Gun Safety

**Item Name:** **Body Worn Cameras**

Strategic Goal: **TBD at a later date per DOJ guidance**

Strategic Objective: **TBD at a later date per DOJ guidance**

Budget Decision Unit(s): Law Enforcement Operations

Organizational Program: Special Operations

Program Increase: Positions 6 Agt/Atty 6 FTE 3 Dollars \$13,708,000

**Description of Item**

The ATF requests \$13.7 million and 6 positions to provide digital case management software and video cloud storage from the body worn cameras (BWCs) of federally deputized Task Force Officers (TFOs). This funding will allow the ATF to support digital cloud storage of BWC video for both TFOs whose parent agency mandates the use of BWCs during enforcement operations while they serve on Federal task forces, as well as ATF special agents under the BWC requirements set forth in the recent DOJ Body-Worn Camera Policy.

**Justification**

To ensure successful and efficient support of both the TFO and ATF special agent body-worn camera policies, the requested funding will be utilized to create a Digital Evidence Management (DEM) Branch that will manage all the digital inventory (to include both TFO BWC and special agent BWC data) and ensure data integrity and security as well as promulgate policy and best practices.

ATF’s DEM Branch proposes a new evidence management solution, centralizing evidence into one hub for easy file access and sharing between agents, prosecutors and courtroom personnel. This digital cloud storage will maintain a chain of custody and ensure accurate audit logs and metadata are always available. The proposed DEM Branch model will require the purchase of hardware and accessories for ATF special agents, travel for agency-wide and ATF National Academy training, 6 FTE positions, a physical location for surplus hardware and accessories, and an IT upgrade for the successful upload or download of data into cloud based digital storage for each participating office.

Within the past five-(5) years, the ATF as well as all ATF partner agencies have experienced an exponential increase in the use of devices to record and capture video and audio during criminal investigations. Historically, these recordings were stored and maintained on “removable” media such as data discs, flash drives or more recently hard disc drives. With the technological

improvements in frame rate capture and recording time increases, the requirement for larger and more reliable storage systems are paramount. In addition to recordings originating from law enforcement operations, additional digital media is being realized from sources such as overt body worn cameras, unmanned aviation systems, and seized media from a variety of sources.

Thus far, the digital data maintained on a removable media device has been warehoused in a local office in some type of sealable, physical container (envelope or box) and placed in a room with other items of physical evidence. As the court process evolves, this is no longer a viable or manageable system to facilitate operations.

Currently, the ATF manages most of its digital evidence on some type of external drive, flash drive, Hard Disk Drive, larger servers or even DVDs. All of these physical mediums are subject to degradation, can be costly, and require long term physical storage at an ATF facility to meet retention requirements.

The ATF DEM Branch proposes a new evidence management solution centralizing evidence into one hub for easy file access and sharing between agents, prosecutors, and courtroom personnel. This digital cloud storage will maintain a chain of custody and ensure an accurate audit log is always available.

Finally, the economic advantages of cloud-based storage versus on-premise storage are numerous and include but are not limited to the following: increased security compliance with the DOJ Cyber-Security Act Order through FedRamp versus in-house IT staff to handle security; scalability through long-term budget planning for purchasing Department servers versus access to near infinite storage; maintenance and updates as the agency is required to maintain applications, replace servers, and ensure high availability and disaster recovery versus no hardware updates and automatic software updates; and high entry and operations cost (servers, IT, staff, maintenance) versus a yearly subscription with cloud provider handling additional maintenance.

The digital evidence cloud storage will allow the ATF Task force groups to successfully continue working with little to no negative impact on performance. A digital evidence management cloud storage system will allow each agency to reduce the time spent on making copies to a portable storage format and allow each agency to share, when necessary, the data collected and maintained per the DOJ policy. A third-party digital storage solution is estimated to generate net savings of approximately \$5,500,000 per year compared to onsite storage.

The DEM Branch may also provide the ability for data visualization features, to allow multiple pieces of evidence to be viewed at one time, such as security footage snippets along with BWC video, or use Geographic Information Systems (GIS) to view case evidence on a map based on geolocation. These tools will eventually be integrated with ATF case management systems (Spartan/N-Force) to retrieve stored records pertinent to cases, such as warrants and case reports, or to attach evidence to relevant records. Some products may also offer a mobile application to capture field evidence and store immediately into the database.

Additionally, the Software as a Service (SaaS) cloud-based case management tools allow for better, more reliable chain of custody documentation, increasing transparency through documented audit trails in a medium not subject to degradation over time. The SaaS is also organized and managed in a single dashboard which avoids paper-based work. The centralized data management allows for secure remote access which can be accessed by authorized users.

The DEM Branch will incorporate a cloud based digital evidence management service without the need for internal infrastructure or hardware. It will securely manage digital evidence, including body cam footage, overt body-worn cameras, covert cameras, unmanned aviation systems, and seized media from a variety of sources. In addition, the DEM Branch will allow for evidence files SaaS to be shared electronically between users and non-users and provide search functionality to segment evidence by criteria.

Moreover, the DEM Branch will provide program oversight and management to facilitate the actions of the Branch which will be held to court mandated evidentiary standards. Due to this construct, dedicated and trained personnel will be required to ensure the integrity of the ATF's digital evidence warehouse. A physical location will also be required to allow for the secured, controlled storage of equipment of all DEM related hardware.

Overall, services provided by DEM will include, file indexing, e-storage and recall, critical victim and witness redacting, GIS services, video integration and cross referencing. These tools will eventually need to be integrated with ATF case management systems (Spartan/N-Force) and managed as a critical data infrastructure. Some products may also offer a mobile application to capture field evidence and store immediately into the database.

### **Impact on Performance**

In October 2020, the Department announced that it “will permit state, local, territorial, and tribal task force officers to use body worn cameras on Federal task forces around the nation. The Department’s policy will permit federally-deputized officers to activate a body worn camera while serving arrest warrants, or during other planned arrest operations, and during the execution of search warrants.” The policy is the result of a pilot program launched by the Department in October 2019 and applies to the extent that a TFO’s parent agency requires BWC use by its officers during Federal task force enforcement operations.

On June 7, 2021, Deputy Attorney General, Lisa Monaco, issued a Body-Worn camera policy directing all DOJ components to develop and implement a body-worn camera program that requires special agents and task force officers to wear and activate BWC recording equipment for purposes of recording their actions: (1) a pre-planned attempt to serve an arrest warrant or other pre-planned arrest, including the apprehension of fugitives sought on state and local warrants; or (2) the execution of a search or seizure warrant or order. Based on the anticipated DOJ mandated federal agent body-worn camera program as well as the current trend of law enforcement transparency and accountability, ATF has developed a proposal for a Digital Evidence Management (DEM) Branch to support both the DOJ mandated TFO BWC policy as well as the DOJ (federal agent) BWC policy.

In part, the requested funding will support the TFO and the TFO's parent agency by providing data and video storage software and capacity for some of the TFO's BWC video while the TFO is serving on a Federal task force directed by the ATF. Video storage is one of the costliest aspects of a BWC program, and Federal support for these digital storage requirements will allow the ATF to maintain and increase partner agency participation in the Department's task forces.

The Department's policy, *Use of Body Worn Cameras by Federally Deputized Task Force Officers*, applies to the extent that a TFO's parent agency requires BWC use by its officers during Federal task force enforcement operations. This funding will not be used to purchase camera hardware, as the hardware will be provided by the parent agency.

As outlined in the Department's policy, "all TFO BWC recordings made during Federal task force operations, including such recordings retained by the TFO's parent agency or in the possession of any third party engaged by the parent agency to store or process BWC recordings, shall be deemed Federal records of the Department and the Federal agency sponsoring the task force pursuant to the Federal Records Act." Furthermore, the policy directs that "TFO BWC recordings are controlled by, and the property of, the Department and will be retained and managed by the Federal agency sponsoring the task force. The Federal agency sponsoring the task force is responsible for considering requests to release TFO BWC recordings."

The Joint Law Enforcement Operations (JLEO) program serves the ATF by facilitating the deputation of state and local law enforcement as Federal TFOs to act as a critical force multiplier and assist ATF fulfill its mission of protecting the public by combatting violent crime, which is aligned with the Attorney General's priorities for DOJ. TFOs are a vital part of the ATF's plan to target violent criminal organizations, serial shooters, other violent offenders and the firearm traffickers that facilitate violent crime by providing offenders with firearms and ammunition. TFOs provide the ATF with critical knowledge of high crime areas and known violent offenders in their local area, access to state and local police department assets and serve as a force multiplier during enforcement operations. The ATF has close to 1,000 TFOs and almost 300 part-time Special Deputies with 565 state and local law enforcement agencies.

The use of BWC by the ATF's state and local partners has become a useful tool to improve community relations, lower the number of citizen complaints, defend officers against false accusations, increase accountability, and improve officer training and evaluation. As such, allowing partner agencies to act in accordance with their internal policy by wearing body-worn cameras pursuant to and with direction from the DOJ policy, will allow those partner agencies that were previously prohibited from participating on an ATF Federal Task Force to reconsider.

While the DEM Branch will, to an extent, support the DOJ *Use of Body Worn Cameras by Federally Deputized Task Force Officers*, policy, it will also support, as funding allows the more recent DOJ Federal Agent Body-Worn Camera policy. Per this directive, the purchase of hardware (cameras) and accessories, (mounts, docking stations etc.), for all ATF special agents is required. Based on the allocated funding the DEM Branch will begin to build the infrastructure needed to support the phased deployment of BWCs to the field, and deploy cameras based on the remaining funding. It is

anticipated that ATF will be able to deploy BWC's and conduct associated training for one additional city: Washington, DC. This city was chosen based upon size, the number of personnel, the participation of the affected United States Attorney's Office, and other DOJ agencies already using BWC in the area. In addition, and required as part of the DOJ body-worn camera policy, is agency-wide training on how to carry, operate, maintain, and secure the body-worn cameras. Furthermore, a physical location will be necessary for the secured, controlled storage of equipment of all DEM related hardware and surplus materials. Information Technology (IT) upgrades will be required agency-wide for the safe and efficient upload or download of data from the body-worn cameras, and finally, integration of the taser system into the body-worn camera cloud based digital evidence system is fiscally advantageous as funding allows should such a requirement be imposed in the future

## Funding

### 1. Base Funding

FY 2020 Enacted				FY 2021 President's Budget				FY 2022 Current Services			
Pos	Agt/ Atty	FTE	Amount (\$000)	Pos	Agt/ Atty	FTE	Amount (\$000)	Pos	Agt/ Atty	FTE	Amount (\$000)
0	0	0	1,000	0	0	0	1,000	0	0	0	1,000

### 1. Personnel Increase Cost Summary

Type of Position/Series	FY 2023 Request (\$000)	Positions Requested	Full Year Modular Cost per Position (\$000)	Annualizations (\$000)			
				1st Year	2nd Year	FY 2024 (net change from 2023)	FY 2025 (net change from 2024)
Criminal Investigative (1811)	\$1,731	6	369.8	288.5	1.54	17.0	579
<b>Total Personnel</b>	<b>1,731</b>	<b>6</b>				<b>17.0</b>	<b>579</b>

### 2. Non-Personnel Increase Cost Summary

Non-Personnel Item	FY 2023 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2024 (net change from 2023)	FY 2025 (net change from 2024)
BWC for 400 ATF Special Agents for Field AB3 BWC Hardware/Software Storage Services	4,230			4,823	
FTE Vehicle(s)	234				
Research and Development	500				
Travel/Training/ODC	1,000				

IT Infrastructure	4,500				
Taser Integration	13			390	5,800
Storage for training equipment and hardware, maintenance, and lease of location	1,500				
<b>Total Non-Personnel</b>	<b>11,977</b>	<b>0</b>	<b>0</b>	<b>5213</b>	<b>5,800</b>

**2. Justification for Non-Personnel Annualizations**

Non-personnel cost summary will be, but not limited, to additional material to include body worn cameras; additional accessories, physical location, additional software and additional training to include travel.

Out-year funding will be required for this program and will be provided as part of the FY 2023 budget request.

**3. Total Request for this Item**

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/Atty	FTE	Personnel	Non-Personnel	Total	FY 2024 (net change from 2023)	FY 2025 (net change from 2024)
Current Services	0	0	0	0	1,000	1,000	0	0
Increases	6		3	1,731	11,977	13,708	17	579
<b>Grand Total</b>	<b>6</b>	<b>0</b>	<b>3</b>	<b>1,731</b>	<b>12,977</b>	<b>14,708</b>	<b>17</b>	<b>579</b>

**4. Affected Crosscuts: National Security, Violent Crime, Restoring Police-Community Relations**