



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Assistant Director

Washington, DC 20226

700000:SLL
3310/5300

June 25, 2009

MEMORANDUM TO: All Special Agents in Charge

FROM: Acting Assistant Director (Field Operations)

SUBJECT: National Firearms Trafficking Enforcement Implementation Plan

ATF's strategy of impacting firearms related violent crime through a comprehensive approach of denying criminals access to firearms, investigating illicit firearms traffickers and armed violent offenders, and ensuring compliance within the firearms industry has undoubtedly been successful in protecting the public we serve. However, over time we and our external partners became increasingly focused on directly impacting armed violent offenders. An unintended consequence was a reduced commitment to identifying, investigating, disrupting and prosecuting the illicit firearms traffickers who arm these violent criminals. At this time, we must place increased emphasis on firearms trafficking enforcement utilizing the full host of assets, capabilities and jurisdiction unique to ATF.

This memorandum is provided to enhance the effectiveness and efficiency of our national firearms trafficking enforcement strategy through increased uniformity and accountability, and to mandate that field divisions not actively pursuing firearms trafficking begin to do so. A number of field divisions have very effective firearms trafficking strategies in place, and I commend those divisions for their efforts. Some of those strategies are joint efforts between two or more field divisions, such as "Operation Iron Pipeline" along the entire I-95 corridor from Florida to Massachusetts, "Operation Magnolia Steel" involving the Chicago and New Orleans divisions, and of course, our Southwest Border initiative "Project Gunrunner," ATF's largest firearms trafficking enforcement endeavor. This memorandum should not be construed as a directive to abandon your efforts against armed violent offenders in favor of firearms trafficking investigations. A balance between these efforts must be struck as each complements the other. Intelligence gleaned from investigations and arrests of armed violent criminals should be used to direct our firearms trafficking resources, while success in firearms trafficking enforcement will reduce the availability of firearms to violent criminals.

All Special Agents in Charge

The following serves to outline the course of action that each special agent in charge (SAC) shall follow to implement the national firearms trafficking enforcement strategy. This activity is in addition to any specific guidance and activities underway within your field division related to "Project Gunrunner," as well as Firearms Trafficking ADFO memo 062309 Z (9) guidance in

ATF O 3310.4B, Firearms Enforcement Program, ATF P 3317.1, Guide to Investigating Illegal Firearms Trafficking, October 1997 (revised publication expected in July 2009), the IO Operating Plan and the IO Handbook.

For the purposes of this plan, the scope of illegal firearms trafficking affecting a field division should be accurately defined. "Source" refers to the place where the trafficker diverted the firearm(s) from legitimate commerce/activity for criminal purposes. "Market" refers to the place where the illegally trafficked firearm(s) were intended for or provided to criminals or others for illegal activities. The scope of firearms trafficking will be defined as follows:

- Illicit trafficking in which the source (diversion by traffickers) and market (actual or intended possessors) are within the same metropolitan area or state will be referred to as "**intrastate**".
- Illicit trafficking in which the source (diversion by traffickers) and market (actual or intended possessors) are in different states will be referred to as "**interstate**" or "**regional**" or "**national**."
- Illicit trafficking in which the source (diversion by traffickers) and market (actual or intended possessors) are in different countries will be referred to as "**international**".

Each field division SAC will designate one assistant special agent in charge (ASAC) in his/her field division as the **Firearms Trafficking Coordinator** (FTC). The FTC will work in consultation with the division management team (ASAC, DIO and Counsel) to formulate their implementation plan. The identity of the FTC shall be provided by memorandum to the Chief, Field Management Staff by **July 10, 2009**. The assignment of an ASAC as the FTC should not impede the other ASAC's routine supervisory oversight of his/her assigned field offices. However, the SAC may choose to realign the CE field offices among the ASACs in conjunction with this effort. The FTC will have the following responsibilities as part of this strategy:

- Assess the illegal firearms trafficking trends and threats in the field division and determine the best course of action to address the issues (e.g., form a firearms trafficking task force (FTTF), a firearms trafficking group, or dedicate two special agents to firearms trafficking enforcement per field office in low intensity firearms trafficking areas). The identity of any field offices designated as a firearms trafficking group and/or special agents dedicated to firearms trafficking enforcement shall be provided by memorandum to the Chief, Field Management Staff by **July 31, 2009**. Field divisions will consult their Field Intelligence Group (FIG) about utilizing N-Force, N-Quire, N-Spect or other systems to track miscellaneous illegal firearms trafficking intelligence gleaned through

All Special Agents in Charge

ATF investigations, inspections, interviews of ATF informants and defendants, and other law enforcement sources. Every field division is affected by illegal firearms trafficking. Some field divisions include source states, some include market states, but tracing statistics consistently indicate that all states are their own greatest source of illegally trafficked firearms. Intelligence should be analyzed to determine the scope (international, national, interstate, regional, intrastate), and the sources/methods used to facilitate illicit firearms trafficking (unlicensed dealers, straw purchasers, FFL/interstate thefts, residential burglaries, gun shows, internet sales, corrupt licensees, illegal imports/exports).

- Serve as primary liaison to other state, local and Federal law enforcement agencies that participate in firearms trafficking task forces or firearms trafficking investigations. Given the expanse of some field divisions, this responsibility may be re-delegated to resident agents in charge (RACs) of outlying field offices and group supervisors (GSs) of local field offices with a firearms trafficking mission. However, the ASAC must remain engaged and ensure proper coordination. This would include affirmative liaison with DHS and DOJ components regarding ATF's jurisdiction and role in investigations involving firearms trafficking, including illegal imports and exports.
- Coordinate the dissemination and monitoring of all collateral requests, referrals or leads regarding illegal firearms trafficking from the National Tracing Center (NTC), Industry Operations and other field divisions. This responsibility will be addressed through use of the FIG and may be re-delegated to the FIG supervisor; however the ASAC must remain engaged and ensure appropriate attention to collateral requests and referrals. This is particularly important in firearms trafficking investigations that extend from/into another ATF field division. Full cooperation and de-confliction among ATF field divisions, as well as other law enforcement agencies, is paramount to our safety, efficiency and effectiveness. (See ATF Order 3310.4B – Chapter K, Paragraph 145(d) for specific guidance on de-confliction in all trafficking cases and leads.)
- Ensure that daily Multiple Sales data for the field division's areas of responsibility is reviewed by one or more first line supervisors responsible for firearms trafficking investigations in those respective areas. RACs in outlying offices should review the raw data for their area each day and make timely assignments as appropriate. In field division cities with multiple groups, the FIG may sort the information for the operating areas of those groups, but should make referrals as expeditiously as possible. Referrals can be made through N-Force with respect to specific purchasers or may involve the general forwarding of all multiple sales information for a given area. It is highly recommended that first line supervisors with a firearms trafficking mission receive the raw multiple sales data daily, even though the FIG analyzes the data for trafficking leads against locally established criteria. Review of this data by group supervisors will likely identify potential firearms traffickers due to local office knowledge and name recognition (e.g. local gang members and associates) that would not meet the FIG's referral threshold and will ensure that supervisors maintain general awareness of the FFLs and purchasers in

All Special Agents in Charge

their area associated with frequent multiple sales. The SAC may authorize only those group supervisors without a firearms enforcement mission, e.g., an arson/explosives group, to “opt out” of the daily Multiple Sales data email from NTC

- Appoint a special agent (SA), industry operations investigator (IOI) or intelligence research specialist (IRS) within the FIG as the **e-Trace Coordinator**. The identity of the e-Trace Coordinator shall be provided by memorandum to the Chief, Field Management Staff **July 10, 2009**. The e-Trace Coordinator, in conjunction with other FIG personnel, will actively analyze the e-Trace, daily Multiple Sales data, and IO referrals to identify leads on firearms traffickers, straw purchasers or Federal firearms licensees (FFL) who appear to be engaged in suspicious activity. If the division office city has a CE field office dedicated as a “firearms trafficking group,” a special agent from that office may be designated as e-Trace Coordinator. The e-Trace Coordinator should ensure this information is disseminated via a formal referral in N-Force/N-Spect to the appropriate CE or IO field office supervisor for action. The goal should be for all firearms trafficking intelligence referrals to transmit information that appears to be worthy of investigation. The effectiveness of the field division’s referral process should be evaluated based on the ratio of number of referrals sent versus the number of investigations generated, not just the total number of referrals generated.
- Collaborate on firearms trafficking enforcement efforts with the Director, Industry Operations (DIO) within the field division, e.g., assignment of IOIs to work with the FIG and e-Trace Coordinator for IO-related intelligence gathering, assignment of IOIs to firearms trafficking task forces, regional IO compliance inspection targeting strategy, etc. Continuous coordination between CE and IO is an important part of our national firearms trafficking enforcement initiative.
- Periodic firearms trafficking enforcement reports concerning field division efforts to combat illegal firearms trafficking will be required. These requests will only seek data that is not readily available through N-Force queries. A reporting format and details shall be provided in the immediate future to maintain a consistent standard across the divisions.
- Ensure compliance with ATF O 3310.4B, Chapter K, Paragraph 147, regarding the submission of ATF F 5000.21, Referral of Information, to IO advising them of the initiation of any FFL investigations. All referrals between IO and CE should be routed through the FIG for screening, work-ups as deemed appropriate and placement in N-Force.

Each field division SAC shall ensure that all special agents are trained and properly use N-Force to fully identify suspects, trafficked firearms, Bureau programs, case profiles and investigative techniques, so proper tracking of illegal international/interstate/intrastate firearms trafficking cases, e-Trace use, and NIBIN use can be accomplished. ATF Brief 3111.1, Use of N-Force, and the N-Focus website, <http://intraweb/directorates/osii/iisd/nfocis/resources/nforce-definitions.htm> provides guidance on when to record techniques as well as their definitions.

All Special Agents in Charge

Because the "AIP" code does not distinguish between violent crime and firearms trafficking cases, it is imperative that special agents select "FIREARMS TRAFFICKING CRIMINAL ACTIVITY" from the drop down menu of the "General Case" bar on the General tab in N-Force. **A "firearms trafficking" case is any case in which ATF is investigating the source of trafficked guns, not a felon in possession case simply because the felon possesses a firearm that was likely trafficked.** This data should be reviewed by GS/RACs to verify completeness and accuracy not less than once per fiscal year. The initial verification of this data shall be completed and reported by memorandum to the Chief, Field Management Staff by **September 30, 2009**, and documented in N-Force via the Management Log for each open firearms trafficking investigation. **In subsequent fiscal years, this data must be verified by GS/RACs when firearms trafficking investigations are opened or developed into such, referred for prosecution, and closed.** In the absence of such administrative events in a fiscal year, an annual review will be conducted in September and documented in N-Force via the Management Log for each open firearms trafficking investigation.

Each field division SAC shall personally meet with his/her respective U.S. attorneys to convey the importance of this national firearms trafficking enforcement strategy in order to obtain or maintain their support and participation. SACs are encouraged to bring Division Counsel and the DIO to this meeting. Assistant U.S. attorneys unfamiliar with the prosecution of firearms trafficking cases (including prosecution of FFLs) should be encouraged to contact Division Counsel for more insight into proving these cases in court.

Each field division SAC shall meet with as many of his/her primary law enforcement counterparts at both the State and Federal level as practical, in an attempt to establish formal or informal agreements with respect to the coordination of illegal firearms trafficking investigations, firearms trafficking intelligence collection, analysis and distribution, and comprehensive tracing of crime-related firearms via e-Trace. Presentations by ATF at police chiefs', sheriffs' and state prosecutors' association meetings and similar venues are highly recommended for communicating ATF's renewed emphasis on Firearms Trafficking. Given the number of law enforcement agencies within each field division, it is understood that many of these meetings may be delegated to ASACs, field office supervisors, and Division Counsel.

Each field division SAC must ensure that all firearms are submitted for tracing by ATF or other recovering agency, thus enhancing the ability of e-Trace to generate investigative leads on illegal firearms trafficking. While exceptions to the mandatory tracing policy apply during certain investigations, no investigation involving recovered firearms should be closed without the firearms having been traced. SACs should ensure that all law enforcement agencies within their field division are aware of e-Trace and work to increase the number of agencies with e-Trace accounts. This effort may be delegated to ASACs, GS/RACs and NTC contractors in the field.

Each field division SAC must ensure that in areas with NIBIN capability, firearms related to all ATF investigations are test fired and that the shell casings and/or projectiles are submitted to NIBIN, thus enhancing the NIBIN database and increasing the likelihood of ballistic matches. Firearms submitted to NIBIN should be test fired by laboratory personnel, and submission of the firearm should be in accordance with evidence handling procedures found in ATF O 3400.1,

All Special Agents in Charge

Property Taken Into Bureau Custody. Exceptions to this test firing mandate are listed in ATF O 3310.4B, Firearms Enforcement Program, Chapter B, Paragraph 17.

In order to concentrate resources toward a more structured attack on illegal firearms trafficking, each field division SAC will exercise discretion in the volume and methods of handling cases referred by other agencies to ATF for Federal prosecution. For purposes of this memorandum, the term "referred" relates to firearms cases in which a State, local or other Federal agency has arrested an individual, contacted ATF to process the case for Federal court, and the case requires minimal investigative effort by ATF. SACs should establish prosecution thresholds with U.S. Attorney's offices to ensure that only those cases the U.S. Attorney will prosecute are pursued in order to best utilize our limited resources. In Federal districts with large cities and/or numerous potential referred cases, division managers must attempt to identify State or local agencies willing to dedicate personnel as task force officers (TFOs) to assist in processing referred cases, with the possibility of overtime, vehicles and other expenses payable through the Justice Asset Forfeiture Fund. The SAC may allow special agents other than Violent Crime Coordinators (VCCs) to handle referred cases if he/she deems it necessary, e.g., instances when the processing of several referred cases are the precursor to the initiation of a larger investigation into a violent criminal organization, when the prosecution of a defendant in a referred case will assist in the success of another ongoing investigation, to assist in training inexperienced special agents in case preparation, interviewing and courtroom procedures, or the volume of desirable referred cases greatly exceeds the work capacity of designated VCCs and available TFOs. **The stated goal is that the majority of every special agent's work consists of investigations related to firearms traffickers and/or armed violent offenders (and their sources of firearms). No more than one special agent should be designated as a VCC per Federal judicial district.** ATF O 3310.4B, Chapter B, Paragraph 14, provides guidance regarding the use of VCCs.

Priority Mission Enhancements

Firearms Trafficking Enforcement Corridors

SACs of field divisions affected by the priority firearms trafficking enforcement corridors (see attached VCAB report with ADFO designation of priority corridors) will, in addition to other guidance in this memorandum, immediately collaborate with any other SACs affected by the same trafficking corridor to develop an integrated, firearms trafficking enforcement strategy. Examples of existing multi-division, interstate/national strategies are available from the Firearms Enforcement Branch and the Office of Strategic Management. Field divisions affected by priority trafficking corridors that already have a strategy in place should review their existing strategy for compliance with other requirements set forth in this memorandum. Once such strategies have been developed in concept, the SACs may arrange a conference call with the respective DAD to discuss the proposed strategy.

A regional coordination plan of the affected field divisions shall be submitted to the Chief, Field Management Staff by **July 31, 2009**. Details of the priority trafficking corridors will be

All Special Agents in Charge

provided at the Director's Trafficking Summit. The outline of the strategy need not include significant detail as to specific investigative activities, but rather provide a general overview of the investigative strategy and techniques that will be applied and the role and responsibilities of the participating field divisions, assigned personnel and any other participating agencies. As noted elsewhere, such strategies should include ATF CE and IO assets, as well as the input and participation of other relevant Federal, state and local law enforcement agencies and prosecutors.

Investigative Techniques

ATF is committed to reducing firearms related violent crime and illegal firearms trafficking within the U.S. and neighboring regions, including Mexico, Canada, Central America and the Caribbean, through an enhanced national firearms trafficking enforcement strategy. ATF's statutory authority, information resources and dual criminal/regulatory role provide ATF unique opportunities to identify, investigate, disrupt and prosecute firearms traffickers and the violent criminals they arm. ATF Criminal Enforcement plays a significant role in stemming the flow of illegal firearms from source areas to market areas, and from illegal firearm traffickers to violent criminals. All special agents assigned to Criminal Enforcement field offices with a firearms trafficking mission should be working on multiple firearms trafficking investigations and/or initiatives. To achieve the above goals, we are **re-emphasizing** the following investigative techniques.

FFL Investigations

FFL's play a significant role in our national firearms trafficking enforcement implementation plan. A corrupt FFL can facilitate the trafficking of large numbers of firearms. Such investigations should be developed from interviews of state and federal defendants, informants, concerned citizens, law enforcement referrals and IO referrals. Most FFLs are law abiding and comply with the regulations, and care should be given not to interfere with the lawful commerce of firearms by those FFLs. An FFL investigation should be proposed when there is reason to suspect that the licensee is engaged in criminal activity. The purpose of the investigation is to verify such information and determine if criminal prosecution should be pursued. Prior SAC approval is required to open an FFL investigation, and notification must be made to the Firearms Licensing Center (FLC) to establish "Do Not Contact" and/or "LE Investigation" Special Attention Flags (SAFs) in the FLS. Special agents may request SAFs by e-mail to the FLC or through assistance of local IO personnel. The DIO and FIG should also be notified of approved FFL investigations. The DIO will ensure that the affected IO Area Supervisor and the DAD (IO) are aware of FFL investigations. FFL investigations should be actively investigated to support timely decisions as to whether criminal prosecution or potential administrative revocation is the best approach. ATF Order 3310.4B, Chapter K, paragraphs 153 to 155, contain specific guidance on FFL investigations. FFL investigations should be specifically noted in the N-Force Management Log, such as "FFL Investigation Approved." All applicable N-Force profiles and techniques related to an FFL investigation should be indicated, e.g., FFL Involved. Division Counsel may be consulted for advice regarding the sufficiency of evidence for Federal charges and for assistance to prosecutors.

All Special Agents in Charge

Gun Shows, Flea Markets and Unlicensed Dealers

ATF has a comprehensive approach to address illegal firearms trafficking at gun shows. Gun shows and flea markets provide an outlet for firearms collectors, dealers and sportsman to engage in the lawful commerce of firearms but they can also provide opportunities for prohibited persons, including violent offenders, to illegally obtain firearms from licensed dealers and unlicensed dealers. The division management team should identify the gun shows and flea markets within the field division and develop proactive strategies to assess and impact illegal firearms trafficking to criminals, terrorists, gangs, illegal aliens and juveniles at these events. Divisions may authorize altered work schedules to accommodate weekend work at gun shows. Verbal approval from the GS/RAC is required for special agents to attend a gun show for preliminary investigative purposes. SAC approval is required to investigate an FFL or conduct enforcement operations at a gun show. Priority attention should be given to illegal firearms traffickers involved in high volume schemes, especially those which are interstate or international in scope. Enforcement activity such as arrests should be conducted away from the gun show or flea market premises when possible so as not to disrupt the activities of law abiding citizens engaged in the lawful commerce of firearms. ATF Order 3310.4B, Chapter K, paragraphs 156 to 158, provides guidance on working at gun shows and flea markets.

IOI's will perform the following activities at gun shows in effort to prevent illegal firearms diversion: Holding a pre-show seminar for all individuals or business entities that will be selling firearms, Providing posters for use throughout the show regarding the "Don't Lie" program, Providing flyers to every attendee on the "Don't Lie" program and what an intrastate FFL, FFL from another state, and an individual can legally do at the show regarding the purchase and sale of firearms and Providing an ATF staffed booth to promote compliance and answer questions.

Straw Purchasers

Straw purchasers, particularly those who facilitate the diversion of firearms to known prohibited persons, should be aggressively pursued for potential Federal prosecution. Individually a straw purchaser may only be responsible for trafficking a few firearms. Nationwide, however, the impact of the collective number of firearms trafficked by many straw purchasers is vast. Straw purchasers are often used by prohibited persons (felons, juveniles, gang members and possible terrorists) to acquire weapons of choice. Due to their lack of criminal history, which is what allows them to commit this crime, straw purchasers historically have drawn limited prosecutorial interest from AUSAs. An effective strategy of coordinated indictments of multiple straw purchaser investigations at one time sends a better message to the community that this type of illegal activity will not be tolerated. It also provides the opportunity for more enhanced media discussion. As indicated elsewhere, ATF managers must work closely with the U.S. Attorney's offices to establish reasonable prosecution thresholds for straw purchasers or agree to review each investigation on a case by case basis with an eye to impacting firearms trafficking. Such defendants, who have no felony convictions or incarcerations, may be inclined to cooperate with special agents toward other targets of federal interest, such as corrupt FFLs and persons who sourced firearms through the straw purchasers, if motivated by the possibility of no prosecution

All Special Agents in Charge

or no incarceration based on their substantial assistance. Likewise, simply obtaining a felony conviction against these individuals ensures that they cannot repeat this crime in the future. Lastly, the pursuit of a straw purchaser prosecution typically is a spring board into a more complex conspiratorial investigation. It may also be a derivative of an ATF investigation of an armed criminal group or gang that acquires firearms through straw purchasers and other sources, or the result of a referral generated by IO based on suspicious purchasing activity from one or more dealers.

Prohibited Persons, Armed Violent Offenders, Drug Traffickers and Gang Members

All of these criminals are effectively identified, investigated, disrupted and prosecuted by ATF special agents through reactive and proactive violent crime investigations. In all cases, ATF agents must diligently continue their investigations for maximum potential by ensuring that effective interviews are conducted in furtherance of the initial case and to identify the sources/methods of these criminals' acquisition of firearms. Failure to identify their illicit sources for firearms allows other violent offenders to continue to effect violence on the community and other law enforcement officers. Comprehensive tracing of all firearms related to ATF investigations is required in order to enhance firearms trafficking investigations.

Firearms Trafficking Prevention

There are numerous unlicensed persons who are "engaged in the business" of dealing in firearms that are subsequently being used in crimes. Many of these persons are doing so without criminal intent and in total ignorance of the law or the ramifications of their actions; however, that does not negate the effects that trafficked firearms produce when used in a crime. Other unlicensed persons engage in firearms trafficking with full knowledge of the law and purposely operate in a manner that places them in potential violation of Federal law.

In either case, a percentage of these persons would likely cease their unlicensed firearms dealing or get a federal firearms license if an agent spoke with them and served them with a "NOTICE OF UNLICENSED FIREARMS DEALING AND VIOLATION OF FEDERAL LAW" warning letter. Some of these people are law-abiding citizens and as soon as they learn the law or understand that their actions could place them in violation of the law, they stop their activity completely. If the person continues to deal in firearms after the warning letter then the prior service of the warning letter serves to assist proving the required criminal intent.

Prevention efforts are another way that ATF reduces violent crime by denying criminals access to firearms. Service of warning letters should be documented in N-Force, to include selecting the "warning letter" investigative technique. Guidelines on the service of warning letters and the proper manner to document such service are found in ATF Order 3310.4B, Chapter K, Paragraph 159. Effective immediately, the attached standard warning letter prepared by Counsel shall be used. Signature authority for this letter is designated to the Special Agent in Charge level only.

All Special Agents in Charge

FFL Inspections

Each Field Division will conduct geographic analysis of firearms trace data involving FFLs in source and recovery locations of crime-related firearms in order to detect firearms trafficking patterns/corridors between source areas and market areas. DIOs will ensure that Industry Operations personnel adhere to guidance provided in the Operating Plan and the IO Handbook.

DIOs will use the available information/intelligence to identify the greatest risks to public safety when selecting FFLs to inspect. ATF does not have the IO resources required to inspect all FFLs on a three year cycle. As a result, DIOs must determine which FFLs to inspect based on risk.

The following are risk factors for consideration in selecting which FFLs to inspect to prevent and detect firearms trafficking:



ATF has established these priorities and procedures to ensure that the field consistently addresses high risk industry operations throughout the country. Use of the above noted information and following the IO Handbook inspection requirements will ensure that resources are effectively utilized and “at risk” dealers are properly inspected.

In addition, the annual Industry Operations Operating Plan identifies unique areas that need to be addressed. As an example, the FY 2009 Operating Plan, requires a statistical random sampling of the pawnbroker population be conducted. This sampling is being conducted to determine if there was an increase in compliance resulting from our outreach efforts and the inspection program.

Also in FY-09, all identified security firms that hold an FFL will be inspected. In addition to conducting a compliance inspection, IOIs must conduct outreach with security firms to promote

All Special Agents in Charge

greater understanding of the regulatory requirements and accountability for the firearms that they loan, rent, transfer or temporarily assign during the course of their business.

Upon issuance of ATF B 3310, Stolen Firearms Program, IOIs and special agents must respond to all robberies and burglaries of firearms from FFLs or interstate carriers.

Firearm Forward Trace

The firearm forward trace initiative is a nationwide operation requiring the participation of every field division. This operation focuses on identified weapons of choice (WOC) not being entered into the acquisition and disposition records of the FFL. This is due to corrupt FFLs or employees diverting firearms simply by not entering all acquisitions in the A&D book.

This initiative requires the IOIs to visit manufacturers and importers of the WOC firearms and obtain a list of the wholesalers and the weapons shipped. This list is then forwarded to the divisions in which the wholesalers are located. IOIs will visit the wholesalers and secure six months of data on firearms sold to retailers for the types of guns noted. Information gathered from the wholesalers will be sent to the divisions where the retail federal firearms licensees (FFLs) are located. The data will be collated and provided to the IO field office to conduct a compliance inspection of the retailer to include verifying the receipt of those particular firearms. If the firearms are not located, the information will be validated back through the business chain and as appropriate, forwarded to the FIG for referral to Criminal Enforcement.

Outreach Activities

Industry Operations continues to conduct firearms seminars and individual outreach meetings to educate the FFLs regarding the firearms laws and regulations, to enhance voluntary compliance, educate them about straw purchases and firearms trafficking, and answer any questions. The contacts encourage the FFLs to deter criminal activity by reporting suspicious persons and dispositions to ATF. The successful completion of the seminars will improve relations with the firearms industry members, and promote licensees' assistance in preventing diversion through "straw purchases", notifying ATF of unusual and large purchases.

Importers Program

ATF is partnering with U.S. Customs and Border Patrol (CBP) to stem the importation of illegal weapons. This initiative will address illegal importations due to the falsification of importers paperwork, imported machine gun receivers that are not properly destroyed and can be reassembled to function as a machine gun, non-sporting firearms improperly imported, importation of "parts kits", as well as the full accounting of weapons imported into the United States.

This initiative will involve a team of investigators from both ATF and CBP who receive specialized training to identify importable firearms, identify properly and improperly destroyed

All Special Agents in Charge

machine gun receivers and identify “parts kits.” A strategic plan to target high risk firearms will be developed by ATF and CBP. When a high risk shipment is received at a port, ATF investigators and/or agents will work with CBP inspectors to examine the shipment. As applicable, ATF or CBP will seize the items and based on the circumstances, a criminal case may be opened by ATF or CBP. Implementation details will follow.

ATF

U.S. commerce (imported or manufactured domestically) and are being traced back to a federally licensed firearm manufacturer, dealer or importer. This initiative will identify criminal patterns and gather intelligence regarding these types of firearms.

The first phase of this initiative will involve obtaining disposition records (sales records) from licensed firearm importers or manufacturers of firearms imported or manufactured within a six month period. This initiative will begin by focusing on **ATF** within.

At the retail level this forward trace initiative intends to identify firearms diversion, proper markings, proper recordkeeping and overall accountability of firearms inventory. Implementation details will follow.

7.62 Ammunition Program

In the past several years, federal law enforcement and U.S. military agree that there is a large market for 7.62mm ammunition and it is being acquired by leftist guerrillas in Columbia, and other Latin American countries.

Industry Operations plans to partner with some of the major importers, manufacturers and distributors of 7.62mm ammunition to forward trace large distribution of 7.62mm ammunition to FFLs. This forward trace of 7.62mm ammunition, like the firearms forward trace, will provide the law enforcement community with intelligence based leads on possible traffickers of firearms and ammunition, which is supporting violence in U.S. communities and in countries to our South.

Each field division SAC shall ensure that all special agents, industry operations investigators, intelligence research specialists and supervisors understand the national firearms trafficking enforcement strategy, the need for the Bureau to emphasize illegal firearms trafficking enforcement while suppressing violent crime and ensuring industry compliance, the importance of supporting and utilizing the Bureau's unique assets such as the NTC, e-Trace and NIBIN, and the relevance of maintaining accurate investigative and performance data in N-Force and N-Spect. This shall be accomplished through roll call training for these Field Operations personnel

All Special Agents in Charge

prior to **July 31, 2009**, during which a copy of this memorandum and ATF P 3317.1, Guide to Investigating Illegal Firearms Trafficking (revised publication expected in July 2009) shall be provided to each of these employees. In addition, the ATF Project Gunrunner Southwest Border Initiative Intelligence Collection Plan, dated 04/03/09, should be provided to all FIG personnel as a summary of the “best practices” applicable to firearms and ammunition trafficking intelligence in support of the national firearms trafficking enforcement strategy. This 26-page OSII document should be thoroughly reviewed by FIG personnel during roll call training sessions by **July 31, 2009**.

Field Operations will continue to coordinate with other ATF directorates, the Department and others to support and implement our national firearms trafficking enforcement strategy. These efforts include but are not limited to possible organizational changes, intelligence operations, training (basic, advanced and external), and public/governmental affairs.

Should you have any questions or require any additional information, please contact your Deputy Assistant Director (Field Operations).



Mark R. Chait

Attachment