



AUDIT OF THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES' NATIONAL RESPONSE TEAM

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

Audit Report 11-09
January 2011

AUDIT OF THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES' NATIONAL RESPONSE TEAM

EXECUTIVE SUMMARY

In 1978, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) established its National Response Team (NRT) to assist other federal, state, and local law enforcement agencies in determining the cause and origin of major arson and explosives incidents. Since its inception, the NRT has provided assistance in over 700 investigations, including the 1993 World Trade Center bombing, the 1995 Oklahoma City federal building bombing, and the September 11, 2001, terrorist attacks.

As of September 2010, the NRT consisted of 3 team leaders, 16 full-time members, and 112 part-time members from throughout ATF. An activated team normally consists of approximately 15 agents and attempts to arrive at a fire or explosion scene within 24 hours after receiving the initial request for assistance and stays at the site for 3 to 7 days. While on-scene, the NRT assists other federal, state, and local agencies in sifting through debris to obtain evidence related to the explosion or fire, identifying the seat of the blast or the origin of the fire, and conducting interviews. The NRT responded to 63 incidents between fiscal years (FY) 2007 and 2009.

OIG Audit Approach

The objectives of this audit were to: (1) examine ATF's use of the NRT, including its effectiveness; and (2) examine the management of the NRT Program.

To accomplish these objectives, we reviewed ATF documentation associated with the NRT, including information on the incidents for which the NRT was deployed between FYs 2007 and 2009. We interviewed over 50 ATF officials, including the ATF Acting Director, the Executive Assistant Director, the Chief of the Arson and Explosives Enforcement Branch, and key NRT personnel.

In addition, we performed audit work analyzing the use of the NRT at five ATF field divisions: (1) Chicago, Illinois; (2) Dallas, Texas; (3) Houston, Texas; (4) Louisville, Kentucky; and (5) Philadelphia, Pennsylvania; as well as at the Jacksonville, Florida, Field Office of the Tampa, Florida, Field Division. Further, we observed the NRT at an activation related to a series of church fires in eastern Texas.

To obtain feedback on the effectiveness of the investigative support provided by the NRT, we surveyed representatives from 49 state and local law enforcement and fire department agencies who worked with the NRT during our review period. Moreover, we conducted telephone interviews with senior management in ATF's 25 field divisions for their insight on the utilization of the NRT, the use of NRT equipment, and recent changes to the NRT Program. Appendix I contains a more detailed description of our audit objectives, scope, and methodology.

Results in Brief

We found that the NRT Program brings valuable expertise and experience to large-scale arson and explosives investigations. Many of the ATF officials we interviewed commented on the NRT's expertise and professionalism, and many state and local agency representatives who worked with the NRT stated that their agencies could not have completed their investigations without the assistance of the NRT, or that they could not have completed the investigations as thoroughly or as efficiently.

On the other hand, our audit identified weaknesses relating to the utilization, effectiveness, and management of the NRT Program. Our review of ATF data revealed that some ATF field divisions did not request NRT assistance often. We found that ATF field divisions requested NRT assistance on 63 of the 631 cases that met the criteria for the NRT's assistance. Nine field divisions did not use the NRT at all between FYs 2007 and 2009, and three field divisions only used the team one time during those 3 years.

We also found that ATF does not review the NRT's utilization statistics and therefore is unaware of how often, or how infrequently, certain field divisions use the NRT as an investigative resource. Further, while ATF sends satisfaction surveys to the state and local agencies that work with the NRT, the response rate on these surveys is limited, and ATF performs no follow-up on the surveys.

In addition, we identified other areas in need of improvement within the management of the NRT Program. For example, we determined that ATF's policies and regulations relating to the NRT Program, such as the requirement to perform routine inspections of NRT response vehicles and hazardous materials (hazmat) equipment, were not being followed. The failure to perform these types of inspections could hinder the effectiveness of the NRT's operations or endanger the safety of NRT members because inoperable or missing equipment may not be identified and addressed before the NRT activation. Further, NRT management was not monitoring the use

of the vehicles and equipment and therefore did not have basic information to make informed decisions about adding or replacing existing equipment.

We also found problems in the supervision and oversight of the NRT Program, including frequent turnover in NRT management positions, inadequate interaction between NRT Program management and team members, and ATF's inability to provide basic program information such as accurate data on NRT activations. We also found that these problems resulted in low morale among NRT members.

In our report, we make 10 recommendations to improve the effectiveness of the NRT Program. Our full report contains more detailed information on the results of our review, and the remaining sections of this Executive Summary provide a further description of our audit findings.

Background

During our review period, between FYs 2007 and 2009, the NRT was located within the ATF's Office of Enforcement Programs and Services, under the direct supervision of the Arson and Explosives Programs Division, Arson and Explosives Enforcement Branch. At that time the NRT was divided into four regions: (1) Midwest, (2) Northeast, (3) Southeast, and (4) West. Each region was headed by an NRT team leader who generally was responsible for NRT activations in the leader's respective jurisdiction. The 4-region structure was in place until October 1, 2009, when the Northeast region was removed – resulting in 3 regions: (1) Central, (2) Eastern, and (3) Western.

Utilization and Effectiveness of the NRT

State and local law enforcement agencies can contact the local ATF field division to request assistance when the investigation of an arson or explosives incident extends beyond locally available resources. The local ATF field division then determines whether to involve the NRT, after considering its own capabilities to handle the incident.

Although ATF does not require field divisions to use the NRT for particular incidents, ATF provides guidance on the types of incidents that warrant the use of the NRT. Specifically, according to the NRT Handbook, the field division Special Agent in Charge determines the priority status of a particular incident based on the following criteria:

- **Priority 1:** The incident involves commercial or industrial property with estimated damages of \$1 million or more, or at least 1 death, or more than 10 injuries.
- **Priority 2:** The incident involves commercial or industrial property with estimated damages up to \$1 million and at least 1 to 10 injuries.
- **Priority 3:** The incident involves any property with estimated damages of less than \$1 million and no deaths or injuries. Unless the Special Agent in Charge presents compelling reasons to the contrary (such as the incident is beyond the capabilities of the local office, is a hazmat scene, or has a significant impact on the community), the NRT will not be activated.

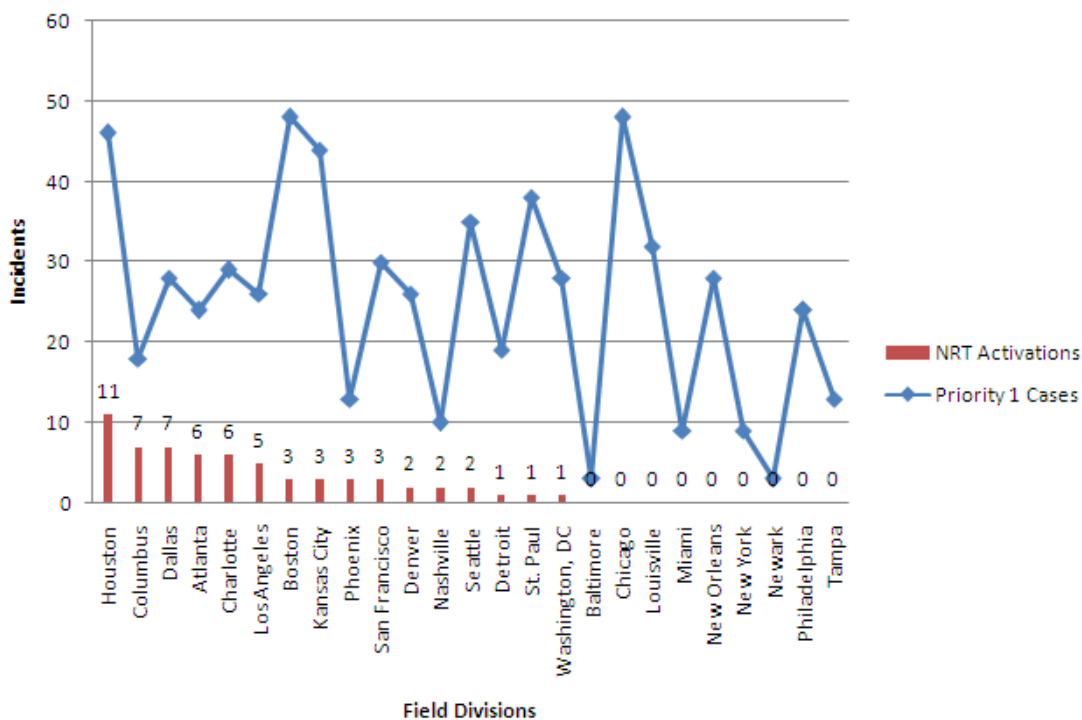
To determine the extent of NRT utilization, we obtained ATF data for all arson and explosives cases between FYs 2007 and 2009 from ATF's N-FORCE system.¹ Using this data, we determined the number of cases that met the criteria for using the NRT and the number of cases in which the NRT actually assisted on an investigation, called Priority 1 cases.² During our review period we found that at least 631 ATF investigations met the Priority 1 status criteria to activate the NRT, and the NRT participated in 63 investigations.

The number of NRT activations varied by field division. We found that nine ATF field divisions never used the NRT. In the nine field divisions that did not request NRT assistance between FYs 2007 and 2009, each had Priority 1 cases for which they could have activated the NRT, as illustrated in the following exhibit. ATF officials explained that field managers consider several variables when evaluating each fire or explosives incident to determine if the NRT's services are needed. As a result, ATF management stated that the NRT would not be used on all Priority 1 cases.

¹ N-FORCE tracks ATF investigations, contains various case-related data, and collects information on the investigative tools, such as the NRT, that were used during the course of an investigation.

² For the purpose of our analysis, we considered the arson and explosives cases meeting the Priority 1 criteria as those for which the field division could have requested the NRT's assistance. We limited our analysis to Priority 1 incidents because we believe investigations falling under this category involve significant incidents on which field divisions are more likely to request the NRT's assistance.

**NRT ACTIVATIONS AND PRIORITY 1 CASES
BY ATF FIELD DIVISION
FISCAL YEARS 2007 THROUGH 2009**



Source: OIG analysis of ATF N-FORCE data

We also determined that ATF does not routinely perform similar analyses to compare the actual use of the NRT to the number of potential users in each field division. We believe this type of analysis could be used by ATF management for assessing the use of the NRT among field divisions. For example, this type of review could identify field divisions that may not be using the NRT to its full potential and for other offices this type of review may identify best practices that could be shared within ATF. Therefore, we recommend that ATF regularly conduct analyses similar to those we performed.

We interviewed ATF officials to better understand the varied use of the NRT by field divisions and were provided various explanations to help account for the uneven use. For example, ATF officials said that some state and local agencies, particularly those in large cities, have the resources and expertise to conduct arson and explosives investigations without the investigative support of the NRT. Another factor affecting the use of the NRT is the creation and use of Division Response Teams in certain field divisions. These teams consist of agents within the field division who can respond

when large arson and explosives incidents occur within the division's geographical jurisdiction.

However, we also interviewed officials from 49 state and local agencies who worked with ATF's NRT, and 10 respondents said that they had little to no knowledge of the NRT prior to the fire or explosion we discussed with them.³ In addition, two local officials who had experience with the NRT told us that they believed that responding authorities in rural areas may be relatively unaware of the existence of the NRT and its capabilities for assistance in major arson and explosives investigations.

We found from our interviews that the investigative support provided by the NRT generally was considered to be very effective. We interviewed officials at ATF headquarters, as well as senior management from the 25 ATF field divisions, and full-time and part-time NRT members. We also surveyed 49 state and local agencies regarding the effectiveness of the NRT. Generally, these individuals praised the assistance provided by the NRT and spoke of the team's thoroughness and expertise. Specifically, representatives from 46 of the state and local agencies interviewed said that they either could not have completed their investigations without the NRT or they could have completed the investigations but that without the NRT's assistance it would have taken more time and strained the agencies' resources.

Yet, we found that the Arson and Explosives Programs Division has not established performance measures by which to assess the effectiveness of the NRT. ATF does solicit feedback through a survey to the state and local law enforcement agencies that requested the NRT's assistance. However, of the 63 NRT activations occurring during our review period, only 15 surveys were completed and returned to ATF by state and local agencies, and ATF did not follow up with the agencies that did not respond. NRT members also told us that the feedback that is obtained is not forwarded to the team. The team members believed that receiving such information would aid them in providing the best possible assistance while on-scene.

We believe ATF should pursue a higher return rate for the satisfaction surveys to help gauge the NRT's effectiveness and improve the support it is providing. Additionally, the Arson and Explosives Programs Division should share the results of the surveys with NRT members to give the team information on how to improve the on-site assistance provided to state and local agencies. We also believe ATF should establish metrics by which to

³ Some of these state and local representatives explained that although they had little or no prior knowledge of the NRT, they contacted ATF about the fire or explosion when it occurred and ATF officials informed them of the NRT's existence.

assess the effectiveness of the NRT and to help identify the strengths and weaknesses of the NRT.

Management of the NRT

To examine the management of the NRT, we interviewed NRT members and headquarters officials, including NRT Program management, and we also observed an NRT team on the scene of an activation. As discussed below, our review revealed several weaknesses in the management of the NRT Program.

Adherence to Program Guidance

The NRT Handbook formally establishes the NRT Program's standards and procedures. Our review revealed instances in which NRT Program management did not ensure that members were adhering to these established guidelines. For example, the NRT Handbook states that the Arson and Explosives Enforcement Branch Chief, with assistance from NRT team leaders, will conduct annual internal reviews of each NRT region. The Arson and Explosives Enforcement Branch Chief informed us that he never performed any of these internal reviews. The three current NRT team leaders told us that they were unaware if the reviews were performed and had never assisted in a review of another team.

In addition, the NRT Handbook states that NRT team leaders must ensure that all NRT response vehicles and equipment are inspected annually and that vehicle maintenance and equipment inventory records are maintained. The NRT must also abide by hazmat-related regulations set forth by the Occupational Safety and Health Administration (OSHA) for the inspection of hazmat equipment. These regulations require the documentation of monthly inspections of hazmat-related respiratory aids.

Between 1997 and 2004, the Arson and Explosives Programs Division spent nearly \$7 million to purchase 40 NRT response vehicles. Between 2005 and 2006, the Arson and Explosives Programs Division purchased eight hazmat trailers containing equipment, such as self-contained breathing apparatuses and protective suits, for nearly \$515,000. Yet, according to NRT members, required inspections of the response vehicles, hazmat trailers, and equipment were not being performed. The failure to perform routine inspections can impede the effectiveness of the NRT because the NRT may arrive on the scene with inoperable equipment. Moreover, improperly maintained hazmat equipment could jeopardize the safety of individuals using that equipment.

At the time of our fieldwork, ATF also did not require staff to maintain usage logs for NRT response vehicles and hazmat trailers. Some ATF offices did maintain such records on their own, and we reviewed the available vehicle usage logs. During our review period, there were three NRT activations involving a hazmat scene, and a hazmat trailer was used in only one of those instances. The NRT response vehicles were primarily used for community events, such as parades, response vehicle demonstrations, and career fairs.

According to NRT Program officials, the NRT Handbook is outdated and ATF is in the process of updating it. Recently, NRT management created an inspection checklist for hazmat equipment and implemented a requirement for monthly inspections of hazmat equipment. In addition, in June 2010 the Arson and Explosives Enforcement Branch issued a policy directive requiring all field divisions to maintain a vehicle usage log for the NRT response vehicles.

Program Oversight and Changes

In April 2010 ATF initiated an organizational restructuring, and the NRT Program was transferred from the Office of Enforcement Programs and Services to the Office of Field Operations. Prior to April 2010, ATF officials informed us of weaknesses in communication between the NRT Program and the Office of Field Operations. We found that before the ATF's organizational change, on-scene communication from the NRT about its operations, procedures, and methodology generally was shared within the Office of Enforcement Programs and Services but was not always passed on to the Office of Field Operations. ATF headquarters officials told us that they believe that the recent restructuring will resolve the communication issues that we identified.

ATF made other programmatic changes to the NRT Program during our review period. For example, in FY 2009 ATF headquarters restructured the NRT from four regions to three to align with the Office of Field Operations' regional structure. This restructuring resulted in the elimination of one NRT team leader position. In addition, several part-time members left the NRT as a result of the restructuring.

Management Turnover

Our audit also revealed frequent turnover in NRT management positions. Since 2001, seven individuals have served as Chief in the Arson Explosives and Enforcement Branch, resulting in a lack of consistency and continuity in program oversight.

Inability to Provide Basic Program Information

We believe that basic information on NRT Program activity should be maintained and readily available to those responsible for overseeing the program. However, NRT management was unable to provide us with basic historical information regarding the program, such as a listing of past NRT members or information on the history of NRT activations.

The Arson and Explosives Enforcement Branch established its own manual mechanism to track NRT activations. However, the number of activations identified through this manual process did not reconcile with the number of activations reflected in N-FORCE. ATF executive management expressed concern with this internal tracking mechanism and stated that the NRT Program should rely on N-FORCE to report statistics.

Limited Management Involvement

The Chief of the Arson and Explosives Enforcement Branch in Washington, D.C. oversees the NRT Program and is the first-line supervisor for the NRT team leaders and full-time members. However, the full-time NRT members commented to us that they had little contact with NRT managers in ATF headquarters and expressed concerns that management conducted performance evaluations without interacting with them. In addition, the NRT full-time members said that NRT management had rarely been on-site during an NRT activation, which would provide an opportunity to witness first-hand the work performed on-scene, interact with the NRT members, and obtain face-to-face feedback regarding the program.

NRT Program officials acknowledged that it has been difficult for headquarters officials in Washington D.C. to manage the full-time members who are stationed throughout the country. To resolve this issue, in April 2010 ATF changed the position description of the NRT team leaders to be supervisory in nature. As a result, the NRT team leaders stationed in the field are responsible for directly supervising the full-time members. We believe that this will help ensure that the full-time members have first-line supervisors who have regular interaction with them.

Low NRT Member Morale

During our interviews with NRT members, many discussed the management issues described above and stated that these issues caused low morale among the team members and negatively affected their confidence in NRT management. These problems caused some members to remove themselves from the NRT, while other NRT members told us that

they will consider leaving the NRT if the current conditions persist. We discussed these issues with ATF executive managers who said they were aware of the low morale and lack of confidence in management. They explained that they believed the transfer of the Arson and Explosives Programs Division, including the NRT Program, to the Office of Field Operations would improve morale and overall program management.

Conclusion and Recommendations

Overall, we found that the NRT assisted state and local agencies in the investigation of large-scale fire and explosives incidents and that the agencies receiving the assistance appreciated the support from the NRT Program. Representatives from 46 of 49 state and local agencies we interviewed said that either their agencies would not have been able to complete the investigation without the NRT's assistance or that the investigation would not have been completed as effectively and efficiently.

However, ATF is not ensuring the NRT is being used to its full potential, and it does not routinely perform analysis on the use of the team by field divisions. We also believe ATF needs to improve its process for assessing the effectiveness of the NRT. Although ATF sends surveys to state and local agencies that have worked with the NRT, only a small number of the surveys are returned. Further, there is no mechanism to collect NRT-related feedback from the field divisions, nor does ATF have internal metrics by which to measure the NRT's effectiveness.

Our evaluation of ATF's management of the NRT Program revealed weaknesses. Although regulations associated with NRT equipment require regular inspections of response vehicles and hazmat trailers, ATF was not performing these inspections. In addition, at the time of fieldwork, ATF did not require staff to maintain usage logs for the NRT response vehicles and hazmat trailers. We believe ATF should regularly inspect the response vehicles and trailers and monitor their use. We also believe that ATF should complete its efforts to update the NRT Handbook that ATF officials have identified as outdated.

We identified other issues associated with the oversight of the NRT Program, including communication weaknesses, turnover in NRT management positions, the inability to provide basic program information, and low morale among the NRT team members. ATF executive management stated they believed that recent organizational changes will help address these concerns.

In our report, we make 10 recommendations to improve the management of the NRT Program, including regular evaluations of the usage of the NRT, increase awareness of the NRT through enhanced outreach to state and local agencies, update the NRT Handbook, and comply with requirements for equipment inspections.

**AUDIT OF THE BUREAU OF
ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES'
NATIONAL RESPONSE TEAM**

TABLE OF CONTENTS

INTRODUCTION	1
Organizational Structure	1
NRT Overview	2
Audit Approach.....	4
FINDINGS AND RECOMMENDATIONS	5
I. UTILIZATION AND EFFECTIVENESS OF THE NRT	5
Utilization of the NRT	6
Effectiveness of the NRT	12
Conclusion	14
Recommendations	15
II. MANAGEMENT OF THE NRT	16
Non-Compliance with Policies and Regulations	16
Equipment	19
Program Oversight	22
Low NRT Member Morale	27
Conclusion	27
Recommendations	28
STATEMENT ON INTERNAL CONTROLS	29
STATEMENT ON COMPLIANCE WITH LAWS AND REGULATIONS	30
APPENDIX I - OBJECTIVES, SCOPE, AND METHODOLOGY	31
APPENDIX II - CURRENT MAP OF ATF FIELD DIVISIONS	33
APPENDIX III - LOCATIONS OF NRT RESPONSE VEHICLES	34
APPENDIX IV - LOCATIONS OF NRT HAZMAT TRAILERS	35
APPENDIX V - THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES' RESPONSE	36
APPENDIX VI - OFFICE OF THE INSPECTOR GENERAL ANALYSIS AND SUMMARY OF ACTIONS NECESSARY TO RESOLVE THE REPORT	41

INTRODUCTION

In February 1978 the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) created the National Response Team (NRT) to assist other federal, state, and local authorities in determining the cause and origin of large-scale arson and explosives incidents that are beyond the capabilities of the initially responding authorities. Specifically, the NRT assists these other agencies in sifting through debris to obtain evidence related to the explosion or fire, identifying the seat of the blast or the origin of the fire, and conducting interviews. As of August 2010, the NRT had assisted on 704 investigations, including the World Trade Center bombing in 1993, the Oklahoma City federal building bombing in 1995, and the September 11, 2001, terrorist attacks.

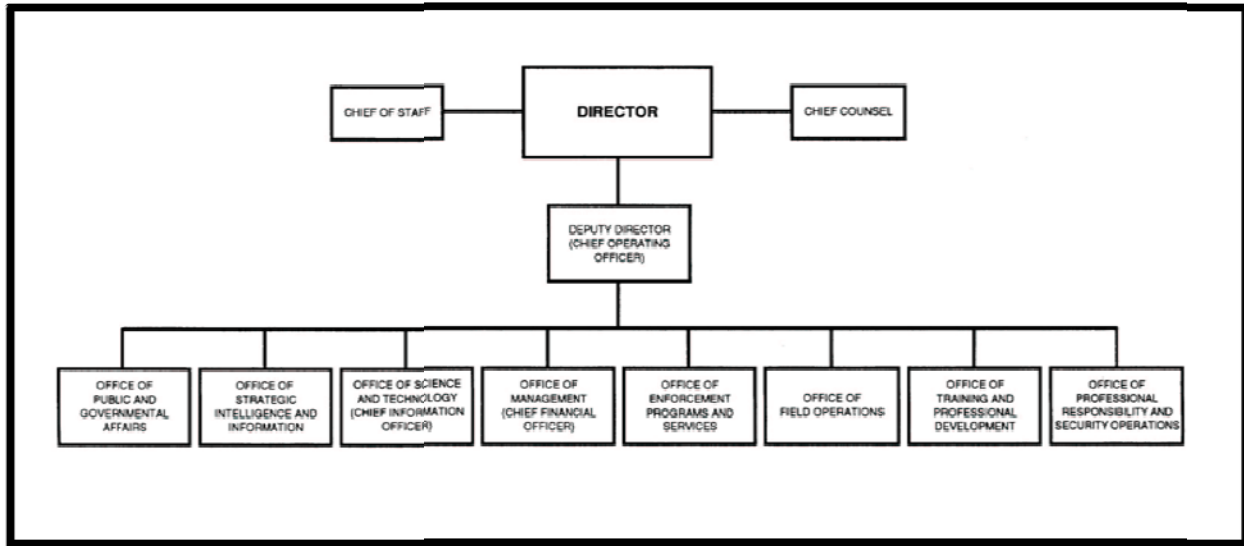
Organizational Structure

ATF headquarters, located in Washington, D.C., provides oversight and direction to the 25 ATF field divisions located throughout the United States.⁴ ATF headquarters is divided into eight offices that report to the Deputy Director, as reflected in Exhibit I-1.

The NRT Program is part of ATF's Arson and Explosives Programs Division, which in April 2010 was transferred from the Office of Enforcement Programs and Services to the Office of Field Operations. The Office of Enforcement Programs and Services develops and provides program support, policy, and guidance to ATF offices. The Office of Field Operations is responsible for enforcing federal laws and regulations relating to the firearms and explosives industries and is the headquarters office to which all field divisions report. The NRT's organizational transfer is discussed in more detail in Finding II of our report.

⁴ A map showing the geographical boundaries of the 25 ATF field divisions is contained in Appendix II.

EXHIBIT I-1
CURRENT ATF ORGANIZATIONAL CHART



Source: ATF

NRT Overview

ATF created the NRT to establish a highly-experienced cadre of special agents and support personnel who can assist federal, state, and local law enforcement and fire service personnel at the scene of a major fire or explosion that exceeds the capabilities of the initial responding agencies. According to ATF, the NRT can be deployed to a fire or explosion scene within 24 hours of its assistance being requested and stay on the scene for 3 to 7 days.⁵ The NRT operates under a handbook (dated February 8, 2000) that discusses the program's structure and formally establishes the program's standards and procedures, such as the requirements for filling NRT positions and the responsibilities of NRT members.

Regional Structure

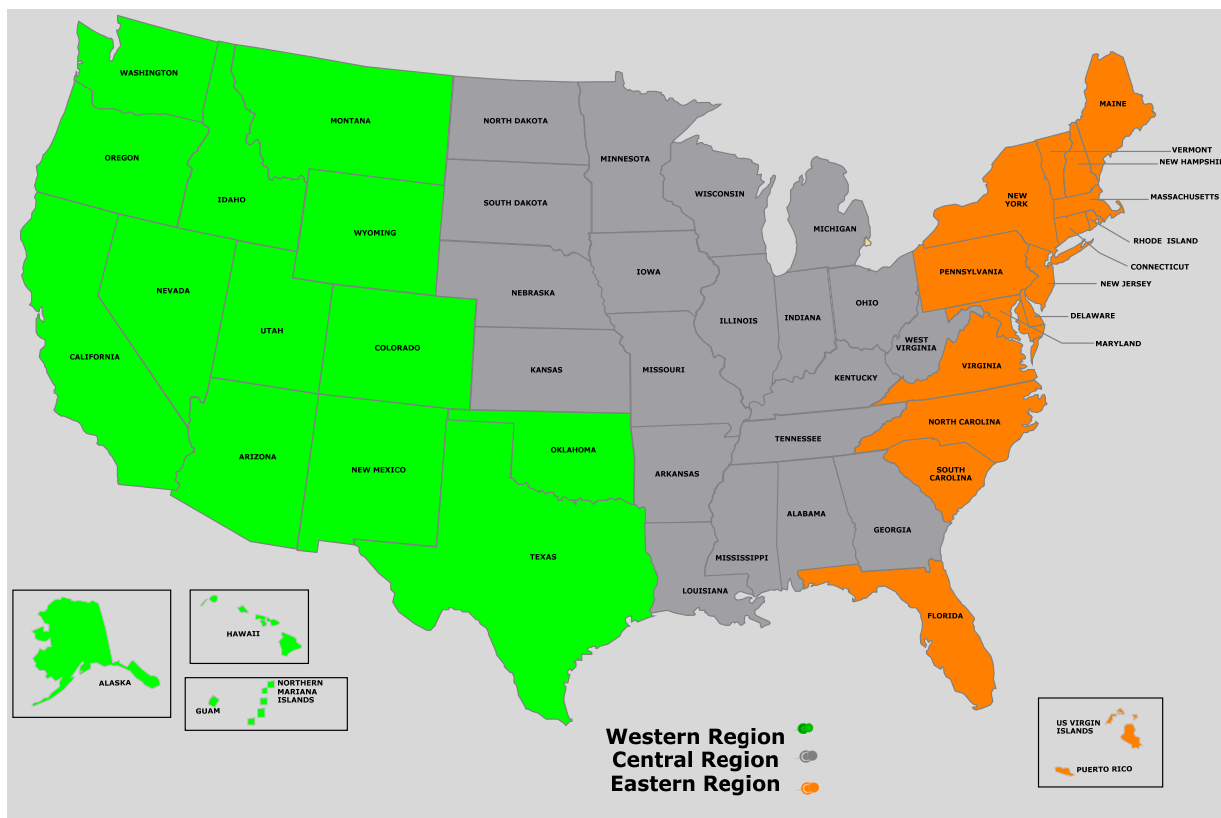
When established in 1978, the NRT was divided into two regions – the East and the West. In 1980 two additional regions were added to the NRT, resulting in a total of four regions: (1) Midwest, (2) Northeast, (3) Southeast, and (4) West.

The NRT maintained this four-region structure until October 1, 2009, when it eliminated the Northeast region to better align with the regional

⁵ In our report, we refer to the NRT's deployment to a fire or explosion scene as an NRT activation, which ATF commonly refers to as an NRT "call out."

structure of ATF's field divisions. Exhibit I-2 shows the current Central, Eastern, and Western regions of the NRT.

EXHIBIT I-2
CURRENT REGIONAL STRUCTURE OF THE NATIONAL RESPONSE TEAM



Source: ATF

NRT Personnel

As of September 2010, the NRT was comprised of 131 ATF employees, including 3 regional team leaders, 16 full-time team members, and 112 part-time team members.

Each NRT region is headed by a team leader who has a variety of responsibilities. Each team leader generally responds to all NRT activations within the team leader's respective region and to other regions as needed; coordinates the scheduling of the NRT's response to an incident, including the formation of the team; and manages the team while on-scene. The 16 full-time team members, located in ATF field divisions throughout the country, handle NRT-related activities and assist field divisions on other arson and explosives investigations when these team members are not

otherwise busy with NRT activities. The 112 part-time members, also located in ATF field divisions throughout the country, volunteer for part-time assignment to the NRT. Part-time members assist the NRT depending on their availability; their primary responsibility is to investigate cases for their field division.

When an activated NRT team responds to an incident, the team generally consists of approximately 15 special agents, including a team leader and 2 full-time members, as well as a Team Special Agent in Charge from the field division where the incident occurred. The team leader is responsible for the overall operation of the team, and the Team Special Agent in Charge is responsible for ensuring a coordinated investigative approach between the field division and the NRT. Team members are cross-trained in several disciplines, and each team may include agents who are certified fire investigators, certified explosives specialists, and personnel who serve as explosives enforcement officers, forensic chemists, canine handlers, and medic support.⁶

Audit Approach

The objectives of this audit were to: (1) examine ATF's use of the NRT, including its effectiveness; and (2) examine the management of the NRT Program.

To accomplish these objectives, we reviewed and examined ATF documentation associated with the NRT and observed the NRT while deployed.⁷ We also analyzed ATF arson and explosives case data for FYs 2007 through 2009. We interviewed 73 ATF officials, including the Acting Director of ATF, Executive Assistant Director, Chief of the Arson and Explosives Enforcement Branch, field office managers, and members of the NRT. We also obtained feedback from personnel representing 49 state and local agencies who worked with the NRT during our review period.

The results of our review are detailed in Findings I and II. Finding I provides an overview of ATF's utilization of the NRT between FYs 2007 and 2009, as well as our assessment of the NRT's effectiveness. Finding II focuses on the management of the NRT. Further information on the audit objectives, scope, and methodology is contained in Appendix I.

⁶ Certified fire investigators are a group of highly trained special agents who provide technical support, analysis, and assistance in identifying the fire origin and determining the cause on potential arson investigations. Certified explosives specialists are special agents trained in explosives investigations to identify, handle, and destroy explosives.

⁷ We observed the NRT's response to a series of church fires in eastern Texas.

FINDINGS AND RECOMMENDATIONS

I. UTILIZATION AND EFFECTIVENESS OF THE NRT

ATF headquarters and field office leadership, as well as personnel from state and local agencies who have received NRT assistance, believe that the NRT Program brings valuable expertise and experience to arson and explosives investigations. However, ATF does not have an adequate means of assessing the utilization and effectiveness of the NRT Program and, as a result, may not be using the NRT to its full potential.

Based upon our examination of ATF case data, we found that between FYs 2007 and 2009 ATF field divisions used the NRT on only 63 (or 10 percent) of at least 631 cases that met the criteria for use of the NRT. Further, 12 of the 25 ATF field divisions either did not use the NRT or only used the NRT once during our review period. ATF does not review these statistics and receives only limited feedback from state and local agencies through the dissemination of a satisfaction survey.

To request assistance when the investigation of an arson or explosives incident extends beyond locally available resources, state and local law enforcement agencies contact the local ATF field division. The local ATF field division then determines whether to involve the NRT. In deciding to activate the NRT, the local ATF field division considers whether it can sufficiently respond to the request using its own capabilities.

The use of the NRT among field divisions varies. Although ATF does not mandate when its field divisions use the NRT, ATF has established specific criteria that must be met prior to a field division requesting NRT assistance. According to the NRT Handbook, the field division Special Agent in Charge determines the priority status of a particular incident based on the following criteria:

- **Priority 1:** The incident involves commercial or industrial property with estimated damages of \$1 million or more, or at least 1 death, or more than 10 injuries.
- **Priority 2:** The incident involves commercial or industrial property with estimated damages up to \$1 million and at least 1 to 10 injuries.

- **Priority 3:** The incident involves any property with estimated damages of less than \$1 million and no deaths or injuries. Unless the Special Agent in Charge presents compelling reasons to the contrary (such as the incident is beyond the capabilities of the local office, involves hazardous materials, or has a significant impact on the community), the NRT will not be activated.

According to ATF, the NRT primarily responds to Priority 1 incidents. However, the NRT responds to Priority 2 and Priority 3 incidents when the incident is beyond the capability of the state and local agencies and significantly affects the community. The Chief of the Arson and Explosives Enforcement Branch said that, to his knowledge, the NRT has responded to all requests it receives for assistance.

Utilization of the NRT

To determine the overall utilization of the NRT, we obtained data from ATF's automated case management system, N-FORCE.⁸ We examined data on all arson and explosives cases handled by ATF from FY 2007 through FY 2009 to determine: (1) the number of cases that met the criteria for using the NRT and (2) the number of cases where the NRT was activated. For the purpose of our analysis, we considered the arson and explosives cases meeting the Priority 1 criteria as those for which the field division could have requested the NRT's assistance. We limited our analysis to this priority area because investigations within this category involve significant incidents for which field divisions are more likely to request the NRT's assistance. The following sections contain the results of our analysis.

Priority 1 Cases

According to N-FORCE data for FYs 2007 through 2009, ATF had at least 631 arson and explosives investigations that met the Priority 1 criteria.⁹ As shown in Exhibit 1-1, we determined that the number of Priority 1 cases generally declined from FY 2007 to FY 2009 in three of the four NRT regions that were active during the period. Only the Northeast

⁸ N-FORCE tracks ATF investigations, contains various case-related data, and collects information on the investigative tools, such as the NRT, that were used during the course of an investigation.

⁹ We could not determine the priority criteria for about 200 additional cases because the necessary information was not contained in N-FORCE for those records. The fields that capture that information are not required to be completed in N-FORCE. One of our recommendations in this report is that ATF modify N-FORCE to require the fields capturing this information are completed.

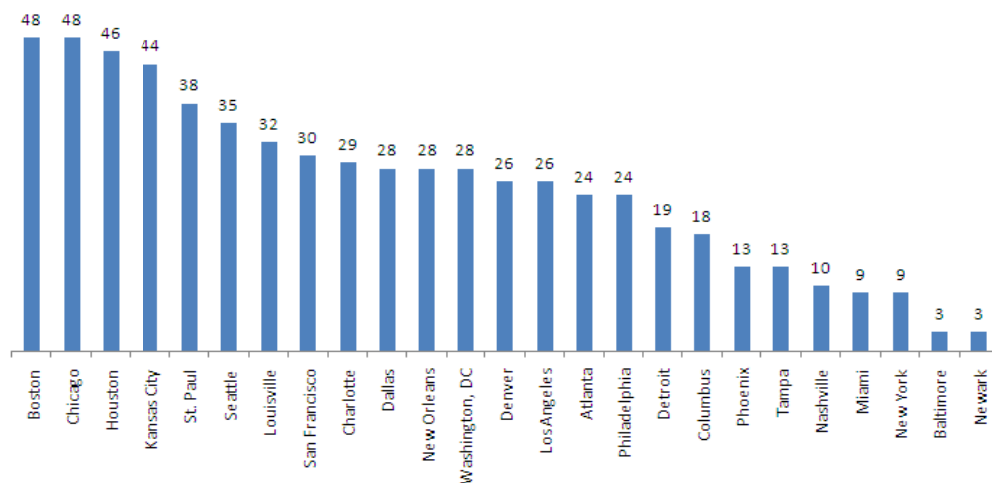
region experienced a steady increase in the number of Priority 1 cases. The West region had the highest number of cases that met the Priority 1 criteria, with 204 cases.

EXHIBIT 1-1				
ATF PRIORITY 1 ARSON & EXPLOSIVES INVESTIGATIONS				
BY NRT REGION				
FISCAL YEARS 2007 THROUGH 2009				
Region	FY 2007	FY 2008	FY 2009	Total (FYs 2007 – 2009)
Midwest	76	61	62	199
Northeast	31	38	46	115
Southeast	41	36	36	113
West	76	71	57	204
Totals	224	206	201	631

Source: OIG analysis of ATF N-FORCE data

We further analyzed the Priority 1 cases by field division. As reflected in Exhibit 1-2, the number of such cases varied widely among field divisions – from a low of 3 Priority 1 cases in both the Baltimore and Newark field divisions to a high of 48 cases in both the Boston and Chicago field divisions.

EXHIBIT 1-2
ATF PRIORITY 1 ARSON & EXPLOSIVES INVESTIGATIONS
BY FIELD DIVISION
FISCAL YEARS 2007 THROUGH 2009



Source: OIG analysis of ATF N-FORCE data

NRT Cases

According to our analysis of N-FORCE data, as reflected in Exhibit 1-3, ATF activated the NRT 63 times during FYs 2007 through 2009. We found that 53 of the 63 NRT activations met the Priority 1 criteria.¹⁰ With the exception of the Southeast region, the number of NRT activations by region remained relatively constant throughout our review period.

The use of the NRT varied widely among the four regions. For example, the field divisions in the West region used the NRT more than the divisions in the other regions. One NRT member explained that the NRT is activated more in the West region because the West region is less-densely populated and covers a large geographical territory with significant distances between metropolitan areas. As a result, local authorities often require assistance in responding to large-scale incidents. In contrast, field divisions in the Northeast region rarely used the NRT. According to a former team leader, the Northeast region contains a significant number of experienced state and local arson investigators who are able to handle large-scale incidents without NRT assistance.

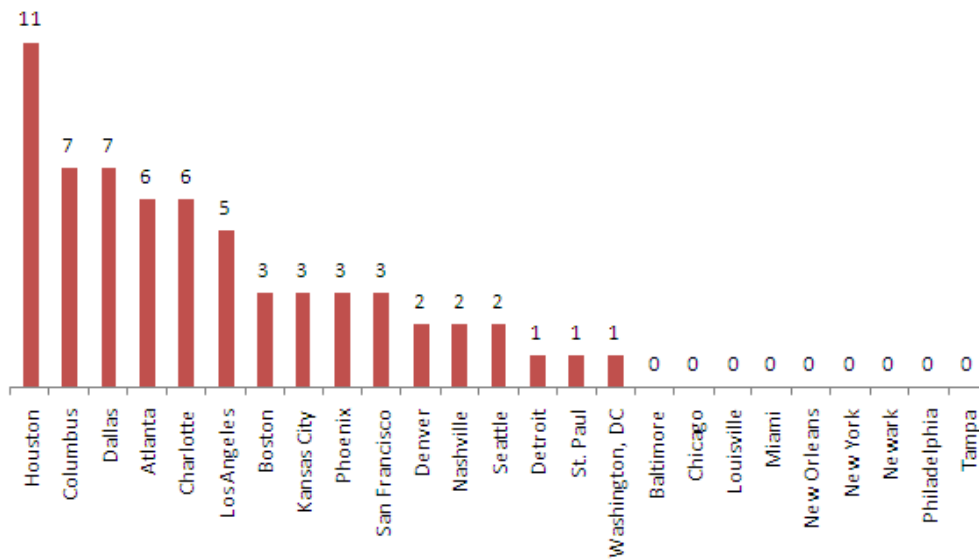
EXHIBIT 1-3				
NRT ACTIVATIONS BY REGION				
FISCAL YEARS 2007 THROUGH 2009				
Region	FY 2007	FY 2008	FY 2009	Total (FYs 2007 – 2009)
Midwest	5	3	4	12
Northeast	1	2	1	4
Southeast	2	4	8	14
West	13	10	10	33
Totals	21	19	23	63

Source: OIG analysis of ATF N-FORCE data

We further examined the N-FORCE data to determine, by field division, the number of cases involving the NRT's assistance. As shown in Exhibit 1-4, the utilization of the NRT by field division also varied greatly. For instance, the Houston Field Division used the NRT on 11 of its arson and explosives investigations opened between FYs 2007 and 2009. In contrast, 9 of the 25 field divisions (over one-third) did not use the NRT on any of their arson and explosives investigations, and 3 field divisions only used the NRT on 1 investigation.

¹⁰ We were unable to determine the priority status of the other 10 NRT activations because of incomplete information contained in N-FORCE.

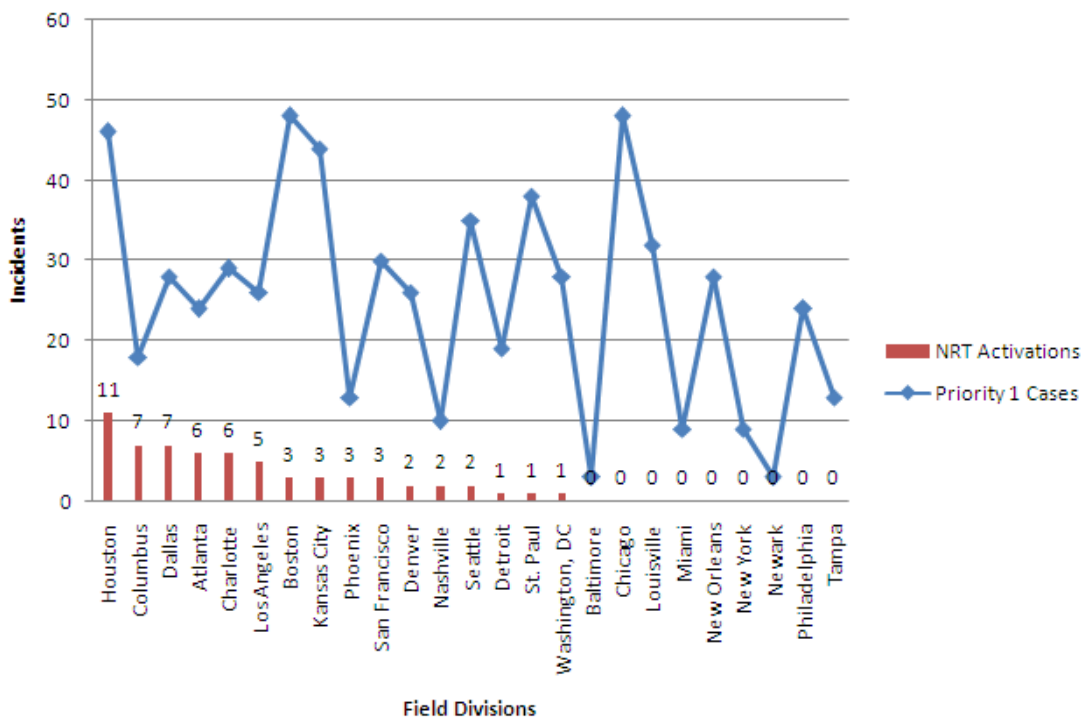
EXHIBIT 1-4
UTILIZATION OF THE NRT BY ATF FIELD DIVISION
FISCAL YEARS 2007 THROUGH 2009



Source: OIG analysis of ATF N-FORCE data

We also compared the number of NRT activations to the number of Priority 1 cases by ATF field division, as detailed in Exhibit 1-5. We found that all ATF field divisions used the NRT's assistance on fewer than 50 percent of their Priority 1 cases. As previously mentioned, nine field divisions never used the NRT. However, each of these field divisions had cases that met the criteria for requesting the assistance of the NRT. For example, the Chicago Field Division had 48 Priority 1 cases between FYs 2007 and 2009 but never utilized the NRT. Similarly, the Boston Field Division had 48 Priority 1 cases and utilized the NRT only 3 times. ATF officials explained that field management considers several variables when evaluating each fire or explosives incident to determine if the NRT's services are needed.

EXHIBIT 1-5
NRT ACTIVATIONS AND PRIORITY 1 CASES BY ATF FIELD DIVISION
FISCAL YEARS 2007 THROUGH 2009



Source: OIG analysis of ATF N-FORCE data

ATF management stated that the NRT is not going to be used on all Priority 1 cases, and the Chief of the Arson and Explosives Enforcement Branch told us that the NRT has responded to all requests it receives for assistance. However, we found that ATF does not routinely perform analyses similar to those we performed. In particular, ATF does not identify the number of times field divisions use the NRT compared to the number of cases on which the NRT’s assistance could have been requested. We believe this type of analysis could be used by ATF management as one of its tools for assessing the use of the NRT among field divisions. For example, this type of review could identify field divisions that may not be using the NRT to its full potential and for other offices this type of review may identify best practices that could be shared within ATF. Therefore, we recommend that ATF regularly conduct analyses similar to those we performed.

We interviewed various ATF officials, both at ATF headquarters and in the field divisions, who provided explanations contributing to the varied utilization of the NRT by ATF field divisions. These officials said that one reason for the unequal use of the NRT is that some state and local agencies have the capability to conduct such investigations without the assistance of the NRT. In particular, ATF officials stated that major cities have the funding

and resources available to train their own arson and explosives investigators who, in turn, are able to handle large-scale incidents. As a result, according to ATF, many state and local agencies are becoming self-sufficient in their capabilities to investigate arson and explosives scenes without the assistance of the NRT.

Another contributing factor to the uneven use of the NRT is the creation and use of Division Response Teams (DRT) within some ATF field divisions. While these teams are not mandated by ATF, some field divisions established formal DRTs to respond to large arson and explosives incidents. Similar to the NRT, the DRTs are manned with certified fire investigators and certified explosives specialists. As a result, some field division Special Agents in Charge explained that they use their DRT when they believe the investigation can be handled by local ATF personnel.¹¹

ATF headquarters officials also stated that some Special Agents in Charge are reluctant to use the NRT because they fear it will make their respective field division appear incapable of managing and investigating arson and explosives incidents adequately. In surveying senior management from every field division, we found that some officials preferred to use their own agents because doing so provided these agents with an opportunity to gain experience. Other field management officials stated that instead of requesting the full cadre of the NRT, they request assistance from the NRT team leaders or full-time NRT members located in their divisions and manage the investigation locally.

In addition to the feedback received from ATF officials, we interviewed officials from 49 state and local agencies that worked with ATF's NRT. Ten said that they had little to no knowledge of the NRT prior to the incident we discussed with them.¹² Further, two local officials who had previous experience with the NRT told us that they believed responding authorities in rural areas may be relatively unaware of the existence of the NRT and its capabilities for assistance in major arson and explosives investigations. Without knowledge of the NRT, these agencies are unlikely to contact ATF to request the NRT's assistance if a major fire or explosion occurs.

¹¹ ATF does not require field divisions to establish DRTs and does not have a mechanism for tracking a field division's use of its DRT. Therefore, we could not analyze whether field divisions with DRTs have a lower usage rate of the NRT for Priority 1 investigations.

¹² Some of these state and local representatives explained that although they had little or no prior knowledge of the NRT, they contacted ATF about the fire or explosion when it occurred and ATF officials informed them of the NRT's existence.

We believe that the explanations provided by ATF officials may help account for the uneven use of the NRT by field divisions. However, we recommend that ATF increase its outreach efforts on the NRT's capabilities to help increase awareness among state and local agencies so that the NRT can be called upon by those state and local agencies that currently may not be aware of the assistance offered by the NRT.

Effectiveness of the NRT

We interviewed ATF officials and NRT members to determine how ATF measures the effectiveness of the NRT. Based on these interviews, we believe that ATF does not have an adequate mechanism to routinely evaluate the NRT using objective metrics. However, ATF distributes satisfaction surveys to the state and local agencies that receive the NRT's assistance. Between FYs 2007 and 2009, the Arson and Explosives Programs Division distributed 63 surveys but only received 15 completed responses (or 24 percent). Despite the low response rate, the division did not follow up with the non-responding agencies in an effort to increase its response rate.

On a quarterly basis, the Arson and Explosives Programs Division compiles and analyzes the responses from the completed surveys it receives. However, according to NRT members, the Arson and Explosives Programs Division rarely shares the results with NRT members.

To obtain further information about the satisfaction with the assistance the NRT provides, we interviewed ATF headquarters officials, field division management, NRT members, and representatives from state and local agencies that requested the services of the NRT. During these interviews, we inquired about the utility and value of the NRT, including the capabilities of the team members and the usefulness of NRT equipment. We also asked officials for any suggested areas of improvement for the NRT. The following sections detail these individuals' opinions of the NRT's effectiveness.

ATF Headquarters Officials

We interviewed 25 ATF headquarters officials during our audit and asked them about the effectiveness of the NRT. The majority of the officials responded favorably about the NRT and praised the work of the team. One official stated that the team can handle unique arson investigations because it is composed of highly-trained individuals with multiple years of experience. Another official commented that NRT team members are very motivated.

Field Division Management

We interviewed each ATF field division's management regarding the effectiveness of the NRT. Similar to the headquarters officials, field managers recognized the significant work performed by the NRT and commended the NRT's expertise and professionalism. Numerous field managers described exceptional cooperation between the NRT and its state and local counterparts and referred to positive feedback received from state and local agencies. One field manager said that "the NRT is the crown jewel of ATF operations and they do a phenomenal job." Another stated that "the NRT is the best asset that any law enforcement agency has."

Some field managers provided suggestions for improving the NRT. For example, one field manager suggested that the NRT provide training to field divisions' Assistant Special Agents in Charge so that they will have an understanding of NRT activations.

NRT Members

We also interviewed 24 NRT members regarding the effectiveness of the NRT. They expressed the view that the NRT is a valuable program that brings expertise and experience to arson and explosives investigations. Several NRT members stated that the NRT is "the best program" in ATF.

However, some NRT members stated that they would like to receive feedback from the completed state and local agency satisfaction surveys and believed this feedback would assist the NRT in ensuring that it provides the most effective assistance possible. Additionally, the NRT members stated that the program could benefit from certain improvements, including a more proactive headquarters component overseeing the NRT Program and updated equipment. These concerns related to the management of the NRT are discussed in Finding II of this report.

State and Local Officials

We spoke with representatives from 49 state and local law enforcement agencies or fire departments who worked with the NRT between FYs 2007 and 2009. We asked these individuals about the NRT's performance and their satisfaction with the NRT's assistance. In general, the state and local agency representatives offered praise and accolades for the NRT. In particular, representatives from 46 of the 49 agencies stated that their agencies could not have completed their investigations without the assistance of the NRT, or that they could have completed the investigations but not as thoroughly or as efficiently.

Besides the positive remarks, a few state and local agency representatives suggested minor improvements for the NRT, including the purchase of updated equipment and assembly of larger, more readily available teams. Even with those recommended improvements, these state and local agency representatives stated the NRT's assistance was fully effective.

Despite the overall praise for the NRT's efforts, we believe that ATF should establish internal metrics by which to measure the effectiveness of the NRT. For example, ATF should collect feedback regarding the effectiveness of the NRT from the field division Special Agents in Charge. Doing so would enable the Arson and Explosives Programs Division to identify what aspects of the NRT provided the greatest benefit to the field divisions and which areas need improvement. Additionally, ATF should consider developing objective measurements to further assess the team's effectiveness, such as the timeliness of NRT deployments. ATF executive management agreed with our belief that obtaining input from Special Agents in Charge would be beneficial to improving the NRT Program.

We also believe ATF should pursue a higher return rate for the state and local agency satisfaction surveys. Moreover, feedback obtained from the surveys should be shared with NRT members who could use that information to learn how the NRT may be able to better assist state and local agencies in arson and explosives investigations.

Conclusion

ATF officials stated the NRT is a valuable program comprised of highly skilled and experienced personnel. Representatives from state and local agencies who we interviewed praised the work of the NRT and stated they could not have completed their investigations without the NRT's assistance or that their investigations would not have been as effective or efficient.

We found an uneven use of the NRT among ATF field divisions. During FYs 2007 through 2009, ATF initiated at least 631 cases that met its Priority 1 criteria for requesting the NRT's assistance, and the NRT was used a total of 63 times. Twelve of the 25 field divisions with Priority 1 cases either did not use the NRT or only used the NRT once during our review period. These divisions had 254 cases that met the Priority 1 criteria for requesting the NRT's assistance. Although ATF officials provided plausible explanations for field divisions' limited and dissimilar use of the NRT, we found that ATF does not evaluate NRT usage or perform analyses similar to those we performed for this audit.

In addition, we believe that ATF should improve its outreach to state and local agencies about the NRT Program. We also believe that ATF could improve its process for assessing the effectiveness of the NRT, including the establishment of internal metrics. Although ATF sent satisfaction surveys to those state and local agencies that worked with the NRT, it received a limited number of responses, did not follow up with the non-responding agencies, and rarely provided the survey results to the NRT members. Additionally, ATF does not have a mechanism to gather input from the field divisions on the effectiveness of the NRT.

Recommendations

We recommend that ATF:

1. Analyze arson and explosives case data on a regular basis to examine field division use of the NRT to help ensure field divisions are using the NRT to its full potential. Follow up on instances of significant use or non-use to recognize any best practices that could be shared throughout ATF or identify field divisions that could benefit from management reinforcement of the availability of NRT assistance.
2. Modify N-FORCE to require the population of the fields used to identify arson and explosives investigations according to NRT priority status.
3. Enhance outreach efforts to state and local agencies to increase awareness of the NRT and its capabilities.
4. Establish metrics by which to measure the effectiveness of the NRT.
5. Place a greater emphasis on the state and local agency satisfaction surveys, establish a process for following up with non-respondents, and share with NRT members the feedback received through the surveys.

II. MANAGEMENT OF THE NRT

ATF management was not monitoring the use of NRT equipment or ensuring that NRT policies and regulations were being followed, including regular inspections of NRT equipment. These weaknesses could hinder the NRT from operating efficiently or jeopardize the safety of NRT members and others. We found additional issues associated with the management of the NRT Program, such as frequent turnover in NRT management positions and a lack of communication. NRT members indicated that these issues had affected their morale and their confidence in NRT management.

Non-Compliance with Policies and Regulations

The NRT Handbook contains the policies and procedures governing the management and operation of the NRT Program. Additionally, the NRT Program must comply with relevant Occupational Safety & Health Administration (OSHA) requirements regarding hazardous material (hazmat).

NRT Handbook

The NRT Handbook states that NRT team leaders must ensure that all NRT response vehicles and equipment are inspected annually and that vehicle maintenance and equipment inventory records are maintained.¹³ However, NRT team leaders stated that a lack of funding and time constraints prevented them from performing inspections of vehicles and equipment. One team leader stated that he occasionally inspected vehicles during an NRT activation, but he did not document those inspections. However, it is clear that NRT response vehicles and equipment are not being inspected annually, as required by the NRT Handbook.

The lack of regular inspections can have significant consequences. Routine inspections can identify inoperable equipment that can hinder the operations of the NRT while on-scene. For example, each NRT response vehicle contains a generator that is used to supply power to lights and other equipment needed for examining the scene. If the NRT arrives on-scene with an inoperable generator or other critical equipment, the NRT's ability to assist in an expeditious manner will be hampered. Additionally, the NRT

¹³ As discussed later in this finding, ATF has 40 NRT response vehicles. These vehicles contain a variety of equipment and supply items to assist in the investigation of fire and explosives incidents.

may have to waste critical time following an incident on purchasing new equipment if the equipment has to be replaced immediately.

The NRT Handbook also states that the Arson and Explosives Enforcement Branch will conduct annual internal reviews of each NRT region. Although the guidelines require that these reviews be performed by the Arson and Explosives Enforcement Branch Chief and assisted by an NRT team leader from another region, the handbook does not describe what these reviews entail. The Arson and Explosives Enforcement Branch Chief informed us that he never performed one of these internal reviews.¹⁴ Moreover, the three current NRT team leaders told us that they were unaware if the reviews were performed and had never assisted in a review of another team.

Internal reviews of team operations can reveal administrative deficiencies, such as the failure to obtain necessary approval for equipment purchases or to ensure that all activated team members have received the required training that is necessary to participate in an activation. Internal reviews can also provide an opportunity to identify best practices that can improve overall program operations.

According to the Arson and Explosives Enforcement Branch Chief, the NRT Program does not comply with all handbook requirements because the handbook is outdated. We believe that ATF needs to evaluate its existing NRT guidelines, particularly those that are not being followed, and determine if these policies and procedures are necessary or if new requirements should be added. ATF officials said they are in the process of updating the NRT Handbook. A revision was previously drafted in 2006, but this effort did not result in the issuance of updated guidance. ATF officials said they anticipate the new handbook will be completed in 2010.

OSHA Requirements

The NRT must comply with regulations set forth by OSHA for the inspection of hazmat equipment.¹⁵ For example, according to OSHA regulations “[a]ll respirators maintained for use in emergency situations shall be inspected at least monthly and in accordance with the manufacturer's recommendations, and shall be checked for proper function before and after each use.” The OSHA regulations require monthly

¹⁴ The current Chief has held the position since January 2008.

¹⁵ As mentioned later in this finding, ATF has eight hazmat trailers. These trailers contain hazmat-related equipment such as self-contained breathing apparatuses.

inspections of self-contained breathing apparatuses (SCBA) and that these respirator inspections be documented and include the inspection date and signature of the individual performing the inspection.

The Chief of the Arson and Explosives Enforcement Branch told us that he thought that SCBA inspections only needed to be performed annually and reported annual inspections were performed. In addition, one of the three NRT team leaders that we interviewed stated that the NRT has not inspected the hazmat equipment on a monthly basis. However, another team leader said that the OSHA regulations for inspecting SCBAs pertain to SCBAs that are maintained for emergency use, when SCBAs are used for instances of immediate response to potentially dangerous circumstances. This official stated that because the NRT is not the first responder to a potentially dangerous scene, the OSHA regulations to perform monthly inspections of SCBAs do not apply to the NRT Program.

Although the NRT may not be the first responder and typically responds to a small number of hazmat-related scenes, we believe the equipment should be regularly inspected to ensure it is operational when it is needed and these inspections should be documented.¹⁶ For example, one of the NRT team leaders informed us that upon arriving at a December 2009 hazmat scene, harnesses associated with the SCBAs had inoperable parts and the suits did not have necessary communication devices. Having proper radio communication equipment is important for individuals working in hazmat scenes because team members may be working in situations where they are not visible to other team members. Those overseeing the operation need to be able to communicate with these out-of-sight NRT personnel directly involved in these dangerous scenes to help monitor their safety. At the December 2009 hazmat scene, the NRT had to rely upon the communication equipment of the company under contract for the removal of the hazardous materials. According to ATF officials, ATF has since purchased the necessary radio communication equipment for use during hazmat-related investigations.

The Arson and Explosives Enforcement Branch Chief stated SCBA inspections would be completed on a monthly basis beginning in April 2010. ATF has created an inspection checklist to be used for all equipment contained in the hazmat trailers. We believe that the Arson and Explosives

¹⁶ Based upon our examination of ATF case data, we determined that only 3 (or 5 percent) of the 63 NRT activations during FYs 2007 through 2009 involved a hazmat scene. According to Arson and Explosives Enforcement Branch officials, the NRT used a hazmat trailer on just one of those three activations.

Programs Division needs to track the inspections and ensure that they continue to be completed.

Equipment

The NRT members have two primary types of equipment to aid their investigation during an activation: (1) NRT response vehicles, and (2) hazmat trailers. Exhibit 2-1 contains photographs of these equipment items.

EXHIBIT 2-1 **ATF NRT EQUIPMENT**

NRT Response Vehicle	Hazmat Trailer
 A white ATF NRT response vehicle with blue and red stripes. The side of the vehicle features the ATF logo and the text "UNITED STATES DEPARTMENT OF JUSTICE ATF EXPLOSIVES AND FIRE INVESTIGATION".	 A black hazmat trailer with a white top section and a single axle.

Source: ATF

NRT Response Vehicles

Between 1997 and 2004, the Arson and Explosives Programs Division spent nearly \$7 million to purchase 40 NRT response vehicles.¹⁷ These vehicles contain necessary equipment for conducting on-site investigations of fire and explosives incidents, including items such as power tools, evidence collection kits, and gloves. The vehicles were given to the field divisions, which can use the vehicles for their regular operations, but the vehicles must be available for any NRT activation.

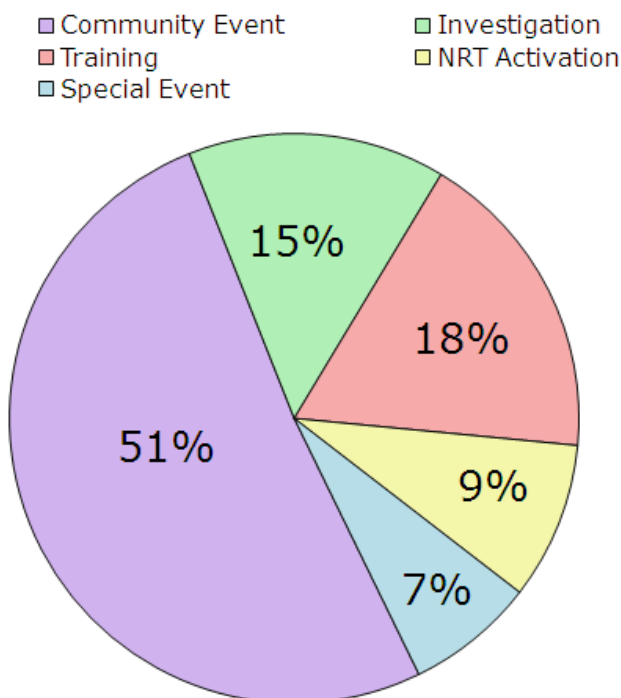
Although not required to do so until ATF issued a policy in June 2010, some field divisions maintained vehicle usage logs documenting all uses of the NRT response vehicles. We reviewed 13 vehicle usage logs to determine for what purposes the vehicles had been used between FYs 2007 and 2009.¹⁸ Based on the descriptions of the events, we grouped the 123 log

¹⁷ Appendix III contains a map showing the locations of the NRT response vehicles.

¹⁸ We requested the vehicle usage logs for all 40 NRT response vehicles. The Arson and Explosives Programs Division contacted each field division to obtain these logs, if available. Based upon this inquiry, we found that vehicle usage logs were only maintained for 13 of the 40 vehicles.

entries into 5 categories: (1) NRT activations, (2) non-NRT field division investigations, (3) training, (4) community events, and (5) special events.¹⁹ As shown in Exhibit 2-2, the NRT response vehicles were used primarily (51 percent of the time) for community events, such as state fairs, parades, response vehicle demonstrations, and law enforcement career days. Of the 123 total entries, the response vehicles were only used 29 times (or 24 percent) for investigative purposes (both NRT activations and non-NRT investigations).

EXHIBIT 2-2
ATF NRT RESPONSE VEHICLE ACTIVITY
FISCAL YEARS 2007 THROUGH 2009



Source: OIG analysis of NRT response vehicle usage logs

Arson and Explosives Enforcement Branch officials acknowledged that the vehicles are often used for community events. These officials stated that the field divisions use the vehicles on investigations whenever necessary and that the vehicles are always available first and foremost for investigative purposes. During our interviews with management from all 25 ATF field divisions, we inquired about the usage rate of the vehicles. Five managers said the vehicles were used very often, while 19 stated the vehicles were

¹⁹ ATF provides assistance at special events, such as the Super Bowl, presidential inaugurations, and world economic summits.

used occasionally.²⁰ In general, these managers reported usage of the vehicles for the same five purposes mentioned above.

We believe that ATF should routinely monitor the use of these vehicles to ensure that they are being used in the most efficient manner and for the highest priority matters. During our audit, a few individuals stated that ATF should purchase additional NRT response vehicles, while one headquarters official believed the number of vehicles could be reduced. Without routine monitoring and complete usage data, NRT management is not in a position to make informed decisions about the number and placement of these vehicles.

In June 2010 the Arson and Explosives Enforcement Branch issued a policy directive requiring all field divisions to maintain a vehicle usage log for the NRT response vehicles. We believe this requirement will assist ATF headquarters when determining whether to replace, upgrade, or relocate the existing vehicles.

Hazmat Trailers

Between 2005 and 2006, the Arson and Explosives Programs Division purchased eight hazmat trailers to be used by the NRT.²¹ These trailers contain items such as protective equipment and respiratory aids for use at hazmat scenes. According to the Arson and Explosives Enforcement Branch Chief, the initial cost of the trailers totaled about \$20,000, and the equipment to outfit all the trailers cost nearly \$515,000.

Based upon our examination of ATF documentation, we determined that 3 (or 5 percent) of the 63 NRT activations between FYs 2007 through 2009 involved a hazmat scene. According to an Arson and Explosives Enforcement Branch official, the NRT used a hazmat trailer in one of those three activations. Several full-time members confirmed that hazmat trailers were rarely used. They stated that at least three of the eight hazmat trailers had not been used since their purchase.

We believe ATF should evaluate the usage of the hazmat trailers to assist it with any future decision-making regarding the trailers and equipment.

²⁰ One field manager stated that his field division did not have an NRT response vehicle.

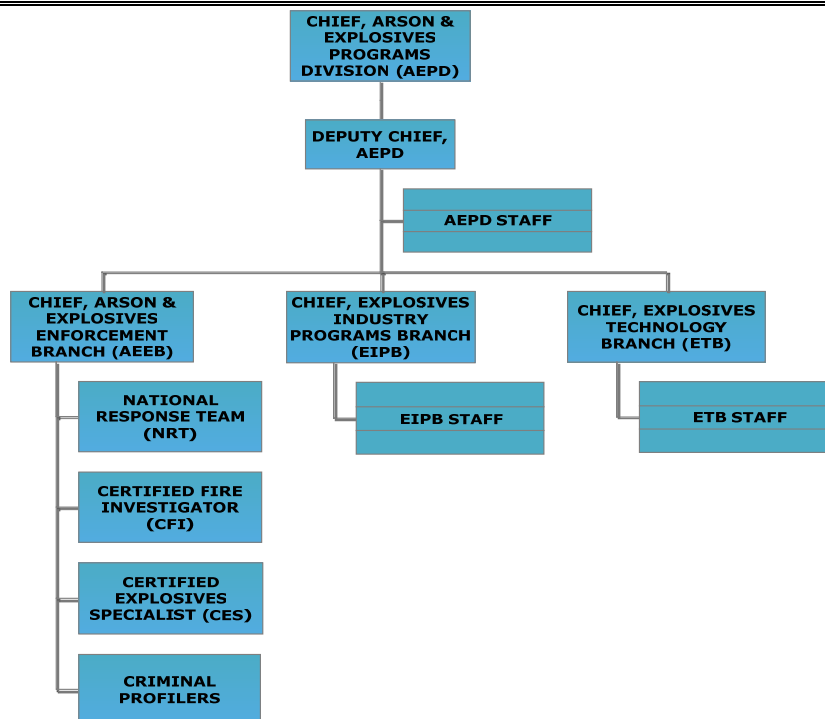
²¹ Appendix IV contains a map showing the locations of the hazmat trailers.

Program Oversight

As mentioned earlier in the report, the NRT is part of ATF's Arson and Explosives Enforcement Branch within the Arson and Explosives Programs Division. As illustrated in Exhibit 2-3, the Arson and Explosives Enforcement Branch is responsible for overseeing four programs: (1) the NRT Program, (2) the Certified Fire Investigator Program, (3) the Certified Explosives Specialist Program, and (4) the Criminal Profilers Program.

EXHIBIT 2-3

CURRENT ORGANIZATIONAL CHART OF THE ARSON AND EXPLOSIVES PROGRAMS DIVISION



Source: ATF

In April 2010 ATF initiated an organizational restructuring and transferred the Arson and Explosives Programs Division from the Office of Enforcement Programs and Services to the Office of Field Operations.

Prior to April 2010, several ATF officials commented to us about weaknesses in communication between the NRT Program and the Office of Field Operations. Before the organizational change, on-scene communication from the NRT about its operations, procedures, and methodology generally traveled through the chain of command in the Office of Enforcement Programs and Services. However, this information was not always provided to the Office of Field Operations. Given that field divisions

are responsible for the investigations related to the scene with which the NRT is assisting, it is important for the Office of Field Operations to be aware of the NRT's plans for assisting in the investigation.

During our review, ATF officials acknowledged the communication breakdown during NRT deployments and reorganized its headquarters structure, moving the NRT Program under the Office of Field Operations. ATF headquarters officials believe that this restructuring will resolve the communication issues that we identified.

Program Changes

In FY 2009 ATF headquarters restructured the NRT regions, eliminating the Northeast region from the structure of the NRT. An Arson and Explosives Programs Division official stated that the NRT was restructured into three regions to align with the Office of Field Operations' regional structure. The Chief of the Arson and Explosives Enforcement Branch further explained that the Northeast region was eliminated because that region responded to the fewest number of NRT activations, as noted in our analysis in Exhibit 1-3.

NRT members told us that they were surprised by the announcement of this change because they had no previous knowledge of management's intentions. According to an NRT member, the elimination of the region affected the NRT's operations because the NRT had to operate at the same level with fewer resources. Specifically, there was a reduction in the number of team leaders from four to three, and we were told that some part-time members in the Northeast region left the NRT.

The Arson and Explosives Programs Division management also recently changed the policy for individuals who fill the Team Special Agent in Charge position during an NRT activation. Prior to July 2010, the position was filled by an NRT member who held the position of Assistant Special Agent in Charge in a field division. As a result of the policy change, the position is now filled by an Assistant Special Agent in Charge from the field division requesting NRT assistance, and the individual is not required to be an NRT member. According to the Chief of the Arson and Explosives Enforcement Branch, many teams were activated without a Team Special Agent in Charge because it was difficult to find an available NRT member to fill the position. In his opinion, filling the NRT Team Special Agent in Charge position with an Assistant Special Agent in Charge from the requesting field division will eliminate this staffing problem.

We solicited input from 25 field division managers regarding this policy change and found that 21 agreed with and 1 was indifferent to the change in the Team Special Agent in Charge position. These field managers explained that local non-NRT Assistant Special Agents in Charge already have a relationship with the state and local agencies responding to the scene and are better suited to continue the investigation once the NRT completes its work. The remaining three field managers disagreed with the policy change, believing the new requirement might leave their division shorthanded if one of their Assistant Special Agents in Charge was assisting the NRT and the other was unavailable due to leave or a detailed assignment.

Many NRT members, including former Team Special Agents in Charge, were concerned that a local non-NRT Assistant Special Agent in Charge may not have sufficient experience with arson and explosives incidents or knowledge of NRT operations to coordinate such events. Prior to the policy change, NRT guidelines required Team Special Agents in Charge to have attended advanced arson and explosives training; initiated, investigated, and conducted arson or explosives cases under ATF's jurisdiction; and at least 2 years of arson and explosives investigative experience.

We concluded that ATF officials offered a reasonable rationale for the recent organization changes. However, we believe that ATF should address the concerns of NRT members and ensure that the local non-NRT Assistant Special Agents in Charge have sufficient knowledge of NRT operations to coordinate arson and explosives operations where the NRT is responding.

Turnover in Management Positions

There has been a high rate of turnover among ATF headquarters management positions associated with the NRT Program. According to an Arson and Explosives Programs Division official, management positions at ATF headquarters are filled by field personnel who rotate into headquarters every 2 to 3 years. These individuals generally remain in these positions for short periods of time, and these positions also remain vacant for extended intervals. A 2007 ATF Inspection Report cited that the Arson and Explosives Enforcement Branch Chief position had been vacant for 2 years and that, at the time, the Arson and Explosives Programs Division Deputy Chief and NRT Program Manager positions were also vacant.

According to NRT headquarters staff, seven different individuals have held the Arson and Explosives Enforcement Branch Chief or Acting Chief position from 2001 to 2010. The NRT Program Manager informed us that there have been 15 NRT Program Managers within the past 20 years. Moreover, several full-time NRT members stated that there is no continuity

of management at headquarters and likened the situation to a “revolving door.” One full-time NRT member further said that there typically has not been a transition period where the individual who is leaving trains the incoming manager about the NRT.

We recognize that turnover is inherent with management positions in headquarters operations. However, frequent management-level changes and a lag in filling such positions contribute to a lack of continuity in overseeing the NRT Program.

Inability to Provide Basic Program Information

During this audit, in September 2009 we requested a listing of all ATF employees who participated on the NRT. The Arson and Explosives Enforcement Branch provided a roster of the current NRT members as of September 28, 2009. However, when we requested a list of NRT members for FYs 2007 through 2009, the Arson and Explosives Enforcement Branch could not readily provide a list of members for this period. According to an Arson and Explosives Enforcement Branch official, providing a list of historical information would be a labor-intensive process and require extra manpower to review team leader reports for the necessary information. We believe maintaining information on NRT members could assist supervisors with managing the program. For example, team leaders could use the information as a resource in the event that previous NRT members must be called upon because there is difficulty in assembling a full team for an NRT activation.

In October 2009 we requested a summary of all NRT activations for FYs 2007 through 2009 from the Arson and Explosives Enforcement Branch. This information also was not readily available. In December 2009 we received the listing we had requested of all activations that occurred during our review period. According to an ATF program analyst, the provided information was generated from a tracking mechanism used solely by the Arson and Explosives Enforcement Branch, which requires a manual consolidation of data from multiple sources and was not reconciled to the information contained in N-FORCE. Moreover, this analyst’s comparison of pre-FY 2007 information reflected in the Arson and Explosives Enforcement Branch’s report to N-FORCE data revealed 464 instances where N-FORCE failed to identify investigations using the NRT.

In our opinion, basic information on NRT Program activity should be maintained and readily available to those responsible for overseeing the program. ATF uses information contained in N-FORCE to report statistics to ATF executive management, the Attorney General, and Congress. ATF

executive managers told us they were concerned that the Arson and Explosives Enforcement Branch was not using N-FORCE to manage its NRT operational information and was instead maintaining a separate, stand alone system on NRT operations. Although these managers acknowledged that N-FORCE was a somewhat antiquated system, they questioned why the Arson and Explosives Enforcement Branch was utilizing another mechanism for collecting statistics and stated that the organization should be using N-FORCE. Because ATF uses data from N-FORCE to report information to its executive management, the Attorney General, and Congress, we believe it is important for officials to ensure that the information pertaining to NRT activations is accurate in the system.

Limited Management Involvement

The full-time NRT members we interviewed commented that they had little contact with NRT Program management. The limited interaction was caused in part by the physical distance between management staff, who are stationed at ATF headquarters, and the NRT members, who are located within field divisions across the country.

The full-time members also told us that NRT management rarely observed the NRT while deployed. This practice would allow them to witness the work performed by NRT personnel when on the scene, interact with the NRT members, and obtain face-to-face feedback from NRT members, as well as state and local agency personnel regarding the performance of the NRT, the effect NRT involvement had on an investigation, and potential changes to improve the program.

NRT Program management must complete performance evaluations for all full-time NRT members. Yet, a full-time NRT member stated that headquarters management conducted their performance evaluations without interacting with the NRT members, while another full-time member said his performance appraisal was solely based on comments received from the NRT team leaders.

The Chief of the Arson and Explosives Enforcement Branch acknowledged that it has been difficult to manage the full-time members who are stationed throughout the country. To address this issue, in April 2010 ATF changed the NRT team leader position description to make the position supervisory in nature. As a result, the NRT team leaders are responsible for directly supervising the full-time members. We believe that this change will help ensure that the full-time members have first-line supervisors who have regular interaction with them.

Low NRT Member Morale

During our interviews with NRT members, many discussed the previously mentioned management issues and stated that those matters caused low morale among the team members and negatively affected their confidence in NRT management. These management issues caused some members to remove themselves from the NRT, while other NRT members told us that they will consider leaving the NRT if the current conditions persist. We believe the departure of additional members could adversely affect the NRT's operations by making it more difficult for team leaders to field a complete team when the NRT is activated.

We met with ATF executive managers and informed them that a majority of the NRT team members we interviewed indicated they had low morale and a lack of confidence in headquarters management. ATF officials told us that they were aware of the issues and explained that, partly to address this issue, in April 2010 ATF moved the Arson and Explosives Programs Division to the Office of Field Operations and added 10 additional full-time member positions. They believe that these changes will improve morale and overall program management. In our opinion, promoting open communication and interaction among NRT management and members can improve the morale of the NRT members, as well as help ensure the continued effectiveness of the NRT.

Conclusion

Our evaluation of ATF's management of the NRT Program revealed several weaknesses. Although regulations associated with NRT equipment require regular inspections of response vehicles and hazmat trailers, ATF was not performing these inspections. In addition, at the time of fieldwork, ATF did not require staff to maintain usage logs for the NRT response vehicles and hazmat trailers. We believe ATF should regularly inspect the response vehicles and trailers and monitor their use to aid in determining the utility of NRT equipment and future decisions regarding the number and placement of this equipment. We also believe that ATF should complete its efforts to update the NRT Handbook, which ATF officials have identified as outdated.

We identified other issues associated with the oversight of the NRT Program. For example, several ATF officials commented about weaknesses in communication caused, in part, by a disconnected reporting structure between two headquarters entities. In April 2010 ATF executive management initiated an organizational restructuring that included transferring the NRT Program to the Office of Field Operations.

We also found that there was frequent turnover in NRT management positions, and this resulted in a lack of program continuity. Additionally, the NRT was unable to readily provide basic program information such as data on NRT activations.

Several NRT members we interviewed discussed NRT management-related issues, including a lack of interaction with NRT managers in headquarters. Some NRT members explained that these matters caused low morale among the team members and negatively affected their confidence in NRT management. ATF executive management informed us that they were aware of the low morale and waning confidence in NRT management and stated that they believed the recent organizational changes will help address these concerns.

Recommendations

We recommend that ATF:

6. Examine and update existing NRT policies and procedures, including the handbook, and ensure all NRT members and field management are aware of and follow the policies.
7. Regularly monitor the usage of the response vehicles and hazmat trailers and ensure that required regular inspections of the response vehicles and hazmat trailers are completed and documented.
8. Ensure that local non-NRT Assistant Special Agents in Charge have sufficient knowledge of NRT operations to coordinate arson and explosives operations when called on to fill the position of an NRT Team Special Agent in Charge.
9. Improve oversight and administration of the NRT Program, including developing a plan for management transitions and maintaining accurate program data, such as data on activations and program participants.
10. Implement a structure, such as regular site visits by management and teleconferences or video conferences between management and staff, to improve communication and interaction between NRT management and members.

STATEMENT ON INTERNAL CONTROLS

As required by the *Government Auditing Standards*, we tested, as appropriate, internal controls significant within the context of our audit objectives. A deficiency in an internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to timely prevent or detect: (1) impairments to the effectiveness and efficiency of operations, (2) misstatements in financial or performance information, or (3) violations of laws and regulations. Our evaluation of the ATF NRT Program's internal controls was *not* made for the purpose of providing assurance on its internal control structure as a whole. ATF's management is responsible for the establishment and maintenance of internal controls.

As noted in the Findings and Recommendations section of this report, we identified deficiencies in ATF's internal controls that are significant within the context of the audit objectives and based upon the audit work performed that we believe adversely affect ATF's ability to properly manage the NRT. Frequent turnover in management positions has contributed to a lack of consistent oversight and the maintaining of basic program information. Further, management was not ensuring that certain policies and regulations were being followed. Overall, the NRT Program may not be operating as efficiently and effectively as it could and some weaknesses have the potential to jeopardize the welfare of NRT members and others. These matters are discussed in detail in the body of this report.

Because we are not expressing an opinion on ATF's internal control structure as a whole, this statement is intended solely for the information and use of ATF. This restriction is not intended to limit the distribution of this report, which is a matter of public record.

STATEMENT ON COMPLIANCE WITH LAWS AND REGULATIONS

As required by the *Government Auditing Standards* we tested, as appropriate given our audit scope and objectives, selected records, procedures, and practices, to obtain reasonable assurance that ATF's management complied with federal laws and regulations, for which noncompliance, in our judgment, could have a material effect on the results of our audit. ATF's management is responsible for ensuring compliance with federal laws and regulations applicable to ATF. In planning our audit, we identified the following laws and regulations that concerned the operations of the auditee and that were significant within the context of the audit objectives:

- 18 U.S.C.A. § 1961 (2010).
- 18 U.S.C.A. § 928 (2010).
- 29 C.F.R. § 1910.134(h)(3) (2010).

Our audit included examining, on a test basis, ATF's compliance with the aforementioned laws and regulations that could have a material effect on ATF's operations, through obtaining and examining arson and explosives case data, interviewing ATF personnel, observing an NRT activation, and surveying state and local agency representatives who requested the NRT's assistance. As noted in the Findings and Recommendations section of this report, we found that ATF did not comply with OSHA regulations in 29 C.F.R. § 1910.134(h)(3). OSHA regulations require hazmat equipment to be inspected monthly and that the inspections be documented, including the inspection date and signature of the individual performing the inspection. We found that the NRT did not have a formal checklist to ensure complete and consistent inspections were performed, and that the inspections were documented. These matters are discussed in detail in the body of this report.

OBJECTIVES, SCOPE, AND METHODOLOGY

Objectives

The objectives of this audit were to: (1) examine ATF's use of the NRT, including its effectiveness; and (2) examine the management of the NRT Program.

Scope and Methodology

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient and appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

To accomplish our audit objectives, we examined arson and explosives case data between FYs 2007 and 2009 from ATF's official case management system, N-FORCE, and reviewed ATF documentation, including NRT policies and procedures as articulated in its handbook. We also interviewed officials within several ATF headquarters' offices, including the Assistant Directors of the Office of Field Operations and Office of Enforcement Programs and Services and the Chief of the Arson and Explosives Enforcement Branch, and executive management, including the acting ATF Director and Executive Assistant Director. We also interviewed field division personnel and NRT members while conducting fieldwork in Chicago, Illinois; Dallas, Texas; Houston, Texas; Jacksonville, Florida; Louisville, Kentucky; and Philadelphia, Pennsylvania; as well as conducted telephone interviews with field management at all 25 ATF field divisions. In total, we interviewed 73 ATF officials. Moreover, we spoke to representatives from 49 state and local agencies that had requested the NRT's assistance between FYs 2007 and 2009.

To assist in accomplishing our audit objectives, we examined data provided by ATF. Specifically, for FYs 2007 through 2009 we performed analyses of ATF arson and explosives cases to determine the number of cases where field divisions could have requested the NRT's assistance, as well as the number of times field divisions utilized the NRT. In total, this data amounted to 10,056 records.

The N-FORCE data contained arson and explosives cases with several types of determinations. According to a senior ATF headquarters official,

only three of the determinations (accidental, incendiary, or undetermined) would encompass incidents where the NRT's assistance would be requested. Therefore, we focused our analysis on cases with these types of determinations. We then examined the data to identify those cases meeting Priority 1 criteria as articulated in the NRT Handbook. Specifically, we queried the data to identify those cases that involved estimated damages of \$1 million or more, at least 1 death, or more than 10 injuries. The results of this analysis provided us with the number of arson and explosives cases for which ATF field divisions could have requested the NRT's assistance. Within the data file, we also identified those cases on which the NRT was utilized. We did not perform an independent, overall assessment of the reliability of the data contained in N-FORCE because we used the data for informational and contextual purposes to support our overall conclusions. The data did not provide the sole basis of our findings.

Prior Reviews

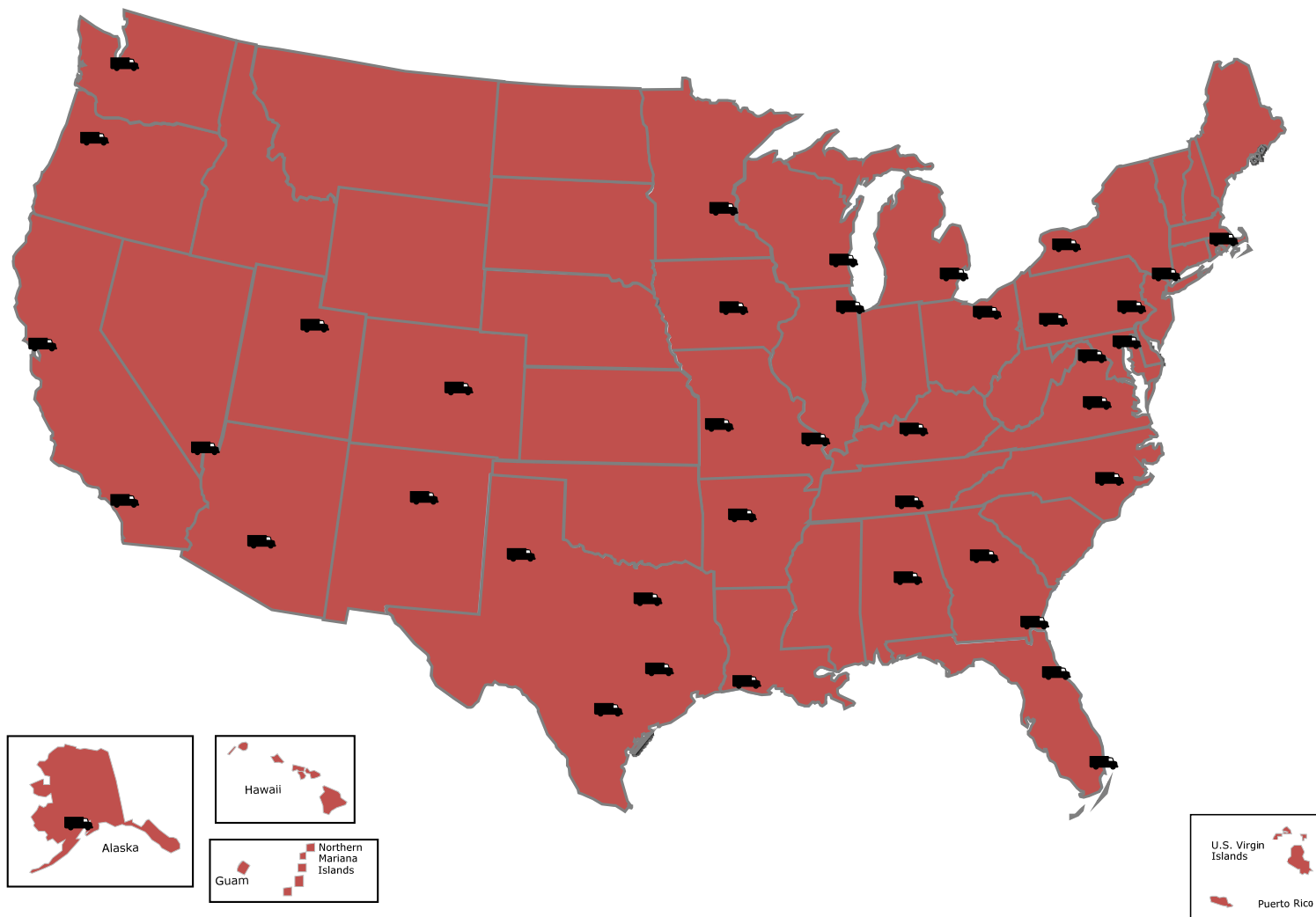
No recent reports by the DOJ Office of the Inspector General (OIG) or the Government Accountability Office have examined ATF's NRT. The ATF Inspection Division conducted a review of the Arson and Explosives Programs Division, which includes the NRT Program, in 2007. According to this review, the ATF Inspection Division found that the Arson and Explosives Programs Division lacked adequate funds for mandatory training and equipment.

CURRENT MAP OF ATF FIELD DIVISIONS



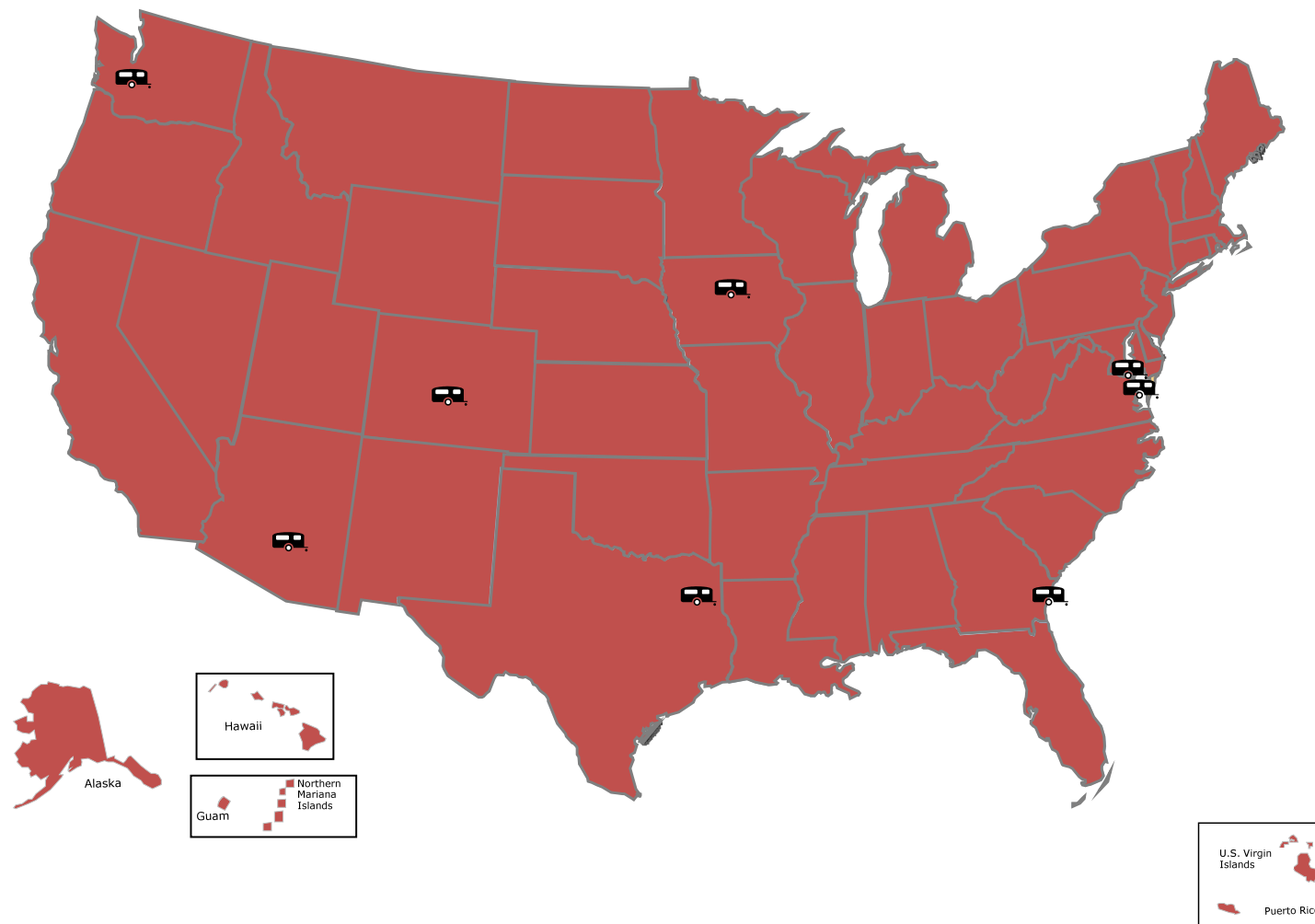
Source: ATF

LOCATIONS OF NRT RESPONSE VEHICLES



Source: ATF

LOCATIONS OF NRT HAZMAT TRAILERS



Source: ATF

THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND
EXPLOSIVES' RESPONSE



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Office of the Director

Washington, DC 20226
www.atf.gov

November 17, 2010

Mr. Raymond J. Beaudet
Assistant Inspector General for Audit
United States Department of Justice
Office of the Inspector General
1425 New York Avenue, NW
Suite 5000
Washington, DC 20530

Dear Mr. Beaudet:

Thank you for allowing the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) the opportunity to review and comment on the formal draft audit report entitled "Audit of ATF's National Response Team (NRT)." ATF appreciates not only the positive findings of this audit, but also the opportunity to identify areas in which this vital program may be strengthened. The following responses to the OIG recommendations are provided:

Recommendation 1: Analyze arson and explosives case data on a regular basis to examine field division use of the NRT to help ensure field divisions are using the NRT to its full potential. Follow-up on instances of significant use or non-use to recognize any best practices that could be shared throughout ATF or identify field divisions that could benefit from management reinforcement of the availability of NRT assistance.

ATF's Response: While ATF agrees that analyses of NRT usage by field divisions would be beneficial for statistical and performance management purposes, it does not concur that such

analyses would result in practices that would significantly impact NRT usage. All arson and explosives cases are currently evaluated for NRT potential. At the onset of an investigation, the field division considers the factors with potential to affect the investigation, including the complexity of the incident and the capability of the field division and or State and local resources to manage the incident. Regardless of the delineated criteria for a response, when local (including ATF) resources are sufficient, the investigation is handled at that level. ATF believes that this ensures that resources for NRT operations are used in the most productive and efficient manner possible. ATF is in the process of re-writing the NRT Handbook. The 10-year-old handbook specifies the criteria for a response. A panel will soon be convening to discuss the direction of the NRT, and will evaluate the criteria for responses to determine if they are still valid or even necessary. ATF plans to send the NRT Handbook for coordination this fiscal year.

Recommendation 2: Modify N-Force to require the population of the fields used to identify arson and explosives investigations according to NRT priority status.

ATF's Response: ATF does not concur with this recommendation because both the criteria for NRT activation and the current N-Force system are targeted for restructuring. As stated in the response to Recommendation 1, above, the need for an NRT activation is evaluated at the onset of the investigation, and the criteria currently defined in the NRT Handbook is outdated. It is unlikely that the current structure (Priority 1, 2, or 3) will be retained. Furthermore, modifications to N-Force are not highly feasible at this time. In recognition of the limitations of its existing case management system(s), collectively referred to as the National Field Office Case Information System (NFOCIS), and with the objective of providing better information integration throughout its regulatory and law enforcement missions, ATF in early September 2010, awarded a contract to begin business process reengineering (BPR) of its case management and related business processes. This BPR effort will examine the flow of information throughout ATF. The BPR effort will run for approximately 15 to 18 months, with completion expected during mid FY 2012. The BPR will produce a set of reengineered business processes and requirements for ATF's next-generation case management system. A new case management solution has not been identified at this time, nor has a funding stream been identified. ATF does not contemplate identifying, acquiring, and implementing an automated solution in order to resolve this recommendation before FY 2014.

Recommendation 3: Enhance outreach efforts to State and local agencies to increase awareness of the NRT and its capabilities.

ATF's Response: ATF concurs with this recommendation. ATF will increase awareness of the NRT and its capabilities through several avenues.

- ATF will insert a brief informational segment on the NRT in every arson or explosives training class it provides to State and local agencies.
- ATF will publish an advisory on the U.S. Bomb Data Center's Bomb and Arson Tracking System (BATS) website. All State and local agencies that contribute to BATS will then have ongoing access to information on the NRT.

- The Arson and Explosives Programs Division (AEPD) is currently updating an information pamphlet on the NRT. When published, this pamphlet will be distributed to the field divisions, which may then distribute them to State and local partners in the area. These pamphlets will also be distributed at conferences, professional association meetings, etc. Furthermore, team supervisors will have the pamphlets to distribute in the field throughout the course of their daily activities.

Recommendation 4: Establish metrics by which to measure the effectiveness of the NRT.

ATF's Response: ATF concurs with this recommendation. ATF will examine its processes, and based on this report and internal analysis, identify areas that need improvement and create metrics to track progress.

Recommendation 5: Place a greater emphasis on the State and local agency satisfaction surveys, establish a process for following up with non-respondents, and share with NRT members the feedback received through the surveys.

ATF's Response: ATF concurs with this recommendation and has already begun to take action. ATF has long recognized the low response rate attained through the distribution of paper copies of the NRT surveys. Even though letters and follow-up requests were sent, agencies have not been reliable in responding. To remedy this, ATF purchased an electronic survey tool from the Vovici Corporation. At the end of FY 2010, AEPD fielded the first surveys electronically. Although the distribution process may need small refinements, ATF has created a plan for sending the surveys and following up with non-respondents after 30 days. Additional procedures have been identified to increase the response rate. Team supervisors will be required to obtain an e-mail address and inform the department/agency contact at the onset of the NRT response that ATF will be sending the survey shortly after the completion of the activation. Team supervisors will be required to follow-up with a reminder phone call to coincide with the 30-day reminder e-mail. Beginning immediately, AEPD will share the survey results with NRT members each quarter.

Recommendation 6: Examine and update existing NRT policies and procedures, including the handbook, and ensure all NRT members and field management are aware of and follow the policies.

ATF's Response: ATF concurs with this recommendation and has begun to take corrective action. AEPD is currently revising the NRT Handbook, which will update and/or incorporate all previous NRT policies. The NRT Handbook will be ready for coordination this fiscal year. As part of the coordination process prior to publication, all Special Agents in Charge (SACs) and NRT members will review, and have an opportunity to comment on, the NRT Handbook. The AEPD was recently moved to the Office of Field Operations. Because of this restructuring, AEPD and field supervisors both report to the same "chain of command." This eliminates any potential problems with ensuring that field managers adhere to policies.

Recommendation 7: Regularly monitor the usage of the response vehicles and HAZMAT trailers and ensure that required regular inspections of the response vehicles and HAZMAT trailers are completed and documented.

ATF's Response: ATF concurs with this recommendation. An inspection process will be included in the revised NRT Handbook. NRT Supervisors will be responsible for ensuring inspections are routinely conducted, and inspection procedures will also ensure the trucks are replenished after the conclusion of a response. Additionally, a process will be identified for inspecting the HAZMAT trailers. To make this process more efficient, several trailers may be moved to locations where there are full-time members. Specific members will be designated to perform the monthly inspections.

Recommendation 8: Ensure that local non-NRT Assistant Special Agents in Charge (ASACs) have sufficient knowledge of NRT operations to coordinate arson and explosives operations when called on to fill the position of an NRT Team Special Agent in Charge.

ATF's Response: ATF concurs with this recommendation. ATF will ensure ASACs are well versed on NRT operations. However, it is important to note that ASACs at NRT activations are not in charge of the NRT, but of the progress of the local investigation (e.g., interagency coordination, approval of various procedures and actions, and processing interviews and leads). The team supervisor and the AEPD manage the NRT's activities on the scene. Currently, all GS-15's (which would include ASACs) receive a block of instruction on NRT operations at the Command and Control School. ATF will ensure that the ASAC's role at NRT activations is stressed. Additionally, ATF will allow any interested ASACs to attend an NRT recertification. This will give the ASAC more specific exposure to NRT operations, policies, and issues.

Recommendation 9: Improve oversight and administration of the NRT Program, including developing a plan for management transitions and maintaining accurate program data, such as data on activations and program participants.

ATF's Response: ATF concurs with this recommendation and is currently taking action in both areas. ATF is currently realigning its arson and explosives functions, consolidating programs and training along business lines, all under a single Deputy Assistant Director in the Office of Field Operations. This will greatly improve oversight and administration of the NRT Program, improve communication across functional areas, and ensure smooth management transitions. In terms of data maintenance, over the past 2 years, AEPD has developed and improved a computer process by which to quickly collect, extrapolate, and disseminate information on NRT personnel, activations, and other pertinent data. While this process was still under development at the onset of the OIG's audit, it has since been finalized and is working quite well. We believe this process sufficiently meets the need for information on program data.

Recommendation 10: Implement a structure, such as regular site visits by management and teleconferences or video conferences between management and staff, to improve communication and interaction between NRT management and members.

ATF's Response: ATF concurs with this recommendation. ATF recognizes that there have been challenges in this area, most of which are expected to be corrected with the realignment and consolidation of arson and explosives programs and training. Any residual shortfall in communication is expected to improve now that the shift has been made from team "leaders" to team "supervisors." With this change, team members interact very closely with their immediate supervisors, who not only oversee their actions in the field but who are also in close contact with them in terms of their appraisals, personnel actions, etc. Team supervisors will be required to participate fully as part of the AEPD management team and to conduct weekly conference calls with their employees.

Should you have any questions regarding this response, please contact Melanie Stinnett, Assistant Director, Office of Professional Responsibility and Security Operations at (202) 648-7500.

Sincerely yours,

Kenneth Melson
Deputy Director

**OFFICE OF THE INSPECTOR GENERAL
ANALYSIS AND SUMMARY OF ACTIONS
NECESSARY TO RESOLVE THE REPORT**

The OIG provided a draft of this audit report to ATF. ATF's response is incorporated in Appendix V of this final report. The following provides the OIG analysis of the response and summary of actions necessary to resolve the report.

Recommendation Number:

1. **Resolved.** ATF concurred with our recommendation to analyze arson and explosives case data on a regular basis to examine field division use of the NRT. ATF said that performing such an analysis would be beneficial for statistical and performance management purposes. ATF also stated that it is in the process of rewriting the NRT Handbook, which specifies the criteria for using the NRT, and that a panel will meet to discuss the direction of the NRT. ATF stated that the panel will also evaluate the existing criteria for NRT responses to determine if the criteria are valid or necessary.

While ATF's response stated that it would conduct the analysis we recommended, ATF also stated that it did not believe that the suggested analyses would have a significant impact on NRT usage among field divisions. ATF stated that all arson and explosives cases are currently evaluated for the potential use of the NRT. However, our audit concluded that the analyses ATF currently conducts can be improved. Our analysis of ATF arson and explosives case data for FYs 2007 through 2009 revealed that ATF field divisions only requested NRT assistance on 63 of 631 cases that met the criteria for the NRT's assistance. In addition, 9 of ATF's 25 field divisions did not use the NRT at all, while an additional 3 field divisions only used the team once during those 3 years. The audit also found that ATF does not routinely identify the number of times field divisions use the NRT compared to the number of cases on which the NRT's assistance could have been requested. This type of analysis could be used to help ATF management assess the use of the NRT among field divisions and ensure that the NRT is used to its fullest potential. Moreover, during the audit's exit conference, ATF executive management stated that they believed there was a need to follow up with certain field divisions for the lack of NRT use on arson and explosives investigations.

We believe that the exit conference remarks and ATF's assertion that analyzing field divisions' use of the NRT would be beneficial for statistical and performance management meets the spirit and intention of our recommendation. Therefore, we consider this recommendation to be resolved.

This recommendation can be closed when we receive a copy of the updated NRT Handbook, including the new criteria to consider when using the NRT, and evidence that ATF is analyzing arson and explosives case data on a regular basis to examine field division use of the NRT. In addition, please provide evidence that ATF has developed an adequate system for following up on instances of significant use or non-use of the NRT by field divisions.

2. **Unresolved.** ATF did not concur with our recommendation to modify N-FORCE to require the population of the fields used to identify arson and explosives investigations according to NRT priority status because the criteria for activating the NRT and the current N-FORCE system are targeted for restructuring. ATF explained that the NRT Handbook, including the criteria for requesting the NRT and the definition of Priority 1, 2, and 3 investigations, is being evaluated and is unlikely to be retained. Additionally, ATF stated that modifications to N-FORCE are not currently feasible because ATF's case management system and related business processes are undergoing reengineering. ATF said that it does not contemplate identifying, acquiring, and implementing an automated solution to resolve this recommendation before FY 2014.

We understand that the criteria for using the NRT are likely to change and that it will take time to develop and implement a new case management system. However, according to the ATF's response to our first recommendation, the ATF is in agreement that analyzing the field divisions' use of the NRT would be beneficial for statistical and performance management purposes. As a result, we believe that it is essential for ATF to develop a system that provides a bureau-wide view of all arson and explosives cases eligible for requesting NRT assistance. Therefore, this recommendation can be resolved when ATF agrees to develop a tracking mechanism that identifies all arson and explosives investigations eligible for NRT use that are in line with the restructured criteria.

3. **Resolved.** ATF concurred with our recommendation to enhance its outreach efforts to state and local agencies to increase awareness of the NRT and its capabilities. ATF stated that it will increase the

awareness of the NRT by: (1) inserting a brief informational segment on the NRT in every arson and explosives training class provided to state and local agencies; (2) publishing an advisory on the U.S. Bomb Data Center's Bomb and Arson Tracking System website, which will provide NRT information to all state and local agencies using this system; and (3) updating and distributing an information pamphlet on the NRT that will be distributed to ATF field divisions and to agencies attending conferences and professional association meetings. ATF further stated that the information pamphlet *may* then be distributed by ATF field divisions to state and local agencies. However, we believe that ATF field divisions should actively distribute this information to their state and local counterparts to enhance NRT-related outreach efforts.

This recommendation can be closed when we receive evidence that ATF has appropriately enhanced its outreach to state and local agencies to increase awareness of the NRT and its capabilities.

4. **Resolved.** ATF concurred with our recommendation to establish metrics to measure the effectiveness of the NRT. ATF stated that it plans to examine its processes, identify areas needing improvement, and then create metrics to track the effectiveness of the NRT.

This recommendation can be closed when we receive evidence that ATF has established adequate performance metrics for measuring the NRT's effectiveness and that ATF is evaluating the NRT's effectiveness through the use of those metrics.

5. **Resolved.** ATF concurred with our recommendation to place greater emphasis on the state and local agency satisfaction surveys, establish a process for following up with non-respondents, and share with NRT members the feedback received through the surveys. ATF stated that it purchased an electronic survey tool that includes a mechanism to follow up with non-respondents via e-mail after 30 days. ATF also stated that NRT team supervisors will be required to follow up with non-respondents via telephone, which will coincide with the 30-day reminder e-mail. ATF further stated that, effective immediately, the Arson and Explosives Programs Division will share the survey results with NRT members each quarter.

This recommendation can be closed when we receive evidence of ATF's efforts to improve the response rate to the state and local agency satisfaction surveys, including efforts to follow up with non-

respondents. In addition, please provide evidence that the Arson and Explosives Programs Division is sharing the survey results with NRT members on a quarterly basis.

6. **Resolved.** ATF concurred with our recommendation to examine and update existing NRT policies and procedures, including the NRT Handbook and ensure all NRT members and field management are aware of and follow the updated policies. ATF stated that the Arson and Explosives Programs Division is currently revising the NRT Handbook, which will be ready for coordination this fiscal year. ATF further stated that all Special Agents in Charge and NRT members will review and be given the opportunity to comment on the updated NRT Handbook prior to its publication. In addition, ATF stated that the restructuring of the Arson and Explosives Programs Division to the Office of Field Operations will improve field division compliance with NRT policies because the Arson and Explosives Programs Division and field managers are both under the oversight of the Office of Field Operations.

This recommendation can be closed when we receive the revised NRT Handbook and evidence that all NRT members and field managers are aware that the updated NRT policies must be followed.

7. **Resolved.** ATF concurred with our recommendation to regularly monitor the usage of the response vehicles and hazmat trailers and ensure that required regular inspections of the response vehicles and hazmat trailers are completed and documented. ATF stated that processes for inspecting the response vehicles and hazmat trailers will be included in the revised NRT Handbook. ATF further stated that NRT team supervisors will be responsible for ensuring inspections are routinely conducted, which will include ensuring the response vehicles are replenished after the conclusion of a response. ATF also stated that specific NRT members will be designated to perform the monthly inspections of the hazmat trailers and that the trailers may be moved to locations to make the inspection process more efficient. ATF did not specifically comment on its plans to monitor the usage of its response vehicles and hazmat trailers.

This recommendation can be closed when we receive evidence of the ATF's efforts to monitor the usage of its response vehicles and hazmat trailers, as well as evidence that inspection processes and procedures for the response vehicles and hazmat trailers are reflected in the new

NRT Handbook and that the required regular inspections are being conducted and documented.

8. **Resolved.** ATF concurred with our recommendation to ensure that local non-NRT Assistant Special Agents in Charge have sufficient knowledge of NRT operations to coordinate arson and explosives operations when called on to fill the position of an NRT Team Special Agent in Charge. ATF stated that it will ensure Assistant Special Agents in Charge are well versed in NRT operations and commented that all Assistant Special Agents in Charge receive a block of instruction on NRT operations at ATF's Command and Control School and will ensure that the Assistant Special Agent in Charge's role at NRT activations is stressed. In addition, ATF stated that it will allow any interested Assistant Special Agents in Charge to attend NRT team member training, which will give those individuals more specific exposure to NRT operations, policies, and issues.

This recommendation can be closed when we receive evidence that non-NRT Assistant Special Agents in Charge have sufficient knowledge of NRT operations, including documentation on the block of instruction provided at the Command and Control School and the local non-NRT Assistant Special Agents in Charge who attend the NRT recertification.

9. **Resolved.** ATF concurred with our recommendation to improve oversight and administration of the NRT Program, including developing a plan for management transitions and maintaining accurate program data. ATF stated that it is currently realigning its arson and explosives functions, as well as consolidating programs and training under a single Deputy Assistant Director in the Office of Field Operations. ATF stated that it believes these efforts will greatly improve the oversight and administration of the NRT Program, improve communication across functional areas, and ensure smooth management transitions. In addition, ATF stated that the Arson and Explosives Programs Division developed and improved a process to quickly collect, extrapolate, and disseminate information on NRT personnel, activations, and other pertinent data.

This recommendation can be closed when we receive evidence of the ATF's efforts to improve the oversight and administration of the NRT Program, including the realignment of functions, consolidation of programs, and a management transition plan. In addition, please provide evidence that the Arson and Explosives Programs Division's computer process is finalized; contains accurate and complete program

data, including activations and program participants; and is consistent with the data maintained in N-Force.

10. **Resolved.** ATF concurred with our recommendation to implement a structure to improve communication and interaction between NRT management and members. ATF stated that it recognizes past challenges in this area but expects the realignment and consolidation of arson and explosives programs and training to resolve most of these difficulties. In addition, ATF stated that making the NRT team leader positions supervisory in nature will help improve communication between NRT management and members. Specifically, ATF stated that the NRT team supervisors will be required to participate fully as part of the Arson and Explosives Programs Division's management team and conduct weekly conference calls with their employees.

This recommendation can be closed when we receive evidence that the realignment and consolidation of arson and explosives programs and training, as well as the change from team leaders to team supervisors has improved communication and interaction between NRT management and members.