

PRESERVATION DIRECTIVE FOR RECORDS RELATED TO ATF PROJECT GUNRUNNER

This is in reference to the House of Representatives Committee on Oversight and Government Reform's review of ATF's firearms trafficking enforcement strategy known as Project Gunrunner. The requirements of this preservation directive are *in addition* to the requirements of the Preservation Directive issued on March 28, 2011 related to Operation Fast and Furious.

Pursuant to ATF Order 1340.4, **please identify and preserve any relevant documents and materials within your custody which may be relevant to this matter**. Relevant documents and materials include all records and evidence, **including electronic files and email**, relating in any way to Project Gunrunner. This requires a search of relevant documents and materials under your control that may include, but are not limited to, the following: Reports, any formal and informal documents (*e.g.*, memoranda, hand written notes), correspondence, telephone log entries, e-mail, word processing documents, internet usage files, systems manuals, and network access information. Please note that your preservation of Project Gunrunner documents should include any information related to the fatal shooting of Border Patrol Agent Brian Terry, this includes any property (*i.e.*, firearms and ammunition) in ATF custody relating to this incident.

Relevant documents and materials may include not only hard-copy documents, but all electronically-stored information ("ESI") created, received, and/or maintained by ATF on computer systems and elsewhere. Sources of information may include hard-copy files, computer hard drives, removable media (*e.g.* CDs, DVDs), laptop computers, PDAs, BlackBerry devices, telephones and pagers. All ESI should be preserved in its originally-created or "native" format. Please keep in mind that this is not an exhaustive list of date types or sources.

At this time, please –

- **Identify and preserve all documents and materials which may be relevant to Project Gunrunner. The relevant time period would begin July 1, 2009 until the present.**

If you have any documents or materials that fall within this directive, please place the hard copies in a separate file marked "PRESERVATION OF DOCUMENTS FOR PROJECT GUNRUNNER." Retain the file in a place where you can readily locate it upon request. E-mails should be retained in a PRESERVATION folder on Outlook, and Word and other documents in electronic format (*e.g.*, PowerPoint, Excel, Adobe Acrobat) should be identified and moved to a separate PRESERVATION folder in your personal library.

- **Assign a point of contact (POC) from the following Field Divisions in order to coordinate the preservation of relevant documents and materials:**
 - **Houston Field Division**
 - **Dallas Field Division**
 - **Los Angeles Field Division**

Please provide the POC's name to Assistant Director Melanie Stinnett by COB on Friday April 15, 2011.

- **In connection with the IG's review of Operation Fast and Furious, Assistant Director Stinnett has already established POCs in the other necessary Divisions and Offices. Unless you provide a second POC to Assistant Director Stinnett by April 15, 2011, she will assume that the same POC will be used for both the IG review and the House of Representatives Committee review.**

The POC is to ensure that all persons who may have information or a need to know about this directive are appropriately notified and instructed on their responsibility in a timely fashion. Also, the POC has the responsibility to notify Assistant Director Stinnett if (1) any additional ESI related to Project Gunrunner is discovered; (2) personnel involved in this directive are leaving the division, office or directorate; (3) the division, office or directorate will perform imminent data destruction; (4) the directorate will replace or discard equipment preserving ESI in this matter.

Of particular importance will be ensuring that no ESI is erased through routine destruction. If any ESI relating to Project Gunrunner has been purged as a result of routine destruction (*i.e.*, the aging process, separation from employment, etc) please, to the extent possible, find the dates of such purge and the information which would have been subject to destruction.

Please note that the failure to comply with this directive and/or the failure to maintain records, documents and information could negatively impact the Bureau, therefore please err on the side of retaining documents and information. Employees who fail to comply with their duties as outlined above will be subject to disciplinary action up to and including removal. Please note that this directive is in effect until you are notified that the hold has been terminated.

Thank you for your attention to this matter. If you have any questions concerning this directive, please contact Assistant Director Melanie Stinnett.