



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Chief Counsel

Washington, DC 20226
www.atf.gov

April 27, 2011

ATF

General Counsel
Federal Law Enforcement Officers Association
1100 Connecticut Avenue, NW, STE 900
Washington, DC 20036

Dear ATF

Based on your telephone conversation yesterday with Associate Chief Counsel ATF, I understand that the House Oversight and Government Reform Committee has issued a subpoena for the appearance of your client, Special Agent ATF, before the Committee on May 10, 2011, and that Committee staff has also asked to take Agent ATF deposition today, April 27, 2011, at 10:00 AM in Phoenix, Arizona.

You have informed ATF that your client wishes to submit to a deposition by the Committee staff. We have also been informed that Committee staff has indicated the deposition will not involve case specifics.

Given that your client wishes to accede to Committee staff's request for a deposition, he should abide by the following conditions.

Your client is encouraged to answer fully and candidly all questions concerning matters within his personal knowledge. Your client's appearance before Committee staffers does not, of course, relieve him of any obligations of secrecy that are imposed upon him concerning certain matters arising from his official duties as an ATF Special Agent. For example, he may not reveal any information relating to matters or proceedings occurring before a grand jury, tax information, ATF information, or any other matters prohibited from disclosure by statute, regulation, or court rule. An extended, but not exhaustive, list of such matters may be found in 28 C.F.R. 16.26. These policies and regulations require that your client not reveal the existence of any ongoing investigation, the identity of individuals who were the subject of past investigations but never charged, any information that would identify or tend to identify a confidential informant or source, any information about investigative techniques, and classified information. In addition, with regard to any open or pending investigation, these policies and regulations require that your client not reveal information that would identify witnesses, subjects, or targets; evidence obtained in the course of the investigation and investigative leads; or the content of Reports of Investigation (ROIs).

If you have any questions regarding this matter, please contact **ATF** at **ATF**.
Your cooperation in this matter is appreciated.

Sincerely,

STEPHEN R. RUBENSTEIN
Chief Counsel

By: **ATF**

ATF

Associate Chief Counsel (Field Operations and
Information)
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