



MEMORANDUM OF UNDERSTANDING BETWEEN THE ATTORNEY GENERAL'S OFFICE OF THE UNITED MEXICAN STATES AND THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES OF THE UNITED STATES OF AMERICA FOR ACCESS TO THE FIREARMS TRACKING SYSTEM ETRACE

The Attorney General's Office (PGR) of the United Mexican States and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) of the United States of America, hereinafter "the Participants",

WHEREAS, PGR is the Mexican Government body which is, inter alia, in charge of the investigation and prosecution of federal crimes, and empowered to sign agreements with foreign government agencies to strengthen mutual cooperation against firearms trafficking;

CONSIDERING that ATF is an agency of the Department of Justice of the United States of America dedicated to protect the nation from, among other things, violent crimes, organized crime, illegal use and trafficking of firearms, and illegal use of explosives; and

IN ORDER TO establish the basis for coordination, cooperation and leadership in their respective jurisdictions of law enforcement activities and research related to eTrace system,

Have reached the following understanding:

Section I. Objective

The objective of this Memorandum of Understanding (MOU) is to establish the terms and conditions under which PGR may access and use the eTrace system.

ETrace is an electronic firearm trace submission system, which has a trace analysis computer module that is readily accessible through a connection to the World Wide Web (Internet). This internet application provides the necessary utilities for submitting, retrieving, storing and querying firearms trace related information relative to particular jurisdictions, thereby allowing for the systematic tracing of firearms that may have been recovered by law enforcement authorities. The eTrace system is intended solely for the use of law enforcement officials to combat illicit trafficking in firearms.

By submitting and obtaining firearms information through the eTrace system, PGR may better identify firearms trafficking patterns and geographic profiling for criminal hot spots and possible sources of illicit firearms.

Section II. General Provisions

1. The tracking referred by this MOU is limited to firearms seized by Mexican authorities.
2. ATF's National Tracking Center (NTC) will be the receiving and central repository of all information entered into the eTrace system.
3. PGR intend to enter into the eTrace system complete and accurate information related with firearms

tracking in Mexico. To this end, PGR will coordinate and administer, through the National Center of Planning, Analysis and Information Against Delinquency (CENAPI) the information generated by all the Mexican authorities involved in the seizure of firearms.

4. Through the eTrace system, PGR will have access to all data generated by tracking of firearms seized in Mexico, whether it was submitted by users designated by the PGR or by users of US agencies.

Section III. Procedures

To meet the objective of this MOU:

A. PGR will:

1. Appoint a primary and alternate point of contact within PGR. The above appointed individuals are to be responsible for providing and maintaining a list of all personnel within PGR that will require access to eTrace.
2. Complete "Attachment A" (PGR Approved eTrace Users) of this MOU. Only the persons listed in Attachment A will have access to the eTrace system, as PGR's authorized users.
3. Immediately notify the ATF National Tracing Center (NTC) in the event that an individual's eTrace account needs to be suspended or revoked. Such suspension or revocation might be necessary for any number of reasons, to include but not be limited to: employee transfer, retirement, or release from employment. Initial notification for account revocation can be made by contacting the eTrace Customer Support Group at telephone number (304) 260-**ATF**.
4. Refer to the eTrace Customer Support Group of the NTC any technical questions related to the use, operation or solution of technical difficulties related to eTrace contacting the phone number (304) 260-**ATF** fax number (800) 578-**ATF** email address edward.stely@atf.gov, or postal address:

Bureau of Alcohol, Tobacco, Firearms and Explosives
National Tracing Center Division
244 Needy Road
Martinsburg, WV 25401
Attn: eTrace Customer Service Group

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B. ATF, through the National Tracing Center will:

1. Appoint a primary and alternate point of contact.
2. Provide to PGR, upon entry into force of this MOU, detailed instructions about the procedure to request and receive an eTrace user account.
3. Process all applications for eTrace access in a timely manner and facilitate the provisioning of accounts to include relative user identifiers and passwords. Once accounts are activated, a representative from the NTC is to contact each individual user and provide them with their account information.

4. Upon receipt of a PGR's request for account revocation, immediately deactivate the pertinent user account.
5. Provide the PGR's and ATF's designated POC with an annual (or upon request) listing of PGR's approved eTrace users for review purposes.

Section IV. Points of Contact

The Participants will designate primary and alternate points of contact for coordinating all communications and issues related to this MOU.

The designated points of contact are as follows:

PGR: National Center of Planning, Analysis and Information Against Delinquency (CENAPI)
 Address: Xóchitl s/n, Col. El Reloj, Del. Coyoacán, C.P. 04640, México D.F.

	Designated PGR Contact	Alternate PGR Contact
Name:	José Luis Figueroa Cuevas	José Luis Palacios Razo
Title:	Head of CENAPI	General Coordinator of Information Against Delinquency
Phone #:	ATF	

ATF: National Tracing Center
 Address: 244 Needy Road
 Martinsburg, WV 25401
 (800) 788-**ATF**

	Designated ATF Contact	Alternate ATF Contact
Name:	ATF	
Title:	ATF Attaché, Mexico City	Assistant Country Attaché, Mexico City
Phone #:	ATF 55 (office) blackberry)	ATF (office) all phone)

Section V. Information Management and Protection

1. The information obtained under this MOU may be used in judicial or administrative proceedings only in accordance with the respective Participants' laws, regulations and legal procedures.
2. Consistent with their respective laws, the Participants acknowledge that premature disclosure of certain firearms trace information can reasonably be expected to interfere with pending or prospective proceedings related to illicit firearms trafficking. This sensitive information includes data that can link a

traced firearm to: the location of a crime; the Federal firearms licensee; retail purchaser or possessor of a traced firearm; or to firearms trafficking patterns involving a traced firearm. Therefore, neither PGR nor ATF may disclose law enforcement sensitive firearms trace information generated pursuant to this MOU to a non-law enforcement entity without the consent of the other Participant, unless otherwise obligated by law.

3. The Participants acknowledge that traces are restricted to firearms that are illegally possessed, used in a crime, taken into custody by public security authorities, or suspected by public security officials of having been used in a crime or act of terrorism.

Section VI. Monitoring Mechanism

Each Participant intends to designate a representative to evaluate and monitor the implementation of this MOU.

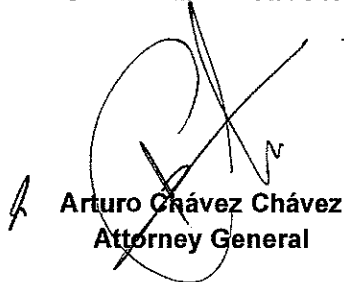
Designated representatives intend to make regular reports to the Participants about the results obtained in the framework of this MOU. Likewise, these representatives will solve any aspect derived from its application or interpretation, through consultations.

Section VII. Final Provisions

1. This MOU will enter into force from its date of signature and will remain in effect until either Participant decides to terminate it by written communication addressed to the other Participant thirty (30) days in advance.
2. The termination of this MOU will entail the revocation of all eTrace accounts provided under this MOU.
3. This MOU may be amended by mutual agreement of the Participants in writing.

Signed in Mexico City, on the fifth day of October, in the year 2010 in two originals in English and Spanish languages, both texts being equally authentic.

**FOR THE ATTORNEY GENERAL'S OFFICE OF
THE UNITED MEXICAN STATES**


**Arturo Chávez Chávez
Attorney General**

**FOR THE BUREAU OF ALCOHOL, TOBACCO,
FIREARMS AND EXPLOSIVES OF THE UNITED
STATES OF AMERICA**


**Kenneth E. Melson
Acting Director**