



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

Office of Foreign Assets Control (OFAC)
Office of Compliance and Enforcement:

**Data Delivery Standards Guidance:
Preferred Practices for Productions to OFAC**

The Department of the Treasury's Office of Foreign Assets Control (OFAC) administers and enforces U.S. economic and trade sanctions against targeted foreign governments, individuals, entities, and practices. OFAC's Office of Compliance and Enforcement (OCE) is responsible for conducting civil enforcement investigations of individuals and entities subject to any of the sanctions programs administered or enforced by OFAC in response to apparent violations of the sanctions programs OFAC administers. OCE's investigations vary in size, scope, and complexity. In some circumstances, an OCE investigation may necessitate the production of a significant number of documents. To facilitate OCE's review of materials provided to it during the course of such investigations, OCE encourages persons submitting information to OCE to consider the practices enumerated in this document. The guidance in Section I of this document applies to persons responding to administrative subpoenas from OFAC issued pursuant to 31 C.F.R. § 501.602, though it also may be helpful to persons responding to non-compulsory requests for information or making voluntary self-disclosures in considering how to organize their submissions. The technical standards in the remainder of the document apply to all electronic productions to OCE. Please note that if you are making a production to OCE and require clarification or would like to discuss the application of these preferred practices to your situation, please contact the OCE representative handling your case directly and provide the investigation reference number.

This document is divided into six sections and an addendum; Sections IV – VI are applicable where the production of an entire submission as PDF files is impractical:

- Section I contains OCE's preferred practices for organizing document productions in response to administrative subpoenas from OFAC.
- Section II contains file size and delivery instructions for electronic submission.
- Section III contains instructions for electronically submitting files in PDF format.
- Section IV contains instructions for electronically submitting documents that were originally in paper form.
- Section V contains instructions for electronically submitting email collections.
- Section VI contains instructions for electronically submitting native files.
- The Technical Addendum provides a detailed description of additional document production specifications that are compatible with OCE's current technological platforms.

Unless told otherwise by the OCE representative handling your case, hardcopies of all submissions are expected, even if a production is made electronically. Submit all hardcopies, as well as physical electronic media such as CDs, DVDs, portable hard drives, or thumb-drives, to the following address and ensure you include the investigation reference number in the cover letter to ensure timely delivery:

U.S. Department of the Treasury
Office of Foreign Assets Control
Freedman's Bank Building
Attn: [Insert OCE Representative's Name Here]
[Insert OFAC Division Name Here]
1500 Pennsylvania Avenue, NW
Washington, DC 20220

Submissions are also accepted by email, subject to the file size limitations discussed below, with subsequent production in hardcopy to the address above expected unless told otherwise by the OCE representative handling your case.

I. Preferred Practices for Organizing Document Productions in Response to Administrative Subpoenas from OFAC:

- 1) **Bates Numbering:** Sequential pagination (*i.e.*, Bates numbering) facilitates review of submissions, and OCE prefers that any production to OCE include Bates numbers. Where one or more submissions has already been made in relation to the investigation, Bates numbers should continue sequentially from the final page of the immediately preceding submission. For example, if the first submission delivered to OCE is Bates numbered ABC-0000001 – ABC-0005267, the next submission should begin with ABC-0005268. All submissions should have the same Bates numbering format (spaces, dashes, etc.) and the same number of digits (*i.e.*, start the next submission ABC-0005268 and not ABC0005268, ABC 0005268, ABC-005268, or ABC-0000001).
- 2) **Cover Letter:** Provide a cover letter with each submission that includes a general description of the documents, the custodian(s) for the documents, the Bates numbers associated with the submission, and a summary of the records, images, emails, and attachments contained in the submission. For example:

This disclosure includes [number] records, comprised of [number] email communications for [individual A, B, C]/[entity A, B, C], [number] commercial invoices, [number] contracts and contract revisions, payment records, compliance manuals, etc. The documents are Bates numbered ABC-0000001 – ABC-0010000.

- 3) **Exhibits and Narrative Document:** Responding to OFAC subpoenas frequently requires the production of supporting documentation, such as underlying transaction documents. These types of documents should be submitted as exhibits and the overall submission should contain a narrative document (“Narrative”) that identifies the relevance of each exhibit or group of exhibits contained in the submission. Generally the exhibits should be numbered in the order they appear in the Narrative. The Narrative should explain the relationship between each exhibit and the information OCE has requested. For example, in response to a

subpoena seeking information on a particular commercial transaction, the Narrative document might state the following:

Exhibit 1 includes the commercial invoice for the transaction in question, identifying [name] as the customer, the customer's address, product description, quantity, unit value, total sales value, and payment terms. Exhibit 2 is the bill of lading for the shipment related to this transaction, identifying [name] as the consignee.

- 4) Exhibits List: Provide a list of all exhibits included in the submission ("Exhibits List").
- 5) Organizing Submissions: Organize submissions in a logical and easy to understand manner. Submissions should generally be organized by transaction or in the order of the requests made by the administrative subpoena to which you are responding and not by custodian (even if a submission contains records from multiple custodians). Subpoena respondents are encouraged to discuss with OCE the most appropriate way to organize their submissions to facilitate OCE's review.

Submissions including records from multiple custodians generally should include organizational charts and descriptions of the titles and responsibilities of all custodians as well as of other key persons identified in the submission.

In addition, order the overall submission in a logical sequence (*e.g.*, the cover letter, followed by the Narrative, followed by the Exhibits List, followed by the exhibits).

- 6) Redactions: The legal basis for any redactions should be included in the Narrative. Submissions including redactions should use clear pseudonyms for any redacted names (*e.g.*, Employee 1, Client 2) that are applied consistently across all submissions pertaining to a given investigation.
- 7) Translations: Submit non-English language documents in both their original form and language as well as in English via a certified translation.
- 8) Transaction Reporting: In cases in which it is appropriate to submit a list of transactions, report transactions using the following steps:
 - a. Prepare a separate computer data file (*i.e.*, Excel or Excel-compatible file) containing the list of transactions.
 - b. Show all monetary amounts in the currency in which they were originally denominated, the currency in which they are registered in the subpoena respondent's accounts, and, if neither are in U.S. dollars, in U.S. dollar equivalent with an explanation of the conversion methodology.
 - c. Fields that should be included for each transaction include, but are not limited to: relevant parties; the role each party played (*e.g.*, distributor, end user); reference numbers; the date; the amount; the currency; the value in U.S. dollars on the date of the transaction; and the sanction(s) program or regulatory prohibition implicated. If applicable to a transaction, include also the following additional fields: purchase

order, invoice number, invoice date, invoice price, billing adjustments, net price, and date of receipt of payment.

- d. Notwithstanding the transaction reporting, the underlying documents for each transaction generally should be included as exhibits, organized by transaction and in a logical sequence, and adequately explained by the Narrative.

II. File Size and Delivery Instructions for Electronic Productions:

1) File Size Limitations: Please observe the following file size limitations:

- a. For submissions using CDs, DVDs, portable hard drives, or thumb-drives, any file/folder exceeding 30 megabytes in size will not be accepted. The submission may contain any number of separate files/folders, but an individual file/folder must not exceed 30 megabytes in size. Divide documents that exceed the 30 megabyte size limit into two or more individual files that are each less than the 30 megabyte limit and attach as separate files to the document submission. A single document of less than the file size limit described above should not be broken into multiple attachments.
- b. When making submissions via email, the overall email (email message plus attachment) size limit is 10 megabytes. Individual emails exceeding 10 megabytes in size will not be accepted. The submission may contain any number of separate files, but an individual email with attachments is constrained to 10 megabytes in size. Divide emails and attachments that exceed the size limit into two or more individual emails with attachments that are each less than the limit and send as separate messages. A single document of less than 10 megabytes should not be broken into multiple attachments.

2) Delivery Instructions: Please observe the following delivery instructions.

- a. Deliver electronic submissions on CDs, DVDs, portable hard drives, thumb-drives, or via email. The smallest number of media devices needed to deliver the data is recommended. Clearly indicate the number of CDs, DVDs, portable hard drives, or thumb drives (if applicable) with your submission.
- b. Label all media submitted with, at least, the case number (if assigned), the submission date, and the Bates numbers.
- c. All attachments relating to a single submission should have the same root name.
- d. Submissions may be comprised exclusively of PDF documents. However, in some circumstances involving the production of a significant number of documents, producing them as described in Sections IV, V, and VI below may be appropriate. In these instances, please contact the OCE representative handling your case directly to discuss the preferred document formats. If you produce your entire submission in PDF documents, please combine all portions of the submission into a single file, as long as the entire attachment does not exceed the file size limit (30 megabytes if

submitting via CDs, DVDs, portable hard drives, or thumb-drives and 10 megabytes if submitting via email). If a PDF production exceeds those file size limits, please use logical break points. To the extent possible, avoid breaking attachments in the middle of a document.

- e. Provide all submissions free of computer viruses, consistent with Federal law.
- f. Provide under separate cover from the cover letter for the electronic submission all passwords for documents, files, or compressed archives provided in the submission.
- g. Only encrypt and compress files using the Zip format compatible with WinZip. Other encryption and compression formats are not supported. Additionally, for security, do not submit encrypted data with a third-party decryption application.

III. PDF Documents:

The preferred application for PDF files is Adobe Acrobat. In addition to the instructions regarding submission file size in Section II, please also follow the following instructions:

- 1) All PDFs should contain embedded text to include all discernible words within the document, not selected text.
- 2) Optical Character Recognition (OCR) should be run on all PDF files.
- 3) Each PDF file should have an image-quality resolution of no less than 300dpi (dots per inch).

IV. Paper Documents:

For documents that were originally in paper hardcopy and then were scanned into a digital format for submission to OCE, please submit as image files following these guidelines:

- 1) Image files: Submit images as CCITT 6.0 (Group 4 Compression) .JPG files (single or multi-page files). Images submitted as .TIF are also acceptable provided they have complete 24-bit color depth or B&W raster and at least 80% compression. Include a Bates number with each image. The number of files per folder is limited to 1,000 files.
- 2) OCR: OCR text is preferred and may be delivered in either of two ways:
 - a. OCR text may be delivered as multi-page ASCII files. The name of the file needs to match the IMAGEID field.
 - a. OCR text may be included in the delimited text file (OCRTEXT field).

If possible (regardless of delivery method), please place page markers at the beginning or end of each OCR text page as shown:

*** LA000001 *** (example)

The data surrounded by *** is the Image IMAGEID.

V. Email Collections:

OCE uses Concordance for its internal eDiscovery processes. Submissions to OCE of email collections via delimited text files with images and native attachments for Concordance is most compatible with OCE's systems. Email collections may also be submitted as an MS Outlook .PST files, native to MS Outlook. Include with the submission any passwords or decryption instructions. For Concordance productions, please refer to the Technical Addendum.

VI. Native Files:

The preferred submission format for textual documents is MS Word and the preferred format for spreadsheet documents is MS Excel.

Technical Addendum

As a supplement to the instructions in Section V, please note that OCE uses Concordance v10.21 and Concordance Image v5.15 for its internal eDiscovery processes. If you are unable to provide your electronic document production in the formats outlined below or have questions regarding formatting requirements, please consult OCE.

I. General Requirements

- 1) Native attachment files: Provide a copy of the email and native attachment files. The number of native files per folder is limited to 1,000 files.
- 2) Image files:
 - a. Include a Bates number with each image. The number of .JPG files per folder is limited to 1,000 files.
 - b. Concordance Image Load File: The Concordance Image Load File is a comma-delimited file consisting of seven fields per line. Include a line in the Load File for every image in the database. The format for the file is as follows:
 - i. IMAGEID: The unique designation that Concordance and Concordance Image use to identify an image.
 - ii. VolumeLabel: Optional.
 - iii. ImageFilePath: The file path to the image file.
 - iv. DocumentBreak: If this field contains the letter “Y,” this is the first page of a document. If this field is blank, this page is not the first page of a document.
 - v. FolderBreak: Leave empty.
 - vi. BoxBreak: Leave empty.
 - vii. PageCount: Optional.
- 3) Extracted text: Extract the text and metadata of the email and the attachment(s), enter in the appropriate fields, and provide as an ASCII delimited text file. The email will be the “parent” and the attachment(s) will be the “child.” If there is more than one attachment, list the first Bates number of each attachment and separate each by a semi-colon (“;”).

- a. An ASCII delimited file is a file containing the metadata associated with the native file, text extracted from the native file, and a directory path to the native file. Include in the delimited text file a header record. Structure the delimiters for the file as follows, otherwise the file will be not be accepted:
 - i. Comma: ASCII character 20
 - ii. Quote: ASCII character 254
 - iii. Newline: ASCII character 174
- b. When the full text is not provided in the ASCII delimited text file or if text exceeds 12MB in the “text” field, text files may be delivered as multi-page ASCII files. Match the name of each file with the image key field. OCR any document in which text cannot be extracted, particularly any PDFs without embedded text.

II. Database Submissions

- 1) Concordance users: Concordance has built-in functionality to export data into a combined database file to more easily transfer large record sets. This file will package all documents and associated data columns based on a predefined search filter, and can be incrementally added to as more responsive records are located.

a. Data Field Requirements

	Data Field Name:	Description:	Example:
1*	BEGNO	First Bates number	ABC-0000001
2*	ENDNO	Last Bates number	ABC-0000250
3	BEGATTACH	First Bates number for any attachments	ABC-0000025
4	ENDATTACH	Last Bates number for any attachments	ABC-0000029
5*	PAGECOUNT	Number of total pages per document	249
6*	AUTHOR	The author of the document	John Doe
7*	CREATEDATE	The original creation date of the document	02/27/2013 (MM/DD/YYYY Format)
8*	DOCTYPE	The type of document	TEXT or PDF or EMAIL
* Required field for entry into Concordance database			

- 2) All Others: Please contact OCE.