

WILLIAM J. OLSON, P.C.

ATTORNEYS AT LAW

370 MAPLE AVENUE WEST, SUITE 4

VIENNA, VIRGINIA 22180-5615

TELEPHONE (703) 356-5070

FAX (703) 356-5085

E-MAIL: wjo@mindspring.com

<http://www.lawandfreedom.com>

WILLIAM J. OLSON
(VA, D.C.)

HERBERT W. TITUS
(VA OF COUNSEL)

JEREMIAH L. MORGAN
(D.C., CA ONLY)

ROBERT J. OLSON
(VA, D.C.)

114 CREEKSIDE LANE
WINCHESTER, VA 22602-2429
TELEPHONE (540) 450-8777
FAX (540) 450-8771

February 10, 2022
via online portal

Bureau of Alcohol, Tobacco, Firearms and Explosives
Attn: Disclosure Division, Room 4E.301
99 New York Ave, NE
Washington, DC 20226
Email: foiamail@atf.gov
Fax (202) 648-9619

Re: FREEDOM OF INFORMATION ACT (FOIA) REQUEST
of Gun Owners of America and Gun Owners Foundation regarding
USA Today Fact Check Communications

Dear Sirs:

We represent Gun Owners of America (“GOA”) and Gun Owners Foundation (“GOF”), and submit this Freedom of Information Act (“FOIA”) request on their behalf to the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”).

GOA is a nonprofit social welfare organization exempt from federal income tax under section 501(c)(4) of the Internal Revenue Code. GOA’s tax-exempt mission and purposes include educating the public and conducting activities in defense of the Second Amendment and the right to keep and bear arms. GOA’s principal office is located at 8001 Forbes Place, Suite 202, Springfield, Virginia 22151. (For further information on GOA, please see <https://gunowners.org>.) GOF is a Virginia non-stock corporation, organized and operated as a non-profit legal defense and educational foundation that is exempt from federal income taxes under Section 501(c)(3) of the Internal Revenue Code. GOF is supported by gun owners across the country. (For further information on GOF, please see <https://www.gunowners.com/>.)

Record Request

On February 9, 2022, USA Today published a purported “Fact Check”¹ of the “claim that ATF has ‘gun registry’ with 1 billion records.” In the article, USA Today references various

¹<https://www.usatoday.com/story/news/factcheck/2022/02/09/fact-check-claim-atf-has-gun-registry-missing-context/9304431002/>

communications, including communications with ATF about the story. Thus, we hereby seek the following records:

- “Carolyn Gwathmey, a public affairs officer at the agency,” “Feb. 1, Email exchange with USA TODAY”;
- “April Langwell, chief of the ATF’s public affairs division,” “Feb. 4, Email exchange with USA TODAY”;
- records of the “April Langwell, Feb. 4, Phone interviews with USA TODAY”; and
- any other communications between ATF personnel and USA TODAY with respect to the above referenced publication.

If any of the information sought above is publicly available, please provide us with the location(s) of that information.

Please email the documents to wjo@mindspring.com, or mail them to the following address:

Robert J. Olson, Esquire
William J. Olson, P.C.
370 Maple Ave W., Suite 4
Vienna, VA 22180-5615

Fee Waiver Request

We request that the search, review, and copying fees be waived as provided under section 5 U.S.C. § 552(a)(4)(A) and 28 CFR 16.10(k). GOA and GOF are nonprofit organizations seeking the requested documents to educate the public on a matter of great public importance, by releasing information that — in addition to contributing to public understanding on the workings of government — may have great effect on substantive policy discussions relating to the exercise of citizens’ rights under the Second Amendment. GOA and GOF routinely publish the results of findings from documents they receive through FOIA requests, free-of-charge on their websites, in releases to members and supporters, and through dissemination of information to the news media.

The fees should be waived because release of the requested documents is in the public interest, and the requested information is likely to contribute significantly to public understanding of the operations or activities of the government. Additionally, the records sought by GOA and GOF are likely to contribute significantly to public understanding of the operations or activities of the government.

The release of the requested documents is not primarily for any commercial interest or purpose, including any commercial interest of GOA or GOF. GOA and GOF intend to disseminate to the general public, free of charge, any important information it obtains as a result of this request.

If our clients' waiver request is denied, we would appreciate an estimate of the costs involved in procuring any of the requested documents if such costs exceed \$250. If the costs do not exceed \$250, however, we do not need an estimate, and we will guarantee payment.

We request that the 20-day response time imposed by 5 U.S.C. § 552(a)(6)(A)(i) and 28 CFR 16.6(b) be adhered to strictly. We look forward to hearing from you within 20 business days.

Thank you for your prompt attention to this request.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Rob Olson".

Robert J. Olson

RJO:ls

cc: Gun Owners of America
Gun Owners Foundation