



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

www.atf.gov

September 19, 2022

REFER TO: 2022-00491

Mr. William J. Olson
370 Maple Avenue W
Suite 4
Vienna, VA 22180-5615

VIA EMAIL: wjo@mindspring.com
robert.jeffrey.olson@gmail.com

Dear Mr. Olson:

This responds to your Freedom of Information Act (FOIA) request dated February 10, 2022, and received by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) on February 18, in which you requested copies of fact checking communications with USA Today regarding an article about ATF's use of out of business records. Your request was assigned number 2022-00491. Please refer to this number in any future correspondence.

In response to your request, we processed a total of 198 pages of potentially responsive material; 157 pages were non-responsive, and 41 pages are being released in whole or in part. Of the 41 responsive pages, we are releasing one (1) page in full and 40 pages in part. Individual redactions identify the exemption pursuant to which the redacted material has been withheld. Please be advised that we considered the foreseeable harm standard when reviewing records and applying FOIA exemptions.

We are withholding third party information, including the names of ATF employees, pursuant to FOIA Exemption (b)(6). To disclose personal information about a living individual to a member of the public, we need written consent from the person(s) whose information you requested. Without written consent, proof of death, or an overriding public interest, personal information is exempt from disclosure under the FOIA. The FOIA does not require agencies to disclose information that would be a clearly unwarranted invasion of personal privacy. *See* 5 U.S.C. § 552(b)(6).

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. § 552(c). This response is limited to those records that are subject to the requirements of the FOIA. This is a

Mr. William J. Olson

standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

You may contact our FOIA Public Liaison, Zina Kornegay, at 202-648-7390, for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,



Adam C. Siple
Chief

Information and Privacy Governance Division

From: (b)(6)@usatoday.com]
Sent: 2/1/2022 8:28:11 PM
To: (b)(6) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9233a8ee6c548b5aa60ea521673ec99; (b)(6) Public Affairs Division [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=86e8424f64214688a109d7f28e518b44-PGA - Publi]
Subject: [EXTERNAL] RE: Media request from USA TODAY

Hi (b)(6)

Great, thanks so much! I appreciate the help.

(b)(6)

From: (b)(6)@usdoj.gov>
Sent: Tuesday, February 1, 2022 3:18 PM
To: (b)(6)@usatoday.com>; Public Affairs Division <liaison2@atf.gov>
Subject: RE: Media request from USA TODAY

(b)(6)

We are aware of the article you are referring to. We are drafting a statement and will get that to you before your deadline.

V/r,

(b)(6)

Public Affairs Officer
Public Affairs Division, ATF
99 New York Ave., N.E., Washington, D.C. 20226
(b)(6)@atf.gov / C (b)(6)

From: (b)(6)@usatoday.com>
Sent: Tuesday, February 1, 2022 3:10 PM
To: Public Affairs Division <liaison2@atf.gov>
Subject: [EXTERNAL] Media request from USA TODAY

Hi there,

I hope you're doing well. I'm a reporter for USA TODAY and I'm reaching out for some insight for a fact check I'm working on about the ATF's gun records.

I'm fact-checking a popular claim online that the "ATF gun registry" now includes almost 1 billion firearm records. Here's the specific social media post I'm fact-checking, for reference:

https://www.facebook.com/story.php?story_fbid=456753046107727&id=100053191068765&m_entstream_source=permalink

My question for you: Is there any truth to this claim? Does the ATF have a “gun registry” with nearly 1 billion firearm records? Any additional context or nuance you think this claim needs would be greatly appreciated.

I hope to file this fact check by tomorrow (2/2) at 12 p.m. ET. I look forward to hearing from you.

Thanks so much!

(b)(6)

Fact Check Reporter

(b)(6)@usatoday.com

(b)(6)



From: (b)(6)@usatoday.com]
Sent: 2/1/2022 8:10:14 PM
To: Public Affairs Division [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=86e8424f64214688a109d7f28e518b44-PGA - Publi]
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Thanks so much!

(b)(6)
Fact Check Reporter
(b)(6)@usatoday.com
(b)(6)



From: (b)(6)@usatoday.com]
Sent: 2/4/2022 10:05:10 PM
To: Langwell, April L. [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6e6b3ef182ca4ae4913432dc630389eb-Langwell, A]
CC: (b)(6) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9233a8ee6c548b5aa60ea521673ec99 (b)(6)]
Subject: RE: [EXTERNAL] RE: Media request from USA TODAY

Hi April,

Thanks so much for all this detailed information – it's really helpful for my fact check!

One quick follow-up question on the first and second points: You said all out-of-business records have been moved off microfiche and that the process wrapped in 2017. But the ATF letter sent to Rep. Cloud (<https://freebeacon.com/wp-content/uploads/2022/01/Letter-Response-Rep.-Michael-Cloud-R-TX-51-x-GOP-co-signers-Federal-Gun-Registry-signed-letter.pdf>) says that, as of November 2021, 865,787,086 of the 920,664,765 records were in a digitized format.

Is there a discrepancy here? Would it be accurate to say that all out-of-business records are now in a digitized format, or no?

Thanks again!

(b)(6)

From: Langwell, April L. (b)(6)@usdoj.gov>
Sent: Friday, February 4, 2022 3:14 PM
To: (b)(6)@usatoday.com>
Cc: (b)(6)@usdoj.gov>
Subject: RE: [EXTERNAL] RE: Media request from USA TODAY

Hi (b)(6)

- Have all of the records been moved off microfiche? Yes
- What steps were taken to digitize these records? Speaking specifically to the microfiche records, the process started as a trial around 2011 when we sent samples to a company in California to convert the film into digital images. The process to digitize an estimated 50,000 rolls of film and additional microfiche took about six years & was completed in 2017. Waiting on various sources of funding was a big part of why it took so long. In what format are they stored now? They are stored in a variety of bitmap images as well as locked, non-text-searchable PDFs.
- When and why did that process start? Searching for records on microfilm/microfiche had become an outdated process. The film readers were becoming expensive to purchase and maintain. Digitizing the records actually increased the quality of the images, enabling us to reopen traces that had been closed unsuccessfully because the microfilm/fiche was illegible, and modern software enables us to adjust features such as lightness and contrast so we can read the information on poor quality records.
- What measures are in place so that these digital records don't become a searchable database? They are scanned as non-searchable, static images. They *are NOT* scanned for Optical Character Recognition (OCR). They are then indexed and stored by FFL, only to be accessed in completing a firearm trace involving that out-of-business dealer.

Also, I wanted to clarify. Scanning out of business records began in 2005.

In approximately 2017, they packed up the microfiche readers after they had completed all the conversions.

Hope this helps! Feel free to call me if something isn't clear.

Best,
April

R/
April Langwell
Chief, Public Affairs Division, ATF
99 New York Ave., N.E., Washington, D.C. 20226

(b)(6) @atf.gov / C: (b)(6)

From: (b)(6) @usatoday.com>
Sent: Friday, February 4, 2022 2:28 PM
To: Langwell, April L. (b)(6) @atf.gov>
Cc: (b)(6) y@atf.gov>
Subject: RE: [EXTERNAL] RE: Media request from USA TODAY

Hey April,

Thanks again for speaking with me! I appreciate you taking the time to answer my questions during such a busy week.

Here are a few of the other questions I had regarding the format of the out-of-business records that the ATF maintains:

- Have all of the records been moved off microfiche?
- What steps were taken to digitize these records? In what format are they stored now?
- When and why did that process start?
- What measures are in place so that these digital records don't become a searchable database?

Thanks again!

(b)(6)

From: Langwell, April L. (b)(6) @usdoj.gov>
Sent: Friday, February 4, 2022 12:06 PM
To: (b)(6) @usatoday.com>
Cc: (b)(6) @usdoj.gov>
Subject: RE: [EXTERNAL] RE: Media request from USA TODAY

Hi (b)(6)

I just tried calling. I want to make sure we understand your question fully.

Can you give me a shout when you have a free moment?

Thanks,
April

R/
April Langwell
Chief, Public Affairs Division, ATF

99 New York Ave., N.E., Washington, D.C. 20226

(b)(6) @atf.gov / C: (b)(6)

From: (b)(6) @usatoday.com>
Sent: Thursday, February 3, 2022 5:55 PM
To: Langwell, April L. <(b)(6)@atf.gov>
Subject: RE: [EXTERNAL] RE: Media request from USA TODAY

Hi April,

Great, thanks so much! I appreciate your help.

Stay well,

(b)(6)

From: Langwell, April L. (b)(6) @usdoj.gov>
Sent: Thursday, February 3, 2022 5:38 PM
To: (b)(6) @usatoday.com>
Cc: Chittum, Thomas L. (b)(6) @usdoj.gov>; (b)(6); (b)(6)
(b)(6) @usdoj.gov>
Subject: Re: [EXTERNAL] RE: Media request from USA TODAY

Hi (b)(6)

I will have (b)(6) from my Division, who responded to you earlier this week, respond to you directly. As a media entity, please address your inquiries to our mailbox at liaison2@atf.gov. I assure you, we respond to all inquiries as best we can.

Thank you & best regards,
April

April Langwell
Chief, Public Affairs Division, ATF
99 New York Ave., N.E., Washington, D.C. 20226

(b)(6) @atf.gov / C: (b)(6)

On Feb 3, 2022, at 5:31 PM, (b)(6) @usatoday.com> wrote:

Thanks for connecting us, (b)(6). And thanks for this detailed response, Thomas – I received a similar statement from ATF yesterday.

One quick follow-up for you: Does the ATF manage a separate database of guns recovered from criminals and crime scenes? Or does it solely draw upon its database of out-of-business records to assist in criminal investigations?

Thanks again!

(b)(6)

From: Chittum, Thomas L. <(b)(6)@usdoj.gov>
Sent: Thursday, February 3, 2022 9:51 AM

To: (b)(6) (b)(6)@usatoday.com>
Cc: Langwell, April L. (b)(6)@usdoj.gov>
Subject: RE: Media request from USA TODAY

Thank you, (b)(6)

(b)(6) here is ATF's response to a similar inquiry:

ATF does not maintain a federal gun registry for firearms that fall under the Gun Control Act, and none of the records ATF maintains relating to those firearms may be used to create such a registry.

The records relevant to your inquiry are known as "out-of-business records". Federal law requires Federal Firearms Licensees (FFLs) to maintain certain records regarding firearm transfers to both other FFLs and to individuals who are not licensed, and to send these records to ATF when they go out of business. See, 18 U.S.C. 923(g)(4) and 27 C.F.R 478.127, Discontinuance of Business. Federal law further requires that ATF maintain these "out-of-business records" to facilitate the tracing of firearms that law enforcement agencies recover in criminal investigations. Firearm trace requests may only be submitted by law enforcement agencies conducting a bona fide criminal investigation.

ATF's National Tracing Center (NTC) is responsible for processing and maintaining out-of-business records that FFLs submit, and currently processes an average of 5.5 million of these records each month. These records are indexed by FFL to facilitate processing of law enforcement trace requests, but are **not** searchable by individual purchaser information. NTC staff must review each FFL record individually to locate information needed to complete a trace, and these records are only accessed to complete law enforcement trace requests.

More information about the National Tracing Center can be found at:
<https://www.atf.gov/resource-center/fact-sheet/fact-sheet-national-tracing-center>.

I have also CC'd April Langwell, ATF's Chief of Public Affairs for any additional questions you may have.

Tom Chittum

From: (b)(6)
Sent: Thursday, February 3, 2022 12:38 AM
To: (b)(6)@usatoday.com>; Chittum, Thomas L. (b)(6)@atf.gov>
Subject: [EXTERNAL] Re: Media request from USA TODAY

Hi (b)(6) Sorry but I can't verify that claim or contest it, as I simply don't know. You might try Tom Chittum, Acting Deputy Director at ATF. His email is (b)(6)@usdoj.gov

(b)(6)

From: (b)(6)@usatoday.com>
Date: Tuesday, February 1, 2022 at 12:26 PM
To: (b)(6)
Subject: Media request from USA TODAY

Hi A (b)(6)

I hope you're doing well. I'm a reporter for USA TODAY and I'm reaching out for some insight for a fact check I'm working on about the ATF's gun records.

I'm fact-checking a popular claim online that the "ATF gun registry" now includes almost 1 billion firearm records. Here's the specific social media post I'm fact-checking, for reference:

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My question for you: Is there any truth to this claim? To your knowledge, does the ATF have a "gun registry" with nearly 1 billion firearm records? Any additional context or nuance you think this claim needs would be greatly appreciated.

I hope to file this fact check by tomorrow (2/2) at 12 p.m. ET. I look forward to hearing from you.

Thanks so much!

(b)(6)

Fact Check Reporter

(b)(6)@usatoday.com

(b)(6)



From: (b)(6)@usatoday.com]
Sent: 2/4/2022 7:27:33 PM
To: Langwell, April L. [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6e6b3ef182ca4ae4913432dc630389eb-Langwell, A]
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Hey April,

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- Have all of the records been moved off microfiche?
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Thanks again!

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Sent: Friday, February 4, 2022 12:06 PM
To: (b)(6)@usatoday.com>
Cc: (b)(6)y@usdoj.gov>
Subject: RE: [EXTERNAL] RE: Media request from USA TODAY

Hi (b)(6)

I just tried calling. I want to make sure we understand your question fully. Can you give me a shout when you have a free moment?

Thanks,
April

R/
April Langwell
Chief, Public Affairs Division, ATF
99 New York Ave., N.E., Washington, D.C. 20226
(b)(6)@atf.gov / C (b)(6)

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Cc: Chittum, Thomas L. (b)(6)@usdoj.gov>

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Thank you & best regards,

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99 New York Ave., N.E., Washington, D.C. 20226

(b)(6)

@atf.gov / C:

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Thanks again!

(b)(6)

From: Chittum, Thomas L. (b)(6)@usdoj.gov>

Sent: Thursday, February 3, 2022 9:51 AM

To: (b)(6) (b)(6)@usatoday.com>

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Fact Check Reporter

(b)(6)@usatoday.com

(b)(6)



From: Langwell, April L. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6E6B3EF182CA4AE4913432DC630389EB-LANGWELL, A]
Sent: 2/3/2022 10:37:50 PM
To: (b)(6)@usatoday.com
CC: Chittum, Thomas L. [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7dccb4bb6e3b44c99f8be38df5f9e1d9-Chittum, Th]; (b)(6)
(b)(6) (b)(6) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9233a8ee6c548b5aa60ea521673ec99] (b)(6)
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Tom Chittum

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To: (b)(6) <@usatoday.com>; Chittum, Thomas L. (b)(6) <@atf.gov>
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Thanks so much!

(b)(6)

Fact Check Reporter

(b)(6)@usatoday.com

(b)(6)



From: (b)(6)@usatoday.com
Sent: 2/3/2022 10:31:01 PM
To: Chittum, Thomas L. [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7dccb4bb6e3b44c99f8be38df5f9e1d9-Chittum, Th]; (b)(6)
(b)(6)
CC: Langwell, April L. [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6e6b3ef182ca4ae4913432dc630389eb-Langwell, A]
Subject: [EXTERNAL] RE: Media request from USA TODAY

Thanks for connecting us, (b)(6). And thanks for this detailed response, Thomas – I received a similar statement from ATF yesterday.

One quick follow-up for you: Does the ATF manage a separate database of guns recovered from criminals and crime scenes? Or does it solely draw upon its database of out-of-business records to assist in criminal investigations?

Thanks again!

(b)(6)

From: Chittum, Thomas L. (b)(6)@usdoj.gov>
Sent: Thursday, February 3, 2022 9:51 AM
To: (b)(6) (b)(6)@usatoday.com>
Cc: Langwell, April L. (b)(6)@usdoj.gov>
Subject: RE: Media request from USA TODAY

Thank you, (b)(6)

(b)(6) here is ATF's response to a similar inquiry:

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I have also CC'd April Langwell, ATF's Chief of Public Affairs for any additional questions you may have.

Tom Chittum

From: (b)(6)
Sent: Thursday, February 3, 2022 12:38 AM
To: (b)(6) @usatoday.com>; Chittum, Thomas L. (b)(6) @atf.gov>
Subject: [EXTERNAL] Re: Media request from USA TODAY

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(b)(6)

From: (b)(6) @usatoday.com>
Date: Tuesday, February 1, 2022 at 12:26 PM
To: (b)(6)
Subject: Media request from USA TODAY

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https://www.facebook.com/story.php?story_fbid=456753046107727&id=100053191068765&m_entstream_source=permalink

My question for you: Is there any truth to this claim? To your knowledge, does the ATF have a "gun registry" with nearly 1 billion firearm records? Any additional context or nuance you think this claim needs would be greatly appreciated.

I hope to file this fact check by tomorrow (2/2) at 12 p.m. ET. I look forward to hearing from you.

Thanks so much!

(b)(6)

Fact Check Reporter

(b)(6) @usatoday.com

(b)(6)



From: (b)(6)@usatoday.com]
Sent: 2/3/2022 10:28:51 PM
To: (b)(6) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9233a8ee6c548b5aa60ea521673ec99 (b)(6)
Subject: [EXTERNAL] RE: Media request from USA TODAY

Hi (b)(6)

Thanks so much for this detailed information – it's really helpful for my fact check. I appreciate you taking the time.

One quick follow-up for you: Does the ATF manage a separate database of guns recovered from criminals and crime scenes? Or does it solely draw upon its database of out-of-business records to assist in criminal investigations?

Thanks again!

(b)(6)

From: (b)(6)@usdoj.gov>
Sent: Tuesday, February 1, 2022 7:08 PM
To: (b)(6)@usatoday.com>; Public Affairs Division <liaison2@atf.gov>
Subject: RE: Media request from USA TODAY

(b)(6)

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V/r,

(b)(6)

Public Affairs Officer

Public Affairs Division, ATF

99 New York Ave., N.E., Washington, D.C. 20226

(b)(6)

@atf.gov / C:

(b)(6)

From: (b)(6)@usatoday.com>
Sent: Tuesday, February 1, 2022 3:28 PM
To: (b)(6)@atf.gov>; Public Affairs Division <liaison2@atf.gov>
Subject: [EXTERNAL] RE: Media request from USA TODAY

Hi (b)(6)

Great, thanks so much! I appreciate the help.

(b)(6)

From: (b)(6)@usdoj.gov>
Sent: Tuesday, February 1, 2022 3:18 PM
To: (b)(6)@usatoday.com>; Public Affairs Division <liaison2@atf.gov>
Subject: RE: Media request from USA TODAY

(b)(6)

We are aware of the article you are referring to. We are drafting a statement and will get that to you before your deadline.

V/r,

(b)(6)

Public Affairs Officer
Public Affairs Division, ATF
99 New York Ave., N.E., Washington, D.C. 20226

(b)(6)

@atf.gov / C:

(b)(6)

From: (b)(6)@usatoday.com>
Sent: Tuesday, February 1, 2022 3:10 PM
To: Public Affairs Division <liaison2@atf.gov>
Subject: [EXTERNAL] Media request from USA TODAY

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(b)(6)

Fact Check Reporter

(b)(6) @usatoday.com

(b)(6)



From: (b)(6) [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C9233A8EE6C548B5AA60EA521673EC99-(b)(6)]
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To: Langwell, April L. [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6e6b3ef182ca4ae4913432dc630389eb-Langwell, A]; (b)(6)@usatoday.com
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Sent from my iPhone

On Feb 3, 2022, at 5:37 PM, Langwell, April L. <(b)(6)@atf.gov> wrote:

Hi (b)(6)

I will have (b)(6) from my Division, who responded to you earlier this week, respond to you directly.

As a media entity, please address your inquiries to our mailbox at liaison2@atf.gov. I assure you, we respond to all inquiries as best we can.

Thank you & best regards,
April

April Langwell
Chief, Public Affairs Division, ATF
99 New York Ave., N.E., Washington, D.C. 20226
(b)(6)@atf.gov / C: (b)(6)

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One quick follow-up for you: Does the ATF manage a separate database of guns recovered from criminals and crime scenes? Or does it solely draw upon its database of out-of-business records to assist in criminal investigations?

Thanks again!
Daniel

From: Chittum, Thomas L. <(b)(6)@usdoj.gov>
Sent: Thursday, February 3, 2022 9:51 AM
To: (b)(6)@law.ucla.edu; (b)(6)@usatoday.com>
Cc: Langwell, April L. <(b)(6)@usdoj.gov>
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Sent: Thursday, February 3, 2022 12:38 AM
To: (b)(6) @usatoday.com>; Chittum, Thomas L.
(b)(6) @atf.gov>
Subject: [EXTERNAL] Re: Media request from USA TODAY

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Thanks so much!

(b)(6)

Fact Check Reporter

(b)(6)@usatoday.com

(b)(6)



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Sent: 2/3/2022 10:55:10 PM
To: Langwell, April L. [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6e6b3ef182ca4ae4913432dc630389eb-Langwell, A]
Subject: RE: [EXTERNAL] RE: Media request from USA TODAY

Hi April,

Great, thanks so much! I appreciate your help.

Stay well,

(b)(6)

From: Langwell, April L. (b)(6)@usdoj.gov>

Sent: Thursday, February 3, 2022 5:38 PM

To: (b)(6)@usatoday.com>

Cc: Chittum, Thomas L. (b)(6)@usdoj.gov>

(b)(6)

(b)(6)

(b)(6)@usdoj.gov>

Subject: Re: [EXTERNAL] RE: Media request from USA TODAY

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Thank you & best regards,

April

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99 New York Ave., N.E., Washington, D.C. 20226

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(b)(6)

Fact Check Reporter

(b)(6)@usatoday.com

(b)(6)



From: (b)(6)@usatoday.com]
Sent: 2/3/2022 11:00:24 PM
To: (b)(6) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9233a8ee6c548b5aa60ea521673ec99] (b)(6)
Subject: RE: [EXTERNAL] RE: Media request from USA TODAY

Great, thanks so much! I appreciate it.

From: (b)(6)@usdoj.gov>
Sent: Thursday, February 3, 2022 5:57 PM
To: Langwell, April L. (b)(6)@usdoj.gov>; (b)(6)@usatoday.com>
Subject: Re: [EXTERNAL] RE: Media request from USA TODAY

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Fact Check Reporter

(b)(6) @usatoday.com

(b)(6)

 USA TODAY

From: Chittum, Thomas L. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7DCBB4BB6E3B44C99F8BE38DF5F9E1D9-CHITTUM, TH]
Sent: 2/3/2022 2:50:54 PM
To: (b)(6); (b)(6)@usatoday.com]
CC: Langwell, April L. [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6e6b3ef182ca4ae4913432dc630389eb-Langwell, A]
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Subject: RE: Media request from USA TODAY

(b)(6)

ATF does not maintain a federal gun registry for firearms that fall under the Gun Control Act, and none of the records ATF maintains relating to those firearms may be used to create such a registry.

The records relevant to your inquiry are known as “out-of-business records.” Federal law requires Federal Firearms Licensees to maintain certain records regarding firearm transfers to both other FFLs and to individuals who are not licensed, and to send these records to ATF when they go out of business. See, *18 U.S.C. 923(g)(4) and 27 C.F.R 478.127, Discontinuance of Business*. Federal law further requires that ATF maintain these “out-of-business records” to facilitate the tracing of firearms that law enforcement agencies recover in criminal investigations. Firearm trace requests may only be submitted by law enforcement agencies conducting a bona fide criminal investigation.

ATF’s National Tracing Center is responsible for processing and maintaining out-of-business records that FFLs submit, and currently processes an average of 5.5 million of these records each month. These records are indexed by FFL to facilitate processing of law enforcement trace requests but are **not** searchable by individual purchaser information. NTC staff must review each FFL record individually to locate information needed to complete a trace, and these records are only accessed to complete law enforcement trace requests.

More information about the National Tracing Center can be found at: <https://www.atf.gov/resource-center/fact-sheet/fact-sheet-national-tracing-center>.

V/r,

(b)(6)

Public Affairs Officer
Public Affairs Division, ATF
99 New York Ave., N.E., Washington, D.C. 20226

(b)(6) @atf.gov / C: (b)(6)

From: (b)(6) @usatoday.com>
Sent: Tuesday, February 1, 2022 3:28 PM
To: (b)(6) @atf.gov>; Public Affairs Division <liaison2@atf.gov>
Subject: [EXTERNAL] RE: Media request from USA TODAY

Hi (b)(6)

Great, thanks so much! I appreciate the help.

(b)(6)

From: (b)(6) @usdoj.gov
Sent: Tuesday, February 1, 2022 3:18 PM
To: (b)(6) @usatoday.com; Public Affairs Division <liaison2@atf.gov>
Subject: RE: Media request from USA TODAY

(b)(6)

We are aware of the article you are referring to. We are drafting a statement and will get that to you before your deadline.

V/r,

(b)(6)

Public Affairs Officer
Public Affairs Division, ATF
99 New York Ave., N.E., Washington, D.C. 20226

(b)(6)

@atf.gov / C:

(b)(6)

From: (b)(6) @usatoday.com
Sent: Tuesday, February 1, 2022 3:10 PM
To: Public Affairs Division <liaison2@atf.gov>
Subject: [EXTERNAL] Media request from USA TODAY

Hi there,

I hope you're doing well. I'm a reporter for USA TODAY and I'm reaching out for some insight for a fact check I'm working on about the ATF's gun records.

I'm fact-checking a popular claim online that the "ATF gun registry" now includes almost 1 billion firearm records. Here's the specific social media post I'm fact-checking, for reference:

https://www.facebook.com/story.php?story_fbid=456753046107727&id=100053191068765&__entstream_source=permalink

My question for you: Is there any truth to this claim? Does the ATF have a "gun registry" with nearly 1 billion firearm records? Any additional context or nuance you think this claim needs would be greatly appreciated.

I hope to file this fact check by tomorrow (2/2) at 12 p.m. ET. I look forward to hearing from you.

Thanks so much!

(b)(6)

Fact Check Reporter

(b)(6) @usatoday.com

(b)(6)



From: Langwell, April L. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6E6B3EF182CA4AE4913432DC630389EB-LANGWELL, A]
Sent: 2/4/2022 8:14:07 PM
To: (b)(6)@usatoday.com
CC: (b)(6)/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9233a8ee6c548b5aa60ea521673ec99 (b)(6)
Subject: RE: [EXTERNAL] RE: Media request from USA TODAY

H (b)(6)

- Have all of the records been moved off microfiche? Yes
- What steps were taken to digitize these records? Speaking specifically to the microfiche records, the process started as a trial around 2011 when we sent samples to a company in California to convert the film into digital images. The process to digitize an estimated 50,000 rolls of film and additional microfiche took about six years & was completed in 2017. Waiting on various sources of funding was a big part of why it took so long. In what format are they stored now? They are stored in a variety of bitmap images as well as locked, non-text-searchable PDFs.
- When and why did that process start? Searching for records on microfilm/microfiche had become an outdated process. The film readers were becoming expensive to purchase and maintain. Digitizing the records actually increased the quality of the images, enabling us to reopen traces that had been closed unsuccessfully because the microfilm/fiche was illegible, and modern software enables us to adjust features such as lightness and contrast so we can read the information on poor quality records.
- What measures are in place so that these digital records don't become a searchable database? They are scanned as non-searchable, static images. They *are NOT* scanned for Optical Character Recognition (OCR). They are then indexed and stored by FFL, only to be accessed in completing a firearm trace involving that out-of-business dealer.

Also, I wanted to clarify. Scanning out of business records began in 2005.

In approximately 2017, they packed up the microfiche readers after they had completed all the conversions.

Hope this helps! Feel free to call me if something isn't clear.

Best,
April

R/
April Langwell
Chief, Public Affairs Division, ATF
99 New York Ave., N.E., Washington, D.C. 20226
(b)(6)@atf.gov / C: (b)(6)

From: (b)(6)@usatoday.com>
Sent: Friday, February 4, 2022 2:28 PM
To: Langwell, April L. (b)(6)@atf.gov>
Cc: (b)(6)@atf.gov>
Subject: RE: [EXTERNAL] RE: Media request from USA TODAY

Hey April,

Thanks again for speaking with me! I appreciate you taking the time to answer my questions during such a busy week.

Here are a few of the other questions I had regarding the format of the out-of-business records that the ATF maintains:

- Have all of the records been moved off microfiche?
- What steps were taken to digitize these records? In what format are they stored now?
- When and why did that process start?
- What measures are in place so that these digital records don't become a searchable database?

Thanks again!

(b)(6)

From: Langwell, April L. <(b)(6)@usdoj.gov>
Sent: Friday, February 4, 2022 12:06 PM
To: (b)(6)@usatoday.com>
Cc: (b)(6)@usdoj.gov>
Subject: RE: [EXTERNAL] RE: Media request from USA TODAY

Hi (b)(6)

I just tried calling. I want to make sure we understand your question fully.
Can you give me a shout when you have a free moment?

Thanks,
April

R/
April Langwell
Chief, Public Affairs Division, ATF
99 New York Ave., N.E., Washington, D.C. 20226

(b)(6)@atf.gov / C: (b)(6)

From: (b)(6)@usatoday.com>
Sent: Thursday, February 3, 2022 5:55 PM
To: Langwell, April L. (b)(6)@atf.gov>
Subject: RE: [EXTERNAL] RE: Media request from USA TODAY

Hi April,

Great, thanks so much! I appreciate your help.

Stay well,

(b)(6)

From: Langwell, April L. (b)(6)@usdoj.gov>
Sent: Thursday, February 3, 2022 5:38 PM
To: (b)(6)@usatoday.com>
Cc: Chittum, Thomas L. (b)(6)@usdoj.gov>; (b)(6); (b)(6)
(b)(6)@usdoj.gov>
Subject: Re: [EXTERNAL] RE: Media request from USA TODAY

Hi (b)(6)

I will have (b)(6) from my Division, who responded to you earlier this week, respond to you directly. As a media entity, please address your inquiries to our mailbox at liaison2@atf.gov. I assure you, we respond to all inquiries as best we can.

Thank you & best regards,
April

April Langwell
Chief, Public Affairs Division, ATF
99 New York Ave., N.E., Washington, D.C. 20226

(b)(6) @atf.gov / C (b)(6)

On Feb 3, 2022, at 5:31 PM, (b)(6) @usatoday.com> wrote:

Thanks for connecting us, (b)(6). And thanks for this detailed response, Thomas – I received a similar statement from ATF yesterday.

One quick follow-up for you: Does the ATF manage a separate database of guns recovered from criminals and crime scenes? Or does it solely draw upon its database of out-of-business records to assist in criminal investigations?

Thanks again!

(b)(6)

From: Chittum, Thomas L. (b)(6) @usdoj.gov>
Sent: Thursday, February 3, 2022 9:51 AM
To: (b)(6) (b)(6) @usatoday.com>
Cc: Langwell, April L. (b)(6) @usdoj.gov>
Subject: RE: Media request from USA TODAY

Thank you (b)(6)

(b)(6) here is ATF's response to a similar inquiry:

ATF does not maintain a federal gun registry for firearms that fall under the Gun Control Act, and none of the records ATF maintains relating to those firearms may be used to create such a registry.

The records relevant to your inquiry are known as "out-of-business records". Federal law requires Federal Firearms Licensees (FFLs) to maintain certain records regarding firearm transfers to both other FFLs and to individuals who are not licensed, and to send these records to ATF when they go out of business. See, 18 U.S.C. 923(g)(4) and 27 C.F.R 478.127, Discontinuance of Business. Federal law further requires that ATF maintain these "out-of-business records" to facilitate the tracing of firearms that law enforcement agencies recover in criminal investigations. Firearm trace requests may only be submitted by law enforcement agencies conducting a bona fide criminal investigation.

ATF's National Tracing Center (NTC) is responsible for processing and maintaining out-of-business records that FFLs submit, and currently processes an average of 5.5 million of these records each month. These records are indexed by FFL to facilitate processing of law enforcement trace requests, but are **not** searchable by individual purchaser information. NTC staff must review each FFL record individually to locate information needed to complete a trace, and these records are only accessed to complete law enforcement trace requests.

More information about the National Tracing Center can be found at:

<https://www.atf.gov/resource-center/fact-sheet/fact-sheet-national-tracing-center>.

I have also CC'd April Langwell, ATF's Chief of Public Affairs for any additional questions you may have.

Tom Chittum

From: (b)(6)
Sent: Thursday, February 3, 2022 12:38 AM
To: (b)(6) <(b)(6)@usatoday.com>; Chittum, Thomas L. <(b)(6)@atf.gov>
Subject: [EXTERNAL] Re: Media request from USA TODAY

Hi, (b)(6) Sorry but I can't verify that claim or contest it, as I simply don't know. You might try Tom Chittum, Acting Deputy Director at ATF. His email is (b)(6)@usdoj.gov

(b)(6)

From: (b)(6) <(b)(6)@usatoday.com>
Date: Tuesday, February 1, 2022 at 12:26 PM
To: (b)(6)
Subject: Media request from USA TODAY

Hi (b)(6)

I hope you're doing well. I'm a reporter for USA TODAY and I'm reaching out for some insight for a fact check I'm working on about the ATF's gun records.

I'm fact-checking a popular claim online that the "ATF gun registry" now includes almost 1 billion firearm records. Here's the specific social media post I'm fact-checking, for reference:

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My question for you: Is there any truth to this claim? To your knowledge, does the ATF have a "gun registry" with nearly 1 billion firearm records? Any additional context or nuance you think this claim needs would be greatly appreciated.

I hope to file this fact check by tomorrow (2/2) at 12 p.m. ET. I look forward to hearing from you.

Thanks so much!

(b)(6)

Fact Check Reporter

(b)(6)@usatoday.com

(b)(6)

From: Langwell, April L. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6E6B3EF182CA4AE4913432DC630389EB-LANGWELL, A]
Sent: 2/4/2022 5:05:39 PM
To: (b)(6)@usatoday.com
CC: (b)(6) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9233a8ee6c548b5aa60ea521673ec99 (b)(6)]
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April

R/
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99 New York Ave., N.E., Washington, D.C. 20226
(b)(6)@atf.gov / C: (b)(6)

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Cc: Chittum, Thomas L. (b)(6)@usdoj.gov>; (b)(6); (b)(6)
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(b)(6)
Fact Check Reporter
(b)(6) @usatoday.com
(b)(6)

