



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

www.atf.gov

February 23, 2026

FOIA Request No: 2025-01583

[REDACTED]
[REDACTED]
Brady United
840 First Street, NE
Suite 400
Washington, DC 20002

Dear [REDACTED]

This letter is the final response of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to your Freedom of Information Act (FOIA)/Privacy Act (PA) request for records concerning related to DL2 program for FY25. This Office received your request on September 18, 2025.

ATF located 854 pages responsive to your request. 1 page is being released to you in part. 853 pages are withheld in full. Please be advised that we considered the foreseeable harm standard when reviewing records and applying FOIA exemptions.

ATF withheld certain information because it is protected from disclosure under the FOIA pursuant to:

- 5 U.S.C. § 552(b)(3). This provision concerns matters specifically exempted from release by statute.

Pub. L. No. 112-55, You requested material ATF is required to maintain pursuant to the Gun Control Act (GCA) and/or is information contained in ATF Firearms Tracing System database. This information is exempt from disclosure pursuant to Exemption 3 of the FOIA and the Consolidated and Further Continuing Appropriations Act of 2012, Pub. L. No. 112-55, 125 Stat. 552, 609–10 (2011) (codified at 18 U.S.C. § 923 note), commonly known as the 2012 Tiahrt Rider.

Exemption 3 of the FOIA permits the withholding of information prohibited from disclosure by another statute only if one of two disjunctive requirements are met: the statute either (A) requires that the matters be withheld from the public in such a manner as to leave no discretion

on the issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld. Thus, a statute falls within the exemption's coverage if it satisfies any one of its disjunctive requirements.

Beginning in 2003, Congress placed restrictions on ATF's disclosure of certain GCA related information. In short, ATF can only provide certain GCA data to a law enforcement agency or a prosecutor solely in connection with a criminal investigation or prosecution. Beginning in Fiscal Year 2006, Congress included a provision within each iteration of the restriction, which effectively made the law permanent.

The most recent iteration of these various restrictions was included in ATF's 2012 Appropriation Bill, Public Law 112-55, 125 Stat. 552. The information in the requested records falls within this restriction. Because the Fiscal Year 2006 through 2008 restrictions satisfy all the requirements of FOIA Exemption 3, and the 2012 language is perpetuated from those restrictions, I am withholding the trace data pursuant to 5 U.S.C. section 552 (b)(3) and Public Law 112-55, 125 Stat. 552.

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 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.

- 5 U.S.C. § 552(b)(4). This provision concerns trade secrets and commercial or financial information obtained from a person that is privileged or confidential. Please be advised that we considered the foreseeable harm standard when reviewing records and applying FOIA exemptions.

- 5 U.S.C. § 552(b)(6) of the FOIA. This provision concerns material the release of which would constitute a clearly unwarranted invasion of the personal privacy of third parties.

- 5 U.S.C. § 552(b)(7)(C). This provision concerns records or information compiled for law enforcement purposes the release of which could reasonably be expected to constitute an unwarranted invasion of the personal privacy of third parties.

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 standard notification that we give to all our requesters. You should not take it as an indication that excluded records do, or do not, exist.

If you have any questions, you may contact the analyst processing your request, using the Public Access Link (PAL) correspondence feature. In addition, you may contact our FOIA Public Liaisons, Lynette Carter and Jasmine Bryant, 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://doj-foia.entellitrak.com/etk-doj-foia-prod/login.request.do>. 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,

A handwritten signature in black ink, appearing to read "Hirsh D. Kravitz".

Hirsh D. Kravitz
Chief
Information and Privacy Governance Division