

Exhibit 2



ATF: Working for the American people, or the gun industry?

After court fight, Brady Center obtains secret documents revealing undue influence of gun lobby, disregard for public safety mission at agency that regulates firearms.

Brady Center
★ 
★ 
To Prevent Gun Violence

ATF's Inauguration Day White Paper

On January 20, 2017, as President Donald Trump was being sworn into office, the second highest ranking official at the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) was busy finalizing an 11-page white paper recommending that the agency adopt a series of gun industry-friendly policy changes and rollbacks. After all, the National Rifle Association (NRA) had contributed over \$30 million to Trump's presidential campaign; it was no secret that Trump, who spoke at the NRA's annual convention on the campaign trail, had become a darling of the gun lobby.¹ The ATF official behind the paper, Ronald Turk, circulated it to high-level ATF colleagues on January 23, 2017 - Trump's first work day in office.

The white paper was never intended to become public, but it was leaked to the *Washington Post*, [which published it on February 6, 2017](#). Titled "[Federal Firearms Regulations: Options to Reduce or Modify Firearms Regulations](#)," it reads as a gun lobby wish list for the new administration. Included were recommendations to make it easier to sell firearms at gun shows, to loosen restrictions on importing assault weapons, and to reclassify silencers to make them more widely available to the general public.



Ronald B. Turk, ATF Associate Deputy Director/ Chief Operating Officer

Public Outcry & Congressional Inquiry

Publication of the paper caused widespread controversy over whether the agency and its officials were improperly prioritizing the interests of the gun lobby over those of the American public. Brady strongly condemned the paper, calling it a "**potentially lethal proposal**" and pointing out that America needs stronger, not weaker, regulation and enforcement by the ATF.²

Congress launched an inquiry that included examining the origins of the white paper, and Turk testified before the House Oversight and Government Reform Committee on April 4, 2017.³ In his sworn testimony, Turk denied that the NRA had any input into the paper, and claimed the paper's proposals were merely "discussion points" intended to generate conversation within the agency.⁴

Brady Seeks Public Records About White Paper

Given the similarities between the paper's recommendations and the gun lobby's agenda, Brady sought to uncover information about how the paper was compiled, and who may have contributed to it. In March 2017, Brady's legal team filed a public records request for relevant agency documents under the Freedom of Information Act (FOIA). FOIA "is often described as the law that keeps citizens in the know about their government," and it requires federal agencies to make internal documents available to the public upon request.⁵

"On October 16, 2017 - nearly six months after filing the FOIA request - the Brady Center filed suit against the ATF."

Under FOIA, agencies are required to respond to records requests within twenty days.⁶ Brady's FOIA request to the ATF, however, went unanswered for months. Despite repeated follow-up by Brady's lawyers, the agency contin-

ued to stonewall. On October 16, 2017 - nearly six months after filing the FOIA request - the Brady Center filed suit against the ATF in the United States District Court for the District of Columbia. The lawsuit sought to force the ATF to comply with its FOIA obligations and hand over the documents Brady had requested.

Following a court order requiring ATF to deliver relevant documents about the white paper by February 9, 2018, the agency finally released documents to Brady. While many of the documents are heavily redacted -- an issue Brady will continue to fight as the case moves forward in an attempt to learn the full story -- the available portions paint a troubling picture of the gun industry's influence over the agency charged with regulating it. [The full set of documents is available here](#). This report summarizes several key takeaways from what Brady has uncovered in the documents.

Documents Show: Gun Lobbyist Helped Write White Paper

Because the white paper so closely mirrored the agenda of gun lobby groups like the National Rifle Association (NRA), it was widely suspected that it reflected influence from the gun lobby. But as [CNN reported in an exclusive feature](#), what the newly released documents show is even more shocking: a gun industry lawyer and lobbyist helped Turk write the white paper following the 2016 presidential election.

Mark Barnes, of Mark Barnes & Associates, is a longtime attorney for the gun industry and has represented the interests of gun manufacturers, dealers, and distributors for years.⁷ Lobbying websites report that the NRA has been a major client of Barnes, and that he and his firm have received nearly \$300,000 from the NRA -- in lobbying money alone -- dating back to 1999.⁸ Barnes has also been a prominent sponsor at recent conferences hosted by another gun lobby heavyweight, the National Shooting Sports Foundation.⁹

So as Turk prepared for the Trump administration to take office, who did he ask for help writing the white paper about deregulation of the gun industry? Gun industry mouthpiece Mark Barnes. [Turk](#)

[emailed him](#) an early draft of the paper and asked for his input, writing, "If I am missing the mark on a major issue or disregarding a major discussion point any feedback you have would be appreciated." Barnes then heavily edited the draft and proposed a number of additional points. Turk incorporated many of Barnes's edits *verbatim* into the final version of the document circulated to ATF staff on January 23.

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Assault weapons: guns of choice for . . . prairie dog hunting?

One proposal that Barnes added to the paper was to loosen restrictions on the importation of assault weapons like the AR-15 and their popular variants. "These firearm types are now standard for such sporting activities as [boar], coyote, and prairie-dog hunting," [Barnes wrote](#).¹⁰ Turk embraced this recommendation, proposing that ATF "re-examine its almost 20-year-old study to bring it up to the sport shooting landscape of today, which is vastly different than what it was years ago" - using nearly the same language that Barnes suggested. Despite the fact that weapons like the AR-15 are the most commonly used firearms used in the deadliest mass shootings, the final white paper piggybacked on Barnes's edits to claim that "[r]estriction on [assault weapon] imports serves questionable public safety interests." Guess who directly benefits from reduced import restrictions like this? That's right, gun manufacturers -- who happen to be Barnes's clients.



AR-15 assault rifle

"These firearm types are now standard for such sporting activities as [boar], coyote, and prairie dog hunting." - ATF white paper

Another Russia connection

What else did [Barnes suggest adding](#) to the paper's recommendations? Removal of certain restrictions on firearms imports from Russia. Meanwhile, the FBI is reportedly investigating troubling connections between Russia, the NRA, and President Trump, including whether Russia illegally funneled money to the NRA to help Trump's campaign. The plot thickens.

Documents Show: Other Undue Gun Lobby Influence

Barnes was not the only gun industry member Turk consulted. In the documents obtained by the Brady Center, [Turk admits](#) that he shared and discussed the white paper with other gun industry groups and representatives leading up to and shortly after Inauguration Day -- including the NSSF and NRA. Tellingly, however, the documents show no attempt during that time frame to seek input on the white paper's proposals from gun violence prevention groups or other experts on public safety -- despite public statements by Turk that he regularly seeks input from both gun industry and gun violence prevention groups.

Documents Show: After the Leak, the ATF's "Fight Club" Culture of Secrecy

The documents also reveal agency turmoil and tight-lipped secrecy following the white paper's leak to the *Washington Post*. Once the paper was leaked, the agency stepped in to do damage control, trying to minimize its importance by telling press that the paper reflected only Turk's own opinions and not ATF policy. "It's simply his opinion," agency spokeswoman Jan Kemp told the Post.¹¹ Meanwhile, agency staff were told to toe the party line. "First rule about Fight Club is not to talk about Fight Club," one ATF deputy assistant director [said in an email](#) to another in response for comment about the white paper.

"First rule about Fight Club is not to talk about Fight Club."

But others within the agency [questioned this approach](#). "The statements are not going to cut it when responding to questions," an ATF public affairs employee wrote. The employee continued, "From special

agent training in FLETC through all leadership training we instill that as an agent you represent ATF not your own individual thoughts . . . As ATF leadership, Deputy Director Ronald Turk represents the agency, especially when authoring an internal memo. ATF needs to own his words[.]"

Despite the ATF's attempts to distance itself from the white paper, the documents reveal that other high-level agency officials knew about and contributed to the white paper. Turk sent a draft to ATF's assistant director of public affairs, Joseph Allen, who [provided extensive edits](#) to the paper before Turk finalized it.¹² Moreover, the head of the agency, acting director Thomas Brandon, [praised Turk](#) for his work on the white paper a few days after it was circulated.

"As ATF leadership, Deputy Director Ronald Turk represents the agency especially when authoring an internal memo. ATF needs to own his words[.]" - ATF employee

Missing: ATF's Public Safety Mission

According to the ATF's website, its firearms-related mission is "to protect communities from violent criminals, criminal organizations, [and] the illegal use and trafficking of firearms."¹³ The agency identifies four major functions related to this mission -- all of them focused on improving public safety.¹⁴

These documents raise serious questions about whether ATF officials have lost sight of the agency's key mission: to keep Americans safe by enforcing firearms laws and regulations. The direct (and one-sided) involvement of the gun lobby in writing firearms policy for the Trump administration, the lack of consideration of public safety factors in developing agency recommendations, and the agency's persistent failure to comply with public records laws -- all are cause for alarm.

"These documents raise serious questions about whether ATF officials have lost sight of the agency's key mission: to keep Americans safe by robustly enforcing firearms laws and regulations."

While ATF officials are catering to the industry they're supposed to be regulating, our communities continue to be ravaged by gun violence. In the eleven months it took the ATF to turn over these documents, three of the deadliest mass shootings in history -- in Las Vegas, Nevada, Sutherland Springs, Texas, and now Parkland, Florida -- have torn apart thousands of lives. Every day, ninety-six people are killed by gun violence. The ATF should be spending its time inspecting and taking action against gun dealers who supply crime guns that endanger our communities, ensuring our background check system works to its full potential, and otherwise strengthening and enforcing gun laws and regulations -- not jockeying for favor with the gun lobby.

References

[1] <https://www.opensecrets.org/news/2016/11/the-nra-placed-big-bets-on-the-2016-election-and-won-almost-all-of-them/>; <https://www.nbcnews.com/politics/2016-election/trump-aims-assure-wary-gun-rights-supporters-nra-speech-n577296>

[2] <http://www.bradycampaign.org/press-room/atf-head-doesnt-think-atf-should-do-its-job>

[3] The inquiry also covered other topics, including ATF's confidential informant program.

[4] <https://www.thetrace.org/2017/04/democrats-on-key-house-committee-grill-atf-official-over-proposal-to-loosen-gun-regulations/>

[5] <https://www.foia.gov/about.html>

[6] <https://www.justice.gov/open/responding-requests>

[7] <http://www.mbassociaeslaw.com/mark-barnes>

[8] <http://lobbying-firms.insidegov.com/l/34296/Mark-Barnes-Associates>

[9] <https://www.nssf.org/mark-barnes-associates-will-be-silver-sponsor-of-2017-importexport-conference/>; <https://www.nssf.org/nssf-welcomes-mark-barnes-associates-as-importexport-conference-gold-sponsor/>

[10] Perhaps recognizing the absurdity of citing prairie dogs in advocating to change policy regarding AR-15s, Turk changed this sentence to state, "These firearm types are now standard for hunting activities."

[11] https://www.washingtonpost.com/world/national-security/senior-atf-official-proposes-loosening-gun-regulations/2017/02/06/beeb1120-ec7c-11e6-9662-6eedf1627882_story.html?utm_term=.1d473e29998c

[12] Allen's edits and comments are redacted in the versions of the documents provided to Brady.

[13] <https://www.atf.gov/about/who-we-are>

[14] Id. (describing functions to include "Reduce the risk to public safety caused by illegal firearms trafficking," "Reduce the risk to public safety caused by criminal possession and use of firearms," "Reduce the risk to public safety caused by criminal organizations and gangs," and "Improve public safety by increasing compliance with Federal laws and regulations by firearms industry members.").