



# Bipartisan Safer Communities Act of 2022: Under 21 Expanded Background Checks



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# Objectives



- What is NICS?
- What is the Bipartisan Safer Communities Act (BSCA)?
- What role do you play in BSCA?
- Why are you being contacted?
- What information do you need to provide?
- How will you be contacted?
- How do you respond?



# What is NICS?

- Required when an individual is seeking a firearm transfer from a federal firearms licensee (FFL).
- National Crime Information Center, Interstate Identification Index, and NICS Indices are queried.
- FFL can transfer the firearm after three business days if no final response has been received.



# Bipartisan Safer Communities Act



- Signed into law: June 25, 2022.
- Juvenile Records:
  - Requires NICS to perform an expanded background check to determine if a potential prohibiting juvenile criminal or mental health adjudication exists under Title 18, United States Code, sections 922(d), (g), or (n) or state, local, or tribal law for all persons under the age of 21.



# Breaking News



**10 are dead, 7 wounded in shooting  
at community college in Oregon.**

**Mall shooting suspect had juvenile record,  
no adult criminal history.**

**Shooter at hospital had troubled  
juvenile and adult court records.**



# State Outreach

- Requires an expanded background check for a person under the age of 21 and for the system to immediately contact:
  - The criminal history repository or juvenile justice information system of the state in which the person resides;
  - The appropriate state custodian of mental health adjudication records in the state in which the person resides; and



# Local Law Enforcement Outreach



- Requires additional outreach to:
  - A local law enforcement agency (LEA) of the jurisdiction in which the person resides for the purpose of determining whether the person has a possibly disqualifying juvenile or mental health record under subsection (d) of section 922.



# Expanded Background Check Statistics



- Over 91,000 expanded background checks completed since October 14, 2022.
- 162 denials.
- The highest category of denials has been for the unlawful use of a controlled substance prohibitor.
- A NICS Indices entry was made from the information received 64 percent of the time.



# Why is your agency being contacted?



- Contacts are based on the city, state, county, and zip code combination of the applicant's address provided to the FFL.
- Depending on jurisdiction, multiple LEAs may be contacted.
- Request for juvenile information will be sent to identified state contacts for juvenile criminal and juvenile mental health information.



# Examples of Information Needed

- Possible disqualifying juvenile record.
- Potential prohibitors:
  - Known felony or serious misdemeanor offenses/arrests.
  - Active warrants.
  - Arrests, admittance/known use, and/or a positive test of an unlawful controlled substance (to include recreational and/or medical marijuana).
  - Interactions involving mental health concerns.
  - Active protection orders/extreme risk protection orders.
  - Court-ordered firearm restrictions.



# Unlawful Controlled Substance Use



- Arrests, admittance/known use, and/or a positive test of an unlawful controlled substance (to include recreational and/or medical marijuana).
- Where to find this information:
  - Citations/traffic tickets.
  - Incident/arrest reports (include narrative).
  - Drug test lab results.



# Mental Health

- Interactions involving mental health concerns.
- Where to find this information:
  - Incident/arrest reports (include narrative).
  - Welfare/wellness/mental hygiene check information.
  - Commitment documents your agency possesses.

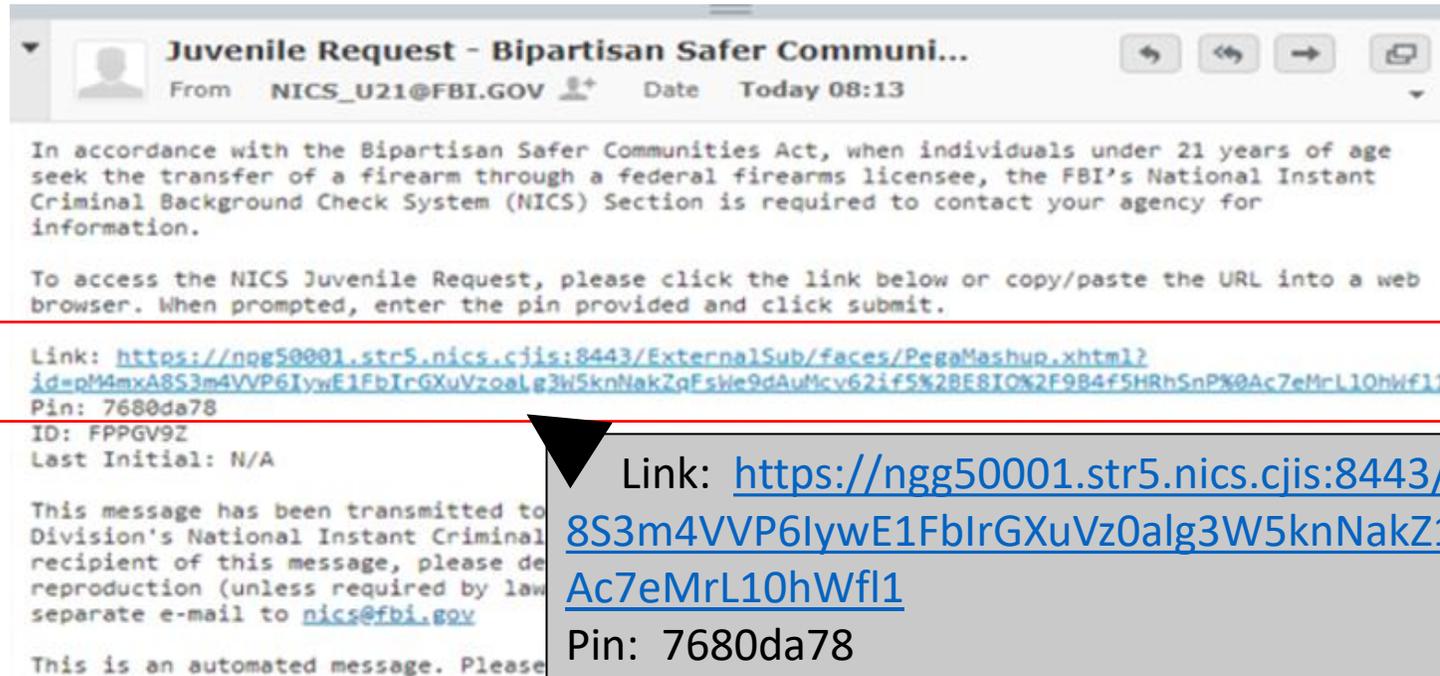




# NICS Request for Information



## E-mail with Secure Link-and-Pin Connection



Agencies will receive a secure link and access pin.

Click on the link or copy the link into the web browser.

Link: <https://ngg50001.str5.nics.cjis:8443/ExternalSub/faces/PegaMashup.xhtml?M4mxA8S3m4VVP6IywE1FbIrGXuVz0alg3W5knNakZ1FsWe9dAuMcv62if5%28E8IO%2F9B4f5HRhSnP%0Ac7eMrL10hWf11>  
Pin: 7680da78

Enter the pin provided in the body of the initial request.

Enter Assigned Pin

Forgot your pin? Click the reset button to get a new one.

[Reset Link and Pin](#)

**Submit**





# How to Respond

**We need a response within three business days, regardless of what information you find or can share.**

- Response options via secure link-and-pin connection:
  - Record/information found.
  - Agency referral.
  - No additional juvenile records found.
  - Unable to share due to state law.

**We need your e-mail address!**

- Everyone will be transitioned from the \$.H.U21 message to an e-mail request with the secure link-and-pin connection in the future.



# Impact of Your Response



- Example: individual under 21 denied based on unlawful use of a controlled substance.
- Example: individual under 21 denied based on the mental health prohibitor.





# Resources



- Resources include:
  - Information about secure link-and-pin connection.
  - General BSCA information.
  - Information about requests being sent to law enforcement and how to handle and reply.
  - Frequently asked questions.
- Information can be found in the NICS Resources Community in JusticeConnect, located on the Law Enforcement Enterprise Portal (LEEP).





# Contact Information



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