



Responding to NICS Requests



NICS Background Checks

- The Brady Handgun Violence Prevention Act of 1993 (Brady Act) requires outreach on all potentially disqualifying records for prospective firearm transferees.
- NICS sends requests to your agency's established method of contact (e.g., fax, e-mail, phone, etc.).
- Requests contain a specific item(s) of inquiry that are potentially disqualifying under subsection (g) of Title 18, United States Code, section 922.
- Agencies should search all available state and local databases to answer the question(s) listed in the NICS request.
- The Brady Act allows 3 business days for NICS to determine a prospective transferee's eligibility.

Prohibiting categories include: Felony conviction, active warrant, drug arrests/convictions (known use, or positive test of unlawful controlled substance including medical/recreational marijuana), mental health adjudications/commitments, illegal unlawful alien, dishonorable discharge, renounced U.S. citizenship, active protection order, misdemeanor crime of domestic violence, indictment/information, and any state prohibitions.

Expanded Juvenile Background Checks

- The Bipartisan Safer Communities Act, Public Law 117-159 (The Act) requires additional research on persons under the age of 21 (U21).
- NICS sends U21 requests via a secure link-and-pin connection or a \$.H message to your agency's NCIC terminal.
- U21 requests should be changed to an e-mail preference, if available, with a secure link-and-pin connection. Contact NICSLiaison@fbi.gov to change your agency's preferred contact method.
- If not prohibited by state laws, agencies should search all available local databases/files for any possibly disqualifying juvenile records or juvenile mental health adjudications/commitments.
- The Act allows up to through the tenth (10th) business day for NICS to determine a prospective transferee's eligibility if a possibly disqualifying juvenile record under 18 U.S.C. 922(d) has been located (extending the initial 3 business days). Providing a response or acknowledgement within 3 business days can assist NICS with processing U21 requests in a more timely manner.

Potential information you may possess: Arrests, known use, or positive test of unlawful controlled substance (e.g., medical/recreational marijuana); active warrants; interactions involving mental health concerns; known

We encourage you to respond to any NICS request as soon as possible.

- Please consider any restriction imposed by agency or state laws before providing juvenile information. If prohibited by law, please provide a timely response to indicate as such. (The Health Insurance Portability and Accountability Act of 1996 allows disclosure of mental health information to NICS.)
- NICS background checks are sent to local law enforcement agencies, court systems, county/district attorneys, probation agencies, etc., as appropriate, for specific information in relation to a potential disqualifying record.
- Expanded juvenile background checks are sent to local law enforcement agencies and identified state contacts for relevant juvenile criminal and mental health information.