



National Instant Criminal Background Check System (NICS) Section

Law Enforcement Response Vital for Potential Firearm Transfers to Individuals Under the Age of 21(U21)



Purpose

The Bipartisan Safer Communities Act of 2022, Public Law 117-159, requires the NICS Section to conduct additional outreach for NICS background checks when a potential firearm transferee is under the age of 21.

The purpose of this outreach is to determine if the person has juvenile criminal/delinquency information or juvenile mental health adjudications/commitments that may disqualify them from the receipt or possession of a firearm under subsection (d) of Title 18, *United States Code*, section 922.

Method

The NICS Section will send requests for relevant juvenile information to the following entities based on the address a potential firearm transferee under the age of 21 provided to the firearms dealer:

- Local law enforcement agencies
- State criminal history repositories/juvenile justice information systems
- State custodians of mental health adjudication

Depending on a law enforcement agency's preferred contact method, juvenile information requests will be sent via:

- A secure link-and-pin connection (Recommended)
- A National Crime Information Center, or NCIC, \$.H.U21 unsolicited message

Your Response Matters

If your agency receives a U21 request, check your internal databases for relevant juvenile information that may be potentially disqualifying for a firearm. Whether your agency determines disqualifying information exists, does not exist, or cannot be shared, please respond to the NICS request in a timely manner noting the outcome.

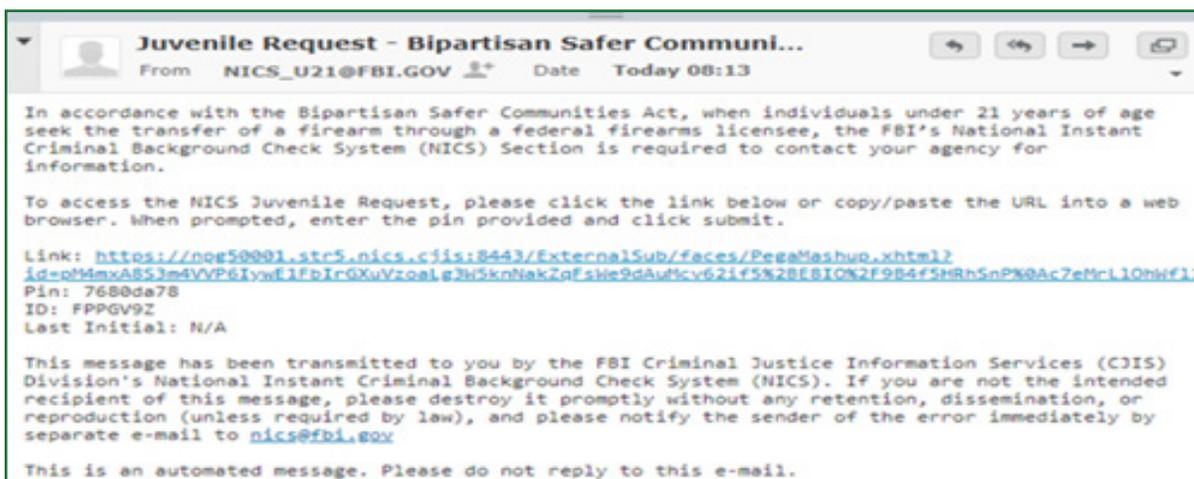
NICS only uses shared juvenile criminal/delinquency and juvenile mental health adjudication/commitment information for NICS purposes. Please consider any restriction imposed by agency or state laws before providing juvenile information, when appropriate. The Health Insurance Portability and Accountability Act of 1996 allows disclosure of mental health information to NICS.

When responding to the NICS Section, be sure to include the underscore in the e-mail address:
NICS_U21@fbi.gov.

Request a secure link-and-pin connection or more information

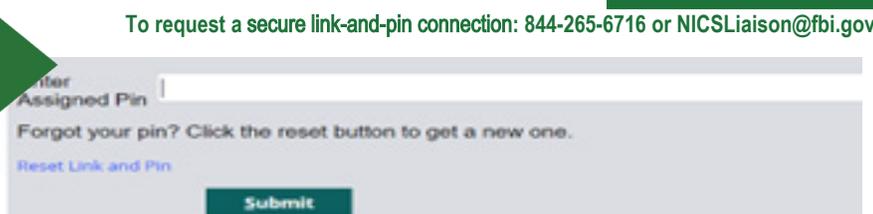
by contacting the NICS Business and Liaison Unit at: **844-265-6716** or **NICSLiaison@fbi.gov**

Example of Secure Link-and-Pin Connection



1
Upon request,* agencies will receive a secure link and access pin.
Click the link or copy it into a web browser.

2
Enter the pin provided in the body of the initial request.



3
Select the radio button with the appropriate response:

- If potentially prohibiting information is found, select the “records/information found” radio button and attach the documentation or enter a comment.
- If another agency should be contacted, select the “please contact the following agency/ agencies” radio button and enter the agency name in the comments box.
- If no juvenile records are found, select the “no additional juvenile records” radio button.
- If you are unable to share information due to state law or other policy, select the “unable to share due to state law” radio button.

Attach relevant documents or make comments and hit **SUBMIT** button at bottom of the page.

Please note: If you do not request the secure link-and-pin connection described above for a U21 request, you will not see the radio buttons shown below, and your agency will need to send an e-mail with the response and any relevant documents or comments to: **NICS_U21@fbi.gov.**

NTN XXXXXXXXX

Records/Information found
 Please contact the following agency/agencies (Please enter agencies in the comments box below)
 No additional juvenile records
 Unable to share due to state law

In accordance with the Bipartisan Safer Communities Act, when individuals under 21 seek the transfer of a firearm through a federal firearms licensee, the FBI's National Instant Criminal Background Check System (NICS) Section is required to contact your agency for information. We are primarily reaching out to you seeking relevant juvenile information on the subject below. However, if you have knowledge of or possess any information that could impact the subject's eligibility to receive a firearm, we request you provide this information. Please respond to this request within three business days. Please indicate whether your agency does/does not possess prohibiting records or whether your agency has knowledge of potentially prohibiting records.

Subject Information

Name	Gender	Race
DOB	Place of Birth	Height
Social Security Number	Weight	Residential Address Information

The types of information you may possess include but are not limited to an inference of drug use within the past year, active warrants, active protection orders, pending or convicted criminal cases and mental health adjudications. If a mental health adjudication is located and cannot be shared directly with the NICS Section, please indicate this in your response. If you have any questions regarding this request, please provide a name and phone number and the NICS Section will contact your agency for further discussion.

Confidentiality Statement: This message has been transmitted to you by the FBI Criminal Justice Information Services Division National Instant Criminal Background Check System Section. The message, along with any attachments, is to be considered confidential and legally privileged. No part of it is to be disseminated or reproduced without written consent of the sender. If you are not the intended recipient of this message, please destroy it promptly without any retention, dissemination, or reproduction (unless required by law), and please notify the sender of the error immediately by separate email to NICS_U21@fbi.gov. Please note (in regards to mental health adjudications): The Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule, Title 45, Code of Federal Regulations, section 164.512(k)(7), was amended in 2016 (81 Federal Register 382-01) to allow covered entities to disclose protected health information to the NICS without requiring the individual's consent, in order to report the identities of individuals who are prohibited from shipping, transporting, possessing, or receiving a firearm based on the federal mental health prohibitor, Title 18 United States Code 922(g)(4).