



*National Instant Criminal Background Check System (NICS) Operations*



2014

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# *Our Mission*

## FBI

The mission of the FBI is to protect and defend the United States against terrorist and foreign intelligence threats, to uphold and enforce the criminal laws of the United States, and to provide leadership and criminal justice services to federal, state, municipal, and international agencies and partners.

## Criminal Justice Information Services (CJIS) Division

The mission of the CJIS Division is to equip our law enforcement, national security, and intelligence community partners with the criminal justice information they need to protect the United States while preserving civil liberties.

## NICS Section

The mission of the NICS Section is to enhance national security and public safety by providing the timely and accurate determination of a person's eligibility to possess firearms and/or explosives in accordance with federal law.

## Executive Summary

The National Instant Criminal Background Check System (NICS) Section of the FBI's Criminal Justice Information Services (CJIS) Division has processed firearm background checks since its inception— November 30, 1998. Since that time, the experience gained enhances national security and public safety by identifying, developing, and implementing improvements to support the NICS Section's mission. The NICS Section strives to provide effective and efficient service to its customers. Highlights of the NICS operations in 2014 include the following:

- From the inception of the NICS to December 31, 2014, a total of 202,536,522 transactions have been processed. Of these, 93,453,528 transactions were processed by the NICS Section, and 109,082,994 transactions were processed by state users. Of the 20,968,547 background checks processed through the NICS in 2014, NICS Section staff processed 8,256,688 transactions, and state users processed 12,711,859 transactions.
- The NICS Section denied 90,895 transactions. Since its inception, the NICS Section has denied a total of 1,166,676 transactions.
- The NICS Section achieved a 91 percent Immediate Determination Rate, surpassing the U.S. Attorney General-mandated goal of 90 percent or better.
- The NICS Section processed 105,657 background checks for the issuance of explosives-related permits. Of these, the NICS Section denied 2,310.
- The NICS Section processed 3,878,227 of the total 11,238,627 firearms and explosives transactions submitted via the Internet-based NICS E-Check. The amount of transactions processed in 2014 is a 49.35 percent increase from those processed in 2013.
- The NICS Index records totaled 12,881,223, which is an increase of 1,714,533 records since December 31, 2013.
- The NICS Section staff obtained approximately 30,780 final dispositions which were posted to criminal history records, and disseminated more than 18,500 dispositions to state agencies to assist in updating state records. As of December 31, 2014, the NICS Section staff had obtained and posted approximately 890,000 dispositions.
- The Voluntary Appeal File (VAF) permits the NICS Section to maintain information about persons with their permission to document their eligibility to receive firearms. As of December 31, 2014, the VAF contained approximately 30,100 entries with an active Unique Personal Identification Number (UPIN). From July 2004 through December 31, 2014, more than 95,000 background checks have been processed using a UPIN.
- The NICS availability averaged 99.71 percent.
- The NICS Section forwarded 2,511 firearm retrieval referrals to the Bureau of Alcohol, Tobacco, Firearms and Explosives.

## Welcome to the NICS Section . . .

As a result of the passage of the Gun Control Act of 1968, certain individuals, such as convicted felons, were prohibited from possessing firearms. To strengthen federal firearms regulations, the Brady Handgun Violence Prevention Act of 1993 (Brady Act) required the U.S. Attorney General to establish the National Instant Criminal Background Check System (NICS) for Federal Firearms Licensees (FFL) to contact by telephone, or other electronic means, for information to be supplied immediately as to whether the transfer of a firearm would violate Section 922 (g) or (n) of Title 18, United States Code (U.S.C.), or state law.

The Safe Explosives Act, enacted in November 2002 as part of the Homeland Security Act, requires that persons who export, ship, cause to be transported, or receive explosives material in either intrastate or interstate commerce must first obtain a federal permit or license after undergoing a NICS background check. The Safe Explosives Act took effect on May 24, 2003. The ATF initiates background checks for permits for explosives; however, the NICS Section staff process these checks in the NICS.

The FBI developed the NICS through a cooperative effort with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF); the Department of Justice; and local and state law enforcement agencies. On November 30, 1998, the NICS, designed to immediately respond to background check inquiries for prospective firearm transferees, was activated. For an FFL to initiate a NICS check, the prospective firearms transferee must complete and sign an ATF Form 4473, Firearms Transaction Record. The ATF Form 4473, which collects the transferee's name and descriptive data (e.g., date of birth, sex, race, state of residence, country of citizenship, etc.), also elicits information that may immediately identify a transferee as a prohibited person, thereby negating the need to continue the background check process. When an FFL initiates a NICS background check, a name and descriptor search is conducted to identify any matching records in three nationally held databases managed by the FBI's Criminal Justice Information Services (CJIS) Division. The databases searched during the background check process are:

**Interstate Identification Index (III):** The III contains individual criminal history records. The III records were available to be searched by the NICS during a background check; however, the total number of records were unavailable as of December 31, 2014, due to the implementation of the Next Generation Identification (NGI) Increment 4.

**National Crime Information Center (NCIC):** The NCIC contains data on persons who are the subjects of protection orders or active criminal warrants, immigration violators, and others. As of December 31, 2014, the NCIC records available to be searched by the NICS during a background check totaled 5,598,974.

**NICS Index:** The NICS Index, a database created specifically for the NICS, contains information contributed by local, state, tribal, and federal agencies pertaining to persons prohibited from receiving or possessing a firearm pursuant to state and/or federal law. Typically, the records maintained in the NICS Index are not available via the III or the NCIC. As of December 31, 2014, there were 12,881,223 records in the NICS Index.

**Department of Homeland Security's U.S. Immigration and Customs Enforcement (ICE):** The relevant databases of the ICE are searched by the NICS for non-U.S. citizens attempting to receive firearms in the United States. In 2014, the NICS Section and the Point-of-Contact (POC) states (states that have implemented a state-based NICS program) sent 104,828 such queries to the ICE. From February 2002 to December 31, 2014, the ICE conducted more than 622,771 queries in support of the NICS.

## 2014 NICS Operations

In most cases, the results of a background check yield definitive information regarding a individual's eligibility when the firearm background is initiated. However, not all inquiries can be provided a final status during the initial contact with the NICS Section. Many transactions are delayed because of incomplete criminal history records, e.g., a missing disposition or a missing crime classification status (felony or misdemeanor), which is needed to determine if a transaction can proceed or must be denied.

When a validly matched record is potentially prohibiting but is incomplete, the NICS Section must search for the information needed to complete the record. This process often requires outreach to local, state, tribal, and/or federal agencies (e.g., arresting agencies, court systems). The Brady Act allows the FFL to legally transfer the firearm if the NICS transaction is not resolved within 3 business days. In some instances, the potentially prohibiting records are completed, and the NICS Section staff deny the transaction. The NICS Section notifies the FFL of the denial and determines if the firearm was transferred to the buyer. If it was transferred, the NICS Section transmits this information to the ATF for further handling as a firearm retrieval referral.

Individuals who believe they are wrongfully denied the transfer of a firearm can appeal the deny decision. The "denying agency" will be either the FBI or the state agency serving as a POC for the NICS. In the event the denying agency is a POC state agency, the appellant can elect to appeal to either the FBI or the POC. The provisions for appeals are outlined in Title 28, Code of Federal Regulations (C.F.R.), Part 25.10, and Subsection 103(f) and (g) and Section 104 of Public Law 103-159, Sections 103 and 104.

Extensive measures are taken by the FBI to ensure the security and the integrity of NICS information. The U.S. Attorney General's regulations regarding the privacy and security of the NICS are available on the Internet at [www.fbi.gov/hq/cjisd/nics.htm](http://www.fbi.gov/hq/cjisd/nics.htm).

**NCIC**

- ~Wanted Persons
- ~Protection Orders
- ~Immigration Violators
- ~Protective Interest
- ~Foreign Fugitive
- ~Supervised Release
- ~National Sex Offender Registry
- ~Gang
- ~Known or Appropriately Suspected Terrorists
- ~Violent Person

**III**

Criminal History  
Records of  
Individuals

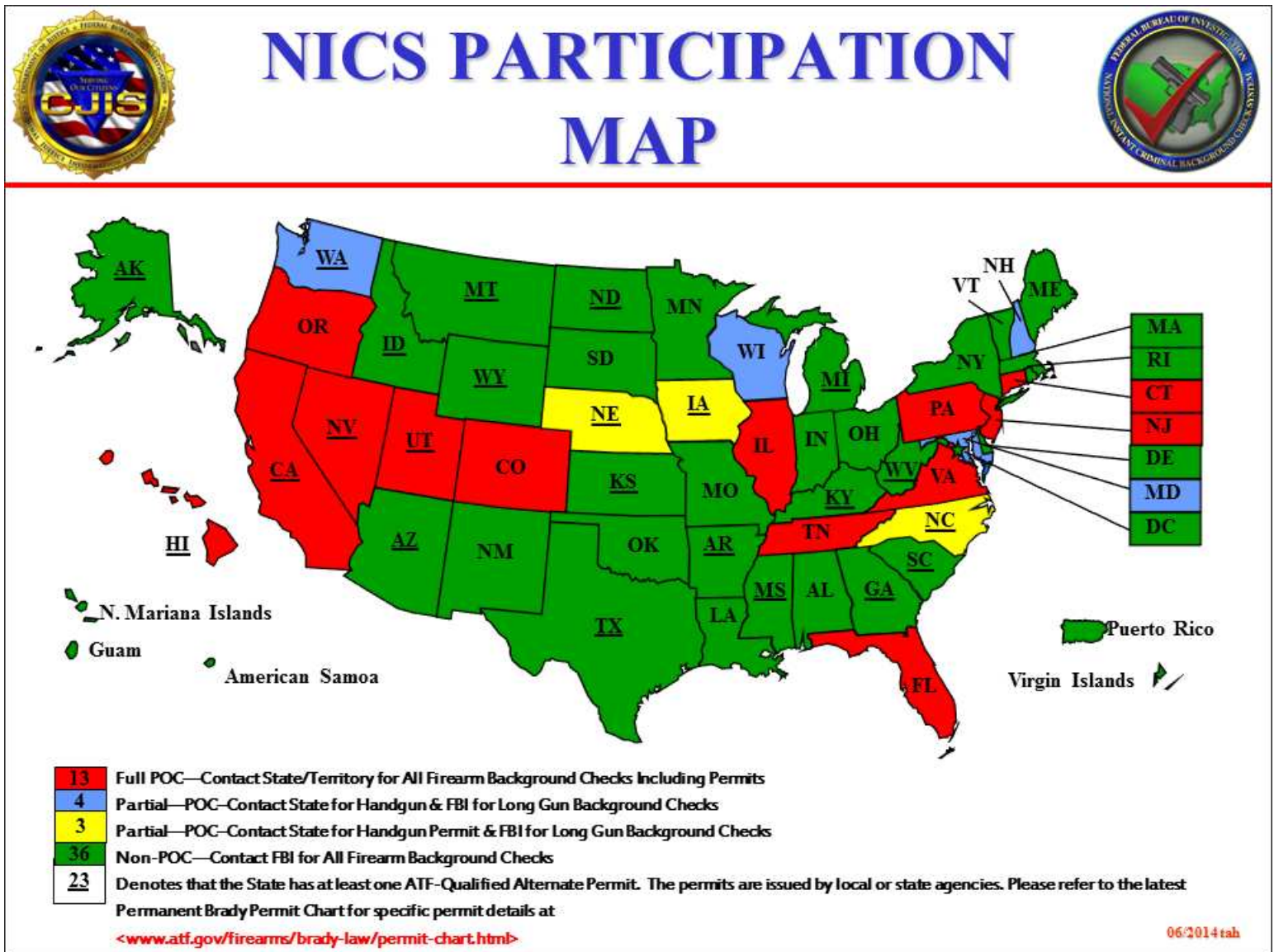
**NICS Index**

Individuals  
Predetermined as  
State and/or Federal  
Disqualified

# 2014 NICS Operations

## NICS Participation

The NICS Section served 48,823 FFLs conducting business in 36 states, 5 U.S. territories, and the District of Columbia in 2014. The FFLs contacted the NICS either via telephone or the NICS E-Check via the Internet to initiate the required background checks. One of the three NICS Contracted Call Centers initially received and processed most of the calls from the FFLs. For 7 of the 36 states, the NICS Section processes all long gun transactions, while the states conduct their own background checks on handguns and handgun permits. In addition, 13 states participate with the NICS in a Full-POC capacity by performing all background checks for their states' FFLs.



**Full POC:** Oregon, California, Hawaii, Nevada, Utah, Colorado, Illinois, Tennessee, Florida, Virginia, Pennsylvania, New Jersey, Connecticut.

## 2014 NICS Operations

**Partial POC – State for Handgun & FBI for Long Gun Checks:** Washington, Wisconsin, Maryland, New Hampshire.

**Partial POC – State for Handgun Permit & FBI for Long Gun Checks:** Nebraska, Iowa, North Carolina.

**Non-POC:** Alaska, Idaho, Montana, Wyoming, Arizona, New Mexico, North Dakota, South Dakota, Minnesota, Kansas, Oklahoma, Texas, Missouri, Arkansas, Louisiana, Michigan, Indiana, Ohio, West Virginia, Kentucky, Mississippi, Alabama, Georgia, South Carolina, Maine, Vermont, New York, Massachusetts, Rhode Island, Delaware, Washington D.C., Puerto Rico, Virgin Islands, Guam, American Samoa, N. Mariana Islands.

**State has at least one ATF-Qualified Alternate Permit:** Alaska, Arizona, Arkansas, California, Georgia, Hawaii, Idaho, Iowa, Kansas, Kentucky, Michigan, Mississippi, Montana, Nebraska, Nevada, North Carolina, North Dakota, South Carolina, Texas, Utah, Washington, West Virginia, Wyoming.

### Alternate Permits

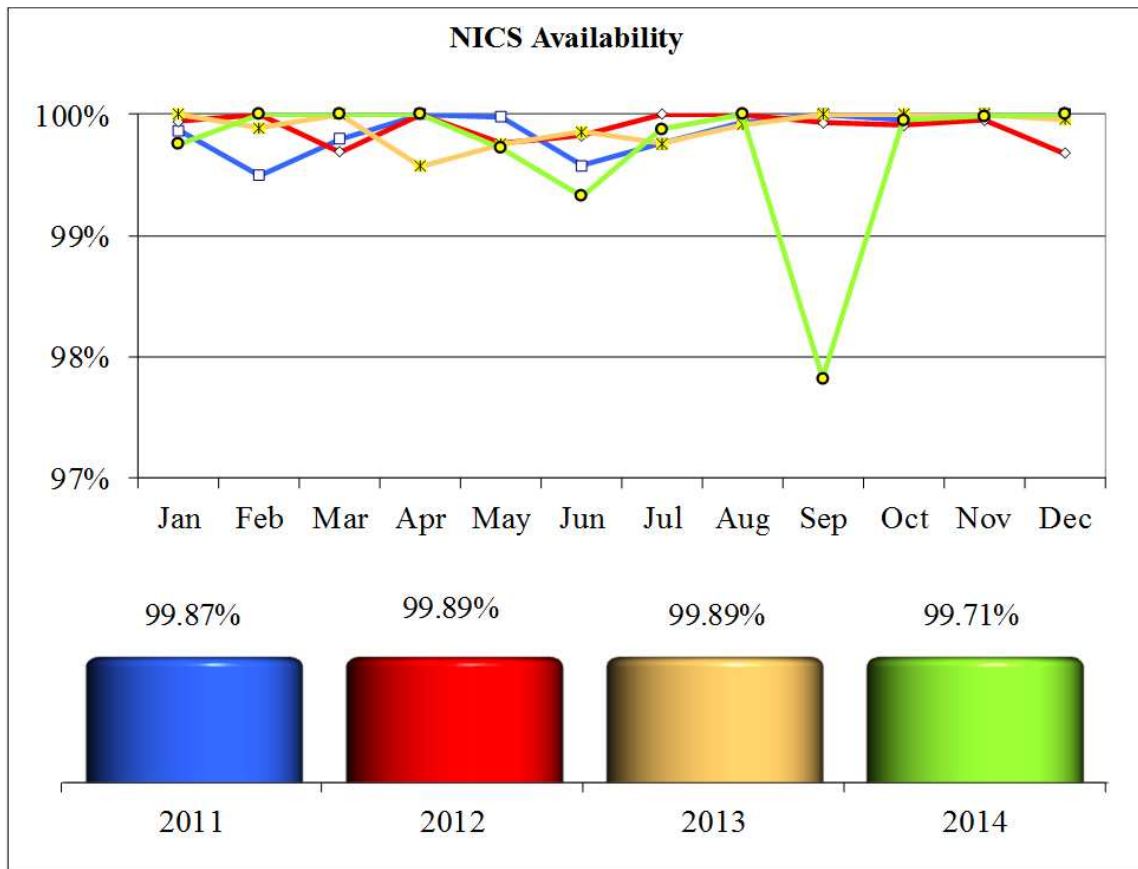
Certain state-issued firearm permits, such as carry concealed weapon permits and permits to purchase, may be qualified by the ATF as permits that suffice in lieu of a NICS background check at the point of sale/transfer. To qualify for an alternate permit, the applicant, in addition to meeting the conditions required by state law, must undergo a NICS background check as part of the permit-issuing/renewal process. The issuing state determines if the subject is eligible to receive a firearm permit, including those given alternate permit status by the ATF. An individual's presentation of an active alternate permit to an FFL when attempting to purchase a firearm precludes the need for the FFL to initiate the otherwise required NICS background check for the permit holder during the life of the permit. However, the renewal of an alternate permit requires a background check by the NICS as part of the permit renewal process. Permits that qualify in lieu of a NICS background check are required by regulation to be active for no more than a 5-year period.



# 2014 NICS Operations

## NICS Availability

In order to operate as designed, the NICS depends on the availability of the NCIC and the III. If either the NCIC or the III are not available, it impacts the NICS even though the NICS is fully operational. The NICS Section, with the ongoing assistance and technical support of the CJIS Division's Information Technology Management Section, works 24/7 to maximize the availability of the NICS, the NCIC, and the III.



## 2014 NICS Operations

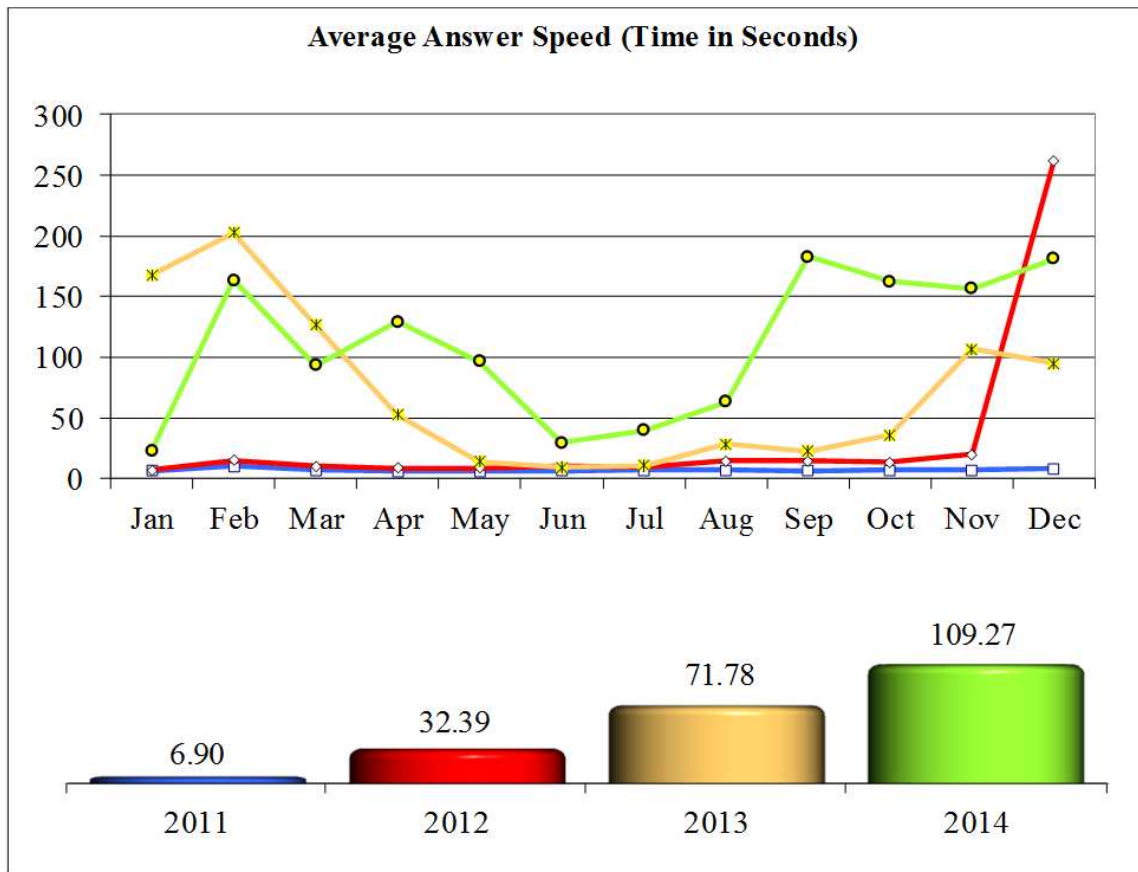
<b>NICS Availability</b>				
	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
<b>Jan</b>	99.87%	99.95%	100.00%	99.76%
<b>Feb</b>	99.50%	100.00%	99.89%	100.00%
<b>Mar</b>	99.80%	99.69%	100.00%	100.00%
<b>Apr</b>	100.00%	100.00%	99.58%	100.00%
<b>May</b>	99.98%	99.76%	99.76%	99.72%
<b>Jun</b>	99.58%	99.83%	99.86%	99.33%
<b>Jul</b>	99.76%	100.00%	99.76%	99.88%
<b>Aug</b>	99.94%	100.00%	99.92%	100.00%
<b>Sep</b>	100.00%	99.93%	100.00%	97.82%
<b>Oct</b>	99.96%	99.91%	100.00%	99.95%
<b>Nov</b>	100.00%	99.95%	100.00%	99.99%
<b>Dec</b>	100.00%	99.68%	99.96%	100.00%
<b>Total</b>	99.87%	99.89%	99.89%	99.71%

During the implementation of the NGI Increment 4, the NICS availability decreased to just below 98 percent. The NICS reported 100 percent system availability for 5 of the 12 months in 2014. Factoring in the remaining 7 months of NICS service, the average system availability for the NICS in 2014 was at 99.71 percent (see chart above).

### Answer Speed

Many call center operations have a target goal of answering 80 percent of calls within 20 seconds. However, the NICS Section's goal is to answer Transfer Process calls (background checks for firearm purchases transferred from the NICS Contracted Call Center to the NICS Section's staff) within 9 seconds. Based on historical data specific to transaction and call volumes, the NICS Section is able to forecast anticipated levels of staffing needed to effectively process incoming work. In 2014, the NICS Section's Transfer Process calls were answered on an average yearly rate of 109.27 seconds due to several months of high call volume.

# 2014 NICS Operations



The Average Answer Speed data noted in the above chart does not include transactions retrieved via the NICS E-Check.

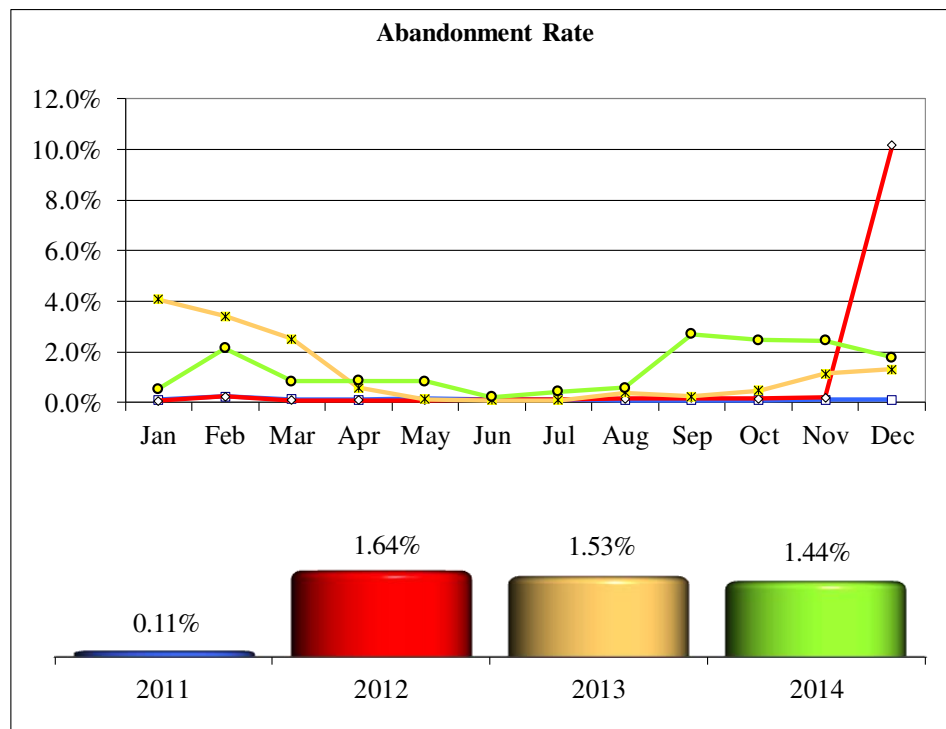
Answer Speed				
	2011	2012	2013	2014
<b>Jan</b>	6.23	6.74	167.90	22.94
<b>Feb</b>	10.11	15.00	202.50	163.57
<b>Mar</b>	6.68	9.90	126.68	93.35
<b>Apr</b>	5.93	8.47	52.43	129.03
<b>May</b>	5.63	8.42	14.10	96.65
<b>Jun</b>	6.23	10.10	9.30	29.37
<b>Jul</b>	7.00	9.55	10.61	39.35
<b>Aug</b>	6.65	14.16	28.45	63.16
<b>Sep</b>	6.33	14.63	22.23	183.00
<b>Oct</b>	7.06	13.58	35.91	162.65
<b>Nov</b>	7.10	19.97	106.60	156.67
<b>Dec</b>	8.07	261.97	94.97	181.10
<b>Average</b>	6.9	32.39	71.78	109.27

## 2014 NICS Operations

The FFLs use the NICS by contacting either the NICS Contracted Call Centers via telephone or the Internet via the NICS E-Check. If contacted via telephone, the customer service representatives at the NICS Contracted Call Centers enter the prospective firearm transferee's name and descriptive information provided by the FFL into the NICS to initiate the background check search. If no records are matched by the NICS, the NICS Contracted Call Center staff advises the FFL the transfer may proceed. If a background check search returns a hit in any of the databases searched during the background check process, the representative places the FFL on hold and transfers the call to the NICS Section at the CJIS Division for review in an attempt to determine the subject's firearms eligibility status while the FFL is still on the telephone. With a continued focus on customer service, the NICS Section strives to address all calls transferred from the NICS Contracted Call Centers in an expeditious manner. Various factors, such as the time of the day, week, or year, the demand placed on the system, and the resources of the NICS Section, may have a direct bearing on service levels. In 2014, the NICS Contracted Call Centers answered 98 percent of the total 4,396,734 calls received in less than 20 seconds.

### Transfer Process Abandonment Rate

The average time a caller waits for his or her Transfer Process call to be answered is 109.27 seconds. Depending on the number of incoming calls, the wait time can fluctuate. As such, there are times when a caller will prematurely terminate or "abandon" a call. The NICS Section makes every effort to address each call as quickly as possible. Because all calls are valuable, the NICS Section's goal is to limit the level of abandoned calls to less than 1 percent. The average abandonment rate continued to decrease from the previous 2 years to 1.44 percent in 2014.



## 2014 NICS Operations

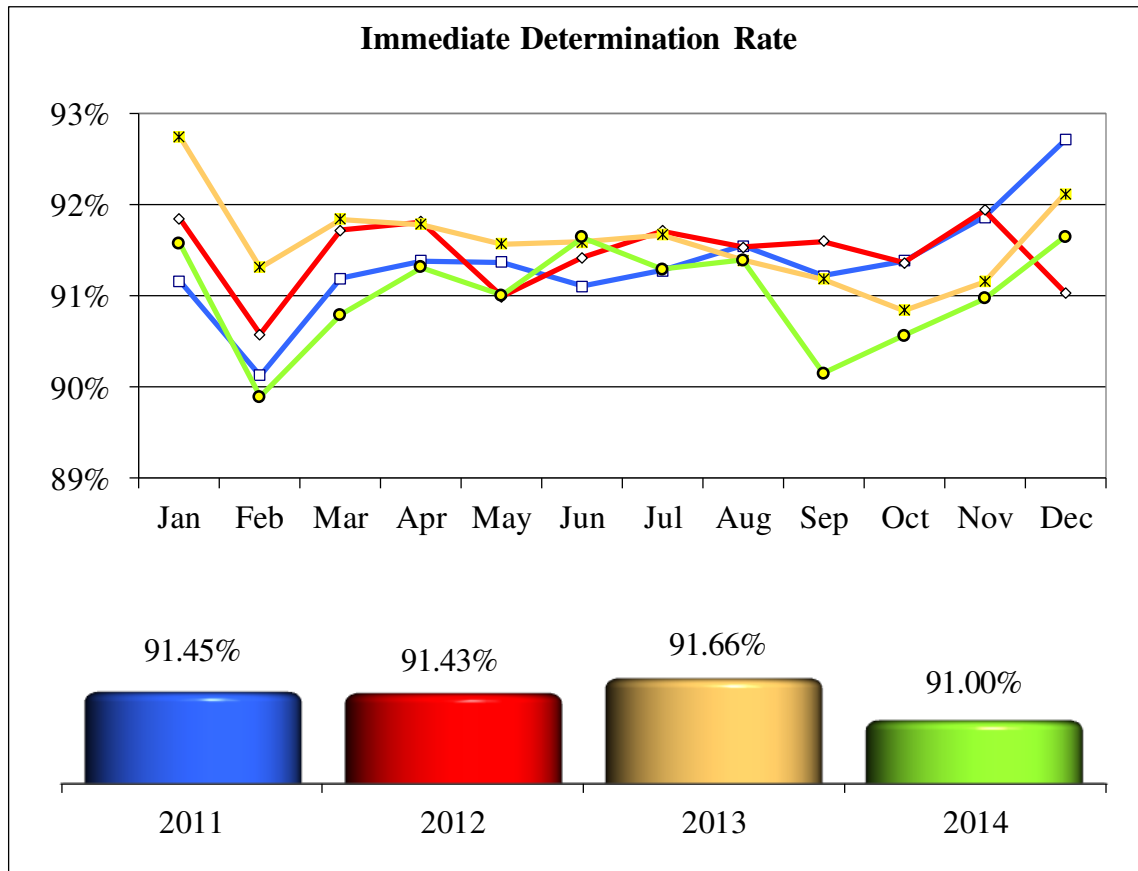
<b>Abandonment Rate</b>				
	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
<b>Jan</b>	0.10%	0.06%	4.08%	0.52%
<b>Feb</b>	0.23%	0.23%	3.41%	2.14%
<b>Mar</b>	0.12%	0.08%	2.51%	0.84%
<b>Apr</b>	0.10%	0.09%	0.57%	0.85%
<b>May</b>	0.14%	0.08%	0.13%	0.83%
<b>Jun</b>	0.11%	0.10%	0.09%	0.22%
<b>Jul</b>	0.12%	0.11%	0.09%	0.43%
<b>Aug</b>	0.08%	0.14%	0.39%	0.57%
<b>Sep</b>	0.08%	0.17%	0.23%	2.71%
<b>Oct</b>	0.09%	0.15%	0.47%	2.46%
<b>Nov</b>	0.10%	0.20%	1.13%	2.45%
<b>Dec</b>	0.10%	10.16%	1.31%	1.77%
<b>Average</b>	0.11%	1.64%	1.53%	1.44%

The Abandonment Rate data noted in the above chart does not reflect transactions abandoned when a NICS E-Check is initiated.

# 2014 NICS Operations

## Immediate Determination Rate (IDR)

In 2014, the NICS Section enhanced the method used to capture the IDR. The IDR is now comprised of the rate of calls immediately proceeded at the NICS Contracted Call Centers, the rate of transaction determinations provided by the NICS Section's staff while the FFL is still on the telephone, and the data from the NICS E-Check. All three functions require available staff to process the requests being submitted to the NICS. The U.S. Attorney General requires the NICS Section to maintain a 90 percent or better rate of immediate determinations. The NICS Section's IDR averaged 91 percent in 2014 when combining all of the NICS transactions.



## 2014 NICS Operations

<b>Immediate Determination Rate</b>				
	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
<b>Jan</b>	91.16%	91.85%	92.75%	91.58%
<b>Feb</b>	90.13%	90.58%	91.31%	89.89%
<b>Mar</b>	91.19%	91.72%	91.84%	90.79%
<b>Apr</b>	91.39%	91.81%	91.79%	91.32%
<b>May</b>	91.37%	90.99%	91.58%	91.01%
<b>Jun</b>	91.11%	91.42%	91.59%	91.65%
<b>Jul</b>	91.28%	91.72%	91.67%	91.30%
<b>Aug</b>	91.55%	91.53%	91.39%	91.39%
<b>Sep</b>	91.23%	91.60%	91.18%	90.15%
<b>Oct</b>	91.39%	91.37%	90.84%	90.57%
<b>Nov</b>	91.87%	91.94%	91.16%	90.98%
<b>Dec</b>	92.72%	91.04%	92.12%	91.65%
<b>Total</b>	91.45%	91.43%	91.66%	91.00%

## 2014 NICS Operations

### Transactions Created in the NICS

From November 30, 1998, through December 31, 2014, the NICS conducted a total of 202,536,522 background checks. In 2014, background checks submitted to the NICS totaled 20,968,547. Of these, NICS Section staff processed 8,256,688 transactions; state users processed the remaining 12,711,859 transactions.

<b>Year</b>	<b>Federal</b>	<b>State</b>	<b>Total</b>	<b>Program-to-Date (PTD) Total</b>
1998 <sup>1</sup>	506,554	386,286	892,840	892,840
1999	4,538,020	4,600,103	9,138,123	10,030,963
2000	4,260,270	4,282,767	8,543,037	18,574,000
2001	4,291,926	4,618,265	8,910,191	27,484,191
2002	4,248,893	4,205,429	8,454,322	35,938,513
2003	4,462,801	4,018,787	8,481,588	44,420,101
2004	4,685,018	4,002,653	8,687,671	53,107,772
2005	4,952,639	4,000,306	8,952,945	62,060,717
2006	5,262,752	4,774,181	10,036,933	72,097,650
2007	5,136,883	6,040,452	11,177,335	83,274,985
2008	5,813,249	6,895,774	12,709,023	95,984,008
2009	6,083,428	7,950,396	14,033,824	110,017,832
2010	6,037,394	8,372,222	14,409,616	124,427,448
2011	6,875,625	9,579,326	16,454,951	140,882,399
2012	8,725,425	10,866,878	19,592,303	160,474,702
2013	9,315,963	11,777,310	21,093,273	181,567,975
2014	8,256,688	12,711,859	20,968,547	202,536,522
<b>Total</b>	<b>93,453,528</b>	<b>109,082,994</b>	<b>202,536,522</b>	
<sup>1</sup> November 30, 1998 - December 31, 1998				

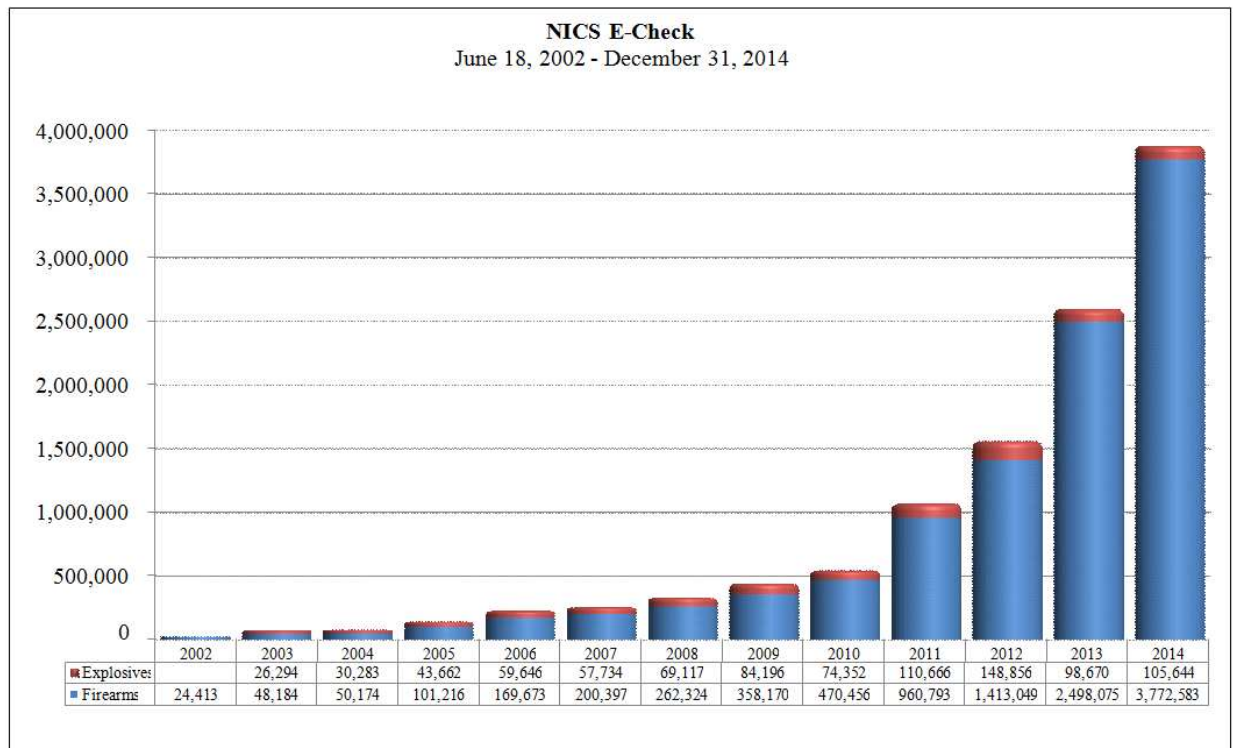


# 2014 NICS Operations

## NICS E-Check

NICS background checks can be submitted to the FBI via the NICS E-Check, which provides the capability to conduct background checks electronically through a secure Internet connection. Upon receipt of a NICS E-Check request, the NICS Section's staff process the NICS E-Check immediately.

As of December 31, 2014, an estimated 16,495 FFLs were enrolled with the NICS via the NICS E-Check, and the number of users (FFLs and their employees) accessing the NICS E-Check was an estimated 41,185. In addition to the FFLs enrolled, just over 10 major retailers conduct firearm background checks via the NICS E-Check that cannot be factored into the total number of NICS E-Check users due to the method of computer interface accessed. Between June 18, 2002, and December 31, 2014, a total of 11,238,627 firearms and explosives background checks were processed via the NICS E-Check. In 2014, there were 3,878,227 NICS E-Check transactions processed. Of the 2014 NICS E-Check transactions, 3,772,583 were inquiries for firearms.



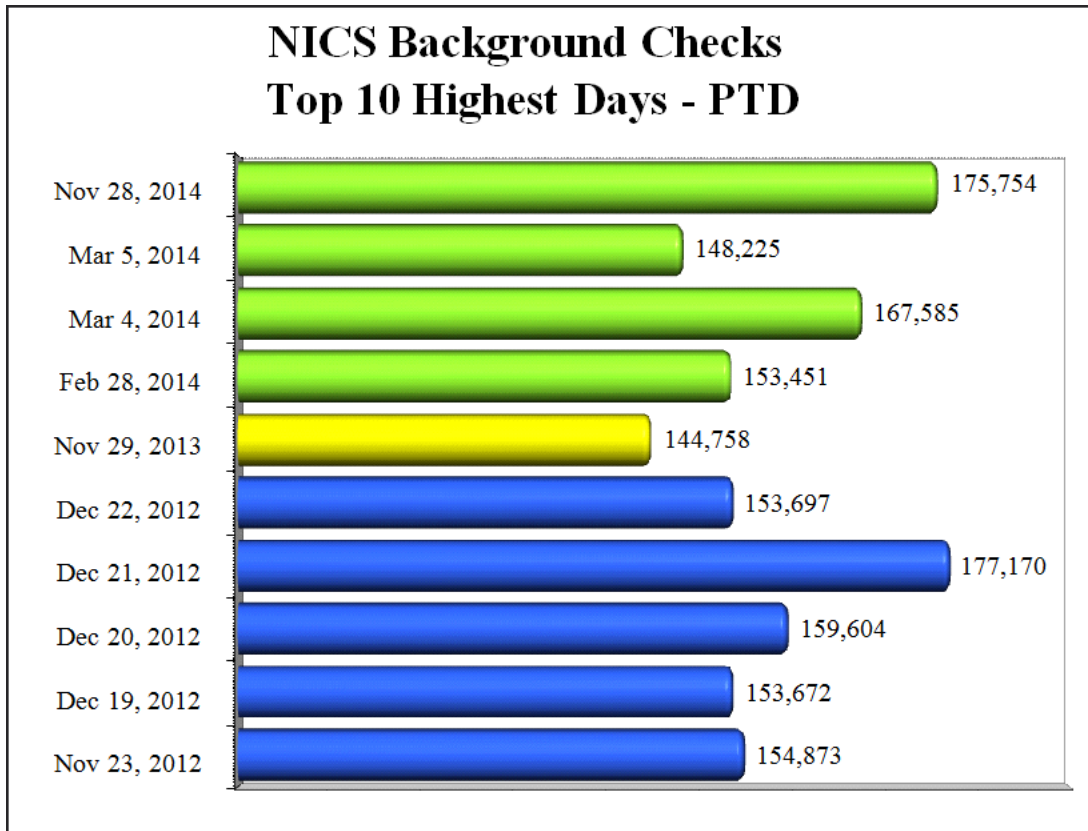
## 2014 NICS Operations

	<b>Firearms</b>	<b>Explosives</b>
<b>2002</b>	24,413	
<b>2003</b>	48,184	26,294
<b>2004</b>	50,174	30,283
<b>2005</b>	101,216	43,662
<b>2006</b>	169,673	59,646
<b>2007</b>	200,397	57,734
<b>2008</b>	262,324	69,117
<b>2009</b>	358,170	84,196
<b>2010</b>	470,456	74,352
<b>2011</b>	960,793	110,666
<b>2012</b>	1,413,049	148,856
<b>2013</b>	2,498,075	98,670
<b>2014</b>	3,772,583	105,644

### NICS Peak Season

The NICS Section observes an increase in transaction activity associated with major hunting seasons and year-end holidays. Since the inception of the NICS, the day after Thanksgiving continues to be a day that the NICS processes a high volume of firearm background checks. In 2014, the day after Thanksgiving ranked as the second highest day ever, when the NICS Section's staff processed 175,754 NICS background checks (see chart below).

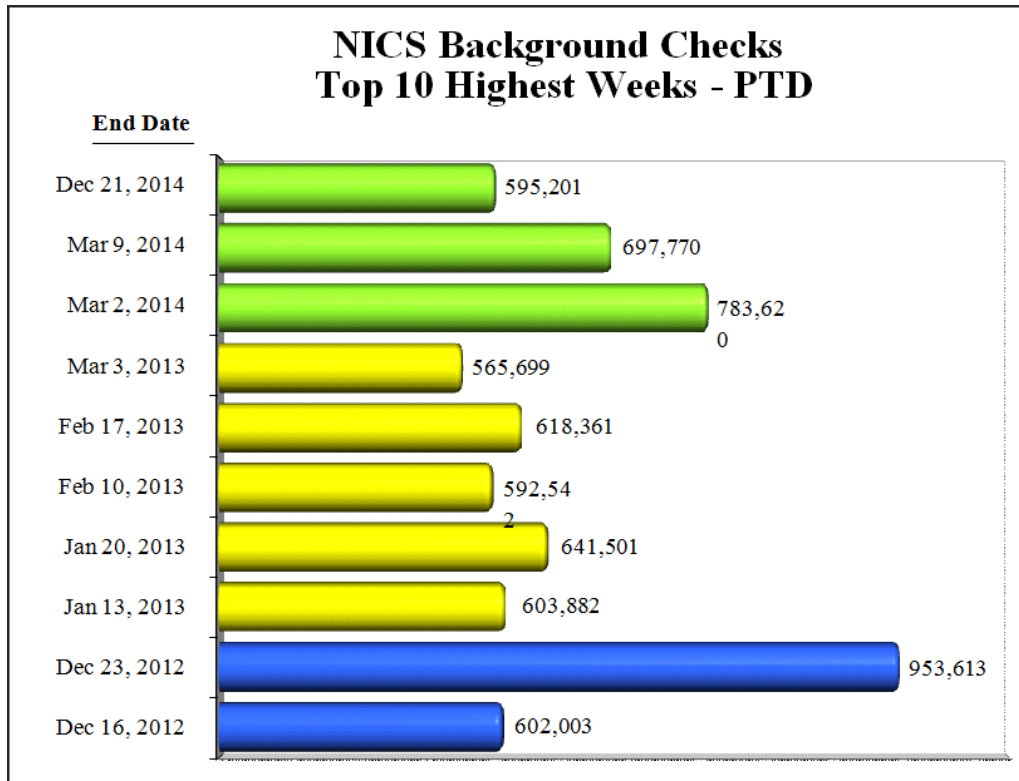
## 2014 NICS Operations



NICS Firearm Background Checks Top 10 Highest Days - PTD	
Nov 23, 2012	154,873
Dec 19, 2012	153,672
Dec 20, 2012	159,604
Dec 21, 2012	177,170
Dec 22, 2012	153,697
Nov 29, 2013	144,758
Feb 28, 2014	153,451
Mar 4, 2014	167,585
Mar 5, 2014	148,225
Nov 28, 2014	175,754

## 2014 NICS Operations

During 2014, the NICS Section experienced three of its all-time top weeks for volume of NICS background checks processed (see chart below).



<b>NICS Background Checks Top Ten Highest Weeks PTD</b>	
Dec 16, 2012	602,003
Dec 23, 2012	953,613
Jan 13, 2013	603,882
Jan 20, 2013	641,501
Feb 10, 2013	592,542
Feb 17, 2013	618,361
Mar 3, 2013	565,699
Mar 2, 2014	783,620
Mar 9, 2014	697,770
Dec 21, 2014	595,201

## 2014 NICS Operations

### Federal Prohibitors

A deny decision indicates the prospective firearms transferee or another individual with a similar name and/or similar descriptive features was matched with either federally prohibiting criteria or state-prohibiting criteria. Federal law prohibits any person from possessing or receiving a firearm who:

**18 U.S.C. §922 (g) (1)**

Has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year.

**18 U.S.C. §922 (g) (2)**

Is a fugitive from justice.

**18 U.S.C. §922 (g) (3)**

Is an unlawful user of or addicted to any controlled substance.

**18 U.S.C. §922 (g) (4)**

Has been adjudicated as a mental defective or committed to a mental institution.

**18 U.S.C. §922 (g) (5)**

Is illegally or unlawfully in the United States.

**18 U.S.C. §922 (g) (6)**

Has been discharged from the Armed Forces under dishonorable conditions.

**18 U.S.C. §922 (g) (7)**

Having been a citizen of the United States, has renounced U.S. citizenship.

**18 U.S.C. §922 (g) (8)**

Is subject to a court order that restrains the person from harassing, stalking, or threatening an intimate partner or child of such intimate partner.

**18 U.S.C. §922 (g) (9)**

Has been convicted in any court of a misdemeanor crime of domestic violence.

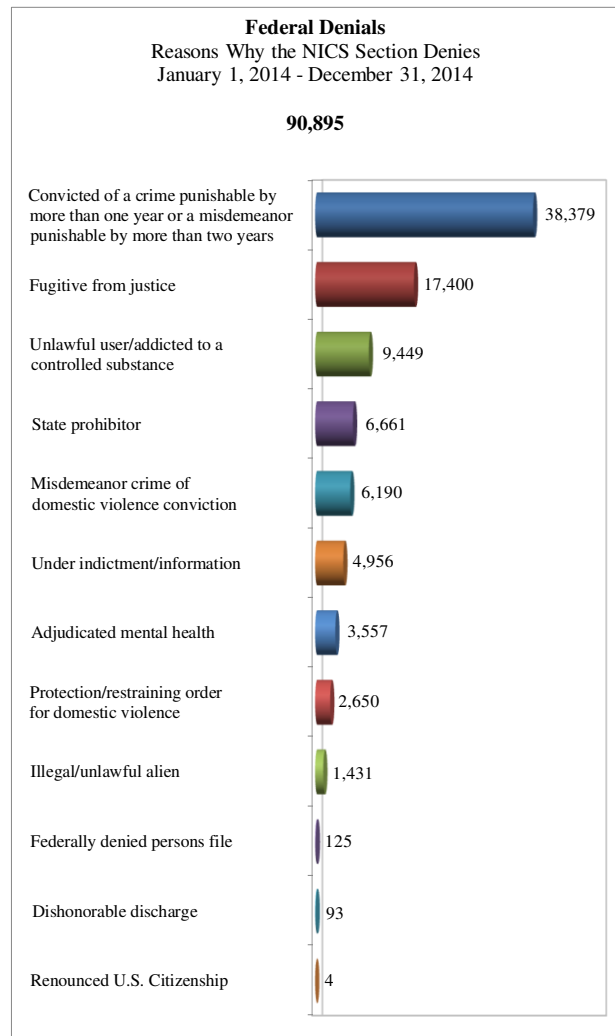
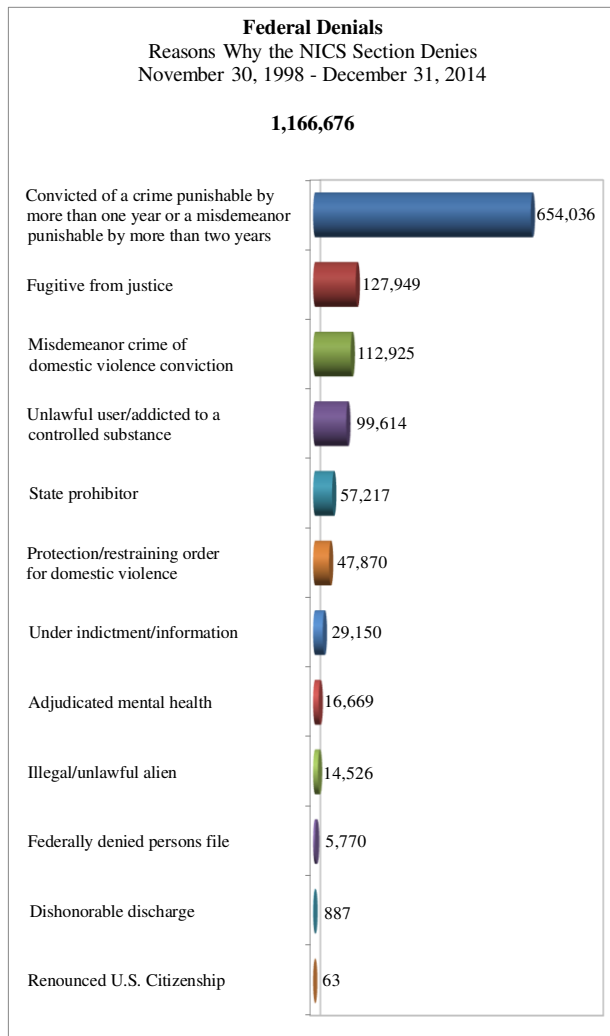
**18 U.S.C. §922 (n)**

Is under indictment/information for a crime punishable by imprisonment for a term exceeding one year.

# 2014 NICS Operations

## Federal Denials

When a NICS background check matches a record holder to the prospective firearms transferee, the NICS Section determines if a federal prohibitor exists. However, if a federal prohibitor does not exist, the NICS Section employee processing the background check must further review the record match(es) to determine if any applicable state law renders the prospective firearms transferee prohibited. From the inception of the NICS on November 30, 1998, through December 31, 2014, the NICS Section has rendered 1,166,676 firearm denials. Of these, 90,895 denial decisions were provided in 2014. Historically, as well as in 2014, 18 U.S.C. §922(g)(1) is the leading reason for NICS Section denials.



## 2014 NICS Operations

<b>Federal Denials</b>	
Reasons Why the NICS Section Denies - PTD	
<b>Prohibited Category Description</b>	<b>Total</b>
Convicted of a crime punishable by more than one year or a misdemeanor punishable by more than two years	654,036
Fugitive from justice	127,949
Misdemeanor crime of domestic violence conviction	112,925
Unlawful user/addicted to a controlled substance	99,614
State prohibitor	57,217
Protection/restraining order for domestic violence	47,870
Under indictment/information	29,150
Adjudicated mental health	16,669
Illegal/unlawful alien	14,526
Federally denied persons file	5,770
Dishonorable discharge	887
Renounced U.S. Citizenship	63
<b>Total Federal Denials</b>	<b>1,166,676</b>
<b>As of December 31, 2014</b>	

## 2014 NICS Operations

<b>Federal Denials</b>	
Reasons Why the NICS Section Denies - 2014	
<b>Prohibited Category Description</b>	<b>Total</b>
Convicted of a crime punishable by more than one year or a misdemeanor punishable by more than two years	38,379
Fugitive from justice	17,400
Unlawful user/addicted to a controlled substance	9,449
State prohibitor	6,661
Misdemeanor crime of domestic violence conviction	6,190
Under indictment/information	4,956
Adjudicated mental health	3,557
Protection/restraining order for domestic violence	2,650
Illegal/unlawful alien	1,431
Federally denied persons file	125
Dishonorable discharge	93
Renounced U.S. Citizenship	4
<b>Total Federal Denials</b>	<b>90,895</b>
As of December 31, 2014	

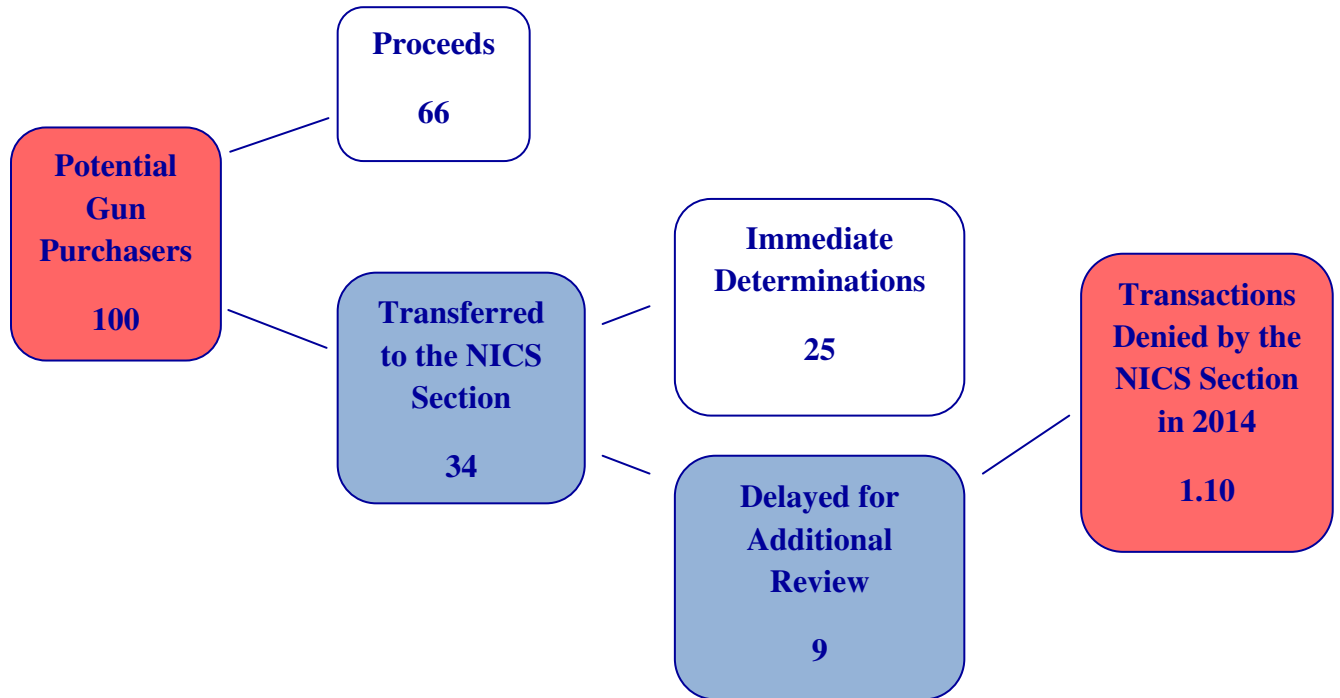
### Out of a Hundred Checks

Pursuant to 28 C.F.R., §25.6, based on the information returned in response to a NICS background check, the NICS Section provides either a proceed, a deny, or a delay transaction determination to the FFL. If the NICS Section cannot determine a proceed or a deny response during the FFL's initial contact, the transaction is delayed. From January 1 through December 31, 2014, approximately 9 percent of all transactions processed were given an initial delay status.



## 2014 NICS Operations

When a NICS transaction is delayed, the Brady Act allows the FFL to legally transfer the firearm if the NICS transaction is not resolved within 3 business days. However, the NICS Section continues to search for the information necessary to make a final determination until the transaction is purged prior to 90 days.



### NICS Milestone

On Friday, November 28, 2014, at 12:53 p.m., a New Hampshire FFL submitted the 200 millionth background check to the NICS via the NICS E-Check for processing by the NICS Section. The transaction was for the transfer of a long gun. The NICS E-Check responded with a denial approximately 1 minute later, because of a valid match of the prospective transferee's descriptive data to the descriptive information of the subject of a NICS Index record for a conviction for a misdemeanor crime of domestic violence.

### Firearm Retrieval Referrals

Because of the NICS Section's commitment to public safety and national security, the search for needed disposition information continues beyond the 3 business days to provide a determination as stated in the Brady Act. In some instances, the information is subsequently obtained and a final status determined. However, if the final status (determined after the lapse of 3 business days) results in a deny decision, and the FFL advises the NICS Section staff that the firearm was transferred, the NICS Section notifies the ATF that a prohibited person is in possession of a firearm. In 2014, the NICS Section referred 2,511 firearm retrieval actions to the ATF.

## 2014 NICS Operations

### NICS Appeals and Voluntary Appeal File (VAF)

In 2014, approximately 1.10 percent of the NICS background checks processed by the NICS Section received a final transaction status of deny. Pursuant to the Brady Act, any person who believes they were wrongfully denied the transfer of a firearm, based on a record returned in response to a NICS background check, can request an appeal of the decision. An appeal is defined as "a formal procedure to challenge the denial of a firearm transfer." Pursuant to 28 C.F.R., §25.2, "an individual may request the reason for the denial from the agency that conducted the check of the NICS (the 'denying agency,' which will be either the FBI or the state or local law enforcement agency serving as a POC)." As an alternative, per 28 C.F.R., §25.2, an individual denied by a POC state can elect to submit an appeal to the NICS Section.

An appellant may submit documentation to determine if an individual is eligible to possess or receive a firearm because some records are not complete or up-to-date. As a result, eligible firearm transferees may be subject to lengthy delays or receive erroneous denials even after the completion of a successful appeal.

When individuals wish to challenge the reason of a denial status, an appeal request must be submitted. An appeal request should include a set of his/her fingerprints as proof of identity if definitive information is being requested. In cases where the matches are refuted by fingerprints, the NICS Section may overturn the subject's deny decision and allow the transaction to proceed. However, because the NICS is required to purge all identifying information regarding proceed transactions within 24 hours of notification to the FFL, in many instances, the process must be repeated when the same transferee attempts subsequent firearm purchases and is again matched to the same prohibiting record.

The VAF was implemented in July 2004 to prevent subsequent delays and erroneous denials. Because of the availability of the VAF, more than 95,000 transactions have received an immediate background check determination and expedited the mission of the NICS Section. All applicants approved for entry into the VAF receive a Unique Personal Identification Number (UPIN) which they must provide to the FFL during subsequent NICS background checks. The NICS checks the VAF during the background check process only when a UPIN is provided by the FFL. Since July 2004, over 30,100 lawful firearm transferees received a UPIN and have been entered into the VAF.

The NICS Section processes VAF applications and appeal requests in the order they are received. In 2014, the NICS Section received a total of 31,125 initial VAF applications and appeal requests. Of these, 1,210 received were submitted by persons denied by POC state agencies. In 2014, the NICS Section's research resulted in the overturn of 4,411 deny transactions.

The primary reason for the overturned deny decisions in 2014 was the appellant's fingerprints not matching the fingerprints of the subject of the firearms-disqualifying record. Another chief reason deny decisions are overturned on appeal pertain to criminal history records that do not contain current and accurate information.

The NICS Section established and implemented the Appeal and VAF Web site in 2011. By accessing the Web address [www.fbi.gov/nics-appeals](http://www.fbi.gov/nics-appeals), appellants can electronically begin appealing the reason they were delayed or denied the right to possess or receive a firearm.

# 2014 NICS Operations

## Explosives Background Checks

The Safe Explosives Act requires a NICS background check as part of the licensing process for any person who transports, ships, causes to be transported, or receives explosives materials in either intrastate or interstate commerce. The NICS Section performs background checks to determine the eligibility of a subject to operate as a Responsible Person (RP) in the explosives industry and for all persons designated as Employee Possessors (EP).

The RP and EP background checks are submitted by the ATF directly, via a batch submission to the NICS E-Check, for processing. All results of explosives background checks are forwarded to the ATF. The ATF makes the final determination as to a subject's eligibility to receive an explosives permit.

Since the first explosives background check in 2003, and through December 31, 2014, the NICS Section has processed a total of 943,630 explosives background checks. Of these, the NICS Section processed 105,657 explosives background checks in 2014 (refer to NICS E-Check chart on page 9). In 2014, the NICS Section denied 2,310 background checks while processing explosives-related transactions.

## U.S. Nuclear Regulatory Commission (NRC) Background Checks

On September 11, 2009, the NRC issued guidelines for the use of firearms by licensees' and certificate holders' security personnel, as authorized by section 161A of the Atomic Energy Act of 1954, as amended (42 U.S.C. § 2201a). On June 5, 2013, the NRC issued an order (EA-13-0092) designating a class of licensed facilities that were eligible to apply to use the authority granted by section 161A. Section 161A requires a firearms background check for armed security officers at designated NRC licensees. These licensees applied for the authority provided by Congress under section 161A and, thus, conduct a firearms background check on both current and prospective security officers, whose official duties require access to firearms. The NICS Section processed 204 NRC background checks in 2014.

# 2014 NICS Operations

## NICS Index

When a NICS background check is conducted, the name and descriptive information of a prospective firearms transferee is searched against the name and descriptive information of subjects of records maintained in the databases searched by the NICS. In addition to the NCIC and the III, a search of the NICS Index is conducted.

Prior to April 16, 2012, the FBI developed the NICS Index, a database of records exclusively for the NICS that collects and maintains records voluntarily submitted by local, state, tribal, and federal agencies of persons who are federally prohibited. On April 16, 2012, the functionality of the NICS Index was expanded to include state-prohibiting records, thereby providing the NICS Section and state users with the ability to effectively and efficiently identify state-prohibiting information at a national level. All records in the NICS Index are now either state or federally disqualifying and/or will prohibit the transfer of a firearm.

Typically, the records submitted to the NICS Index are not available from the NCIC or the III, or may be available but cannot be updated in a manner to readily indicate to a user the existence of a state and federal firearms prohibition. Making such records available via the NICS Index provides the user with an immediate indication the record, when matched to the prospective firearm transferee, has already been validated to be state and/or federally disqualifying. This "pre-validation," in turn, often eliminates an otherwise lengthy review process where research and evaluation are performed to determine if the record is prohibiting and, ultimately, if the subject is eligible to receive or possess firearms.

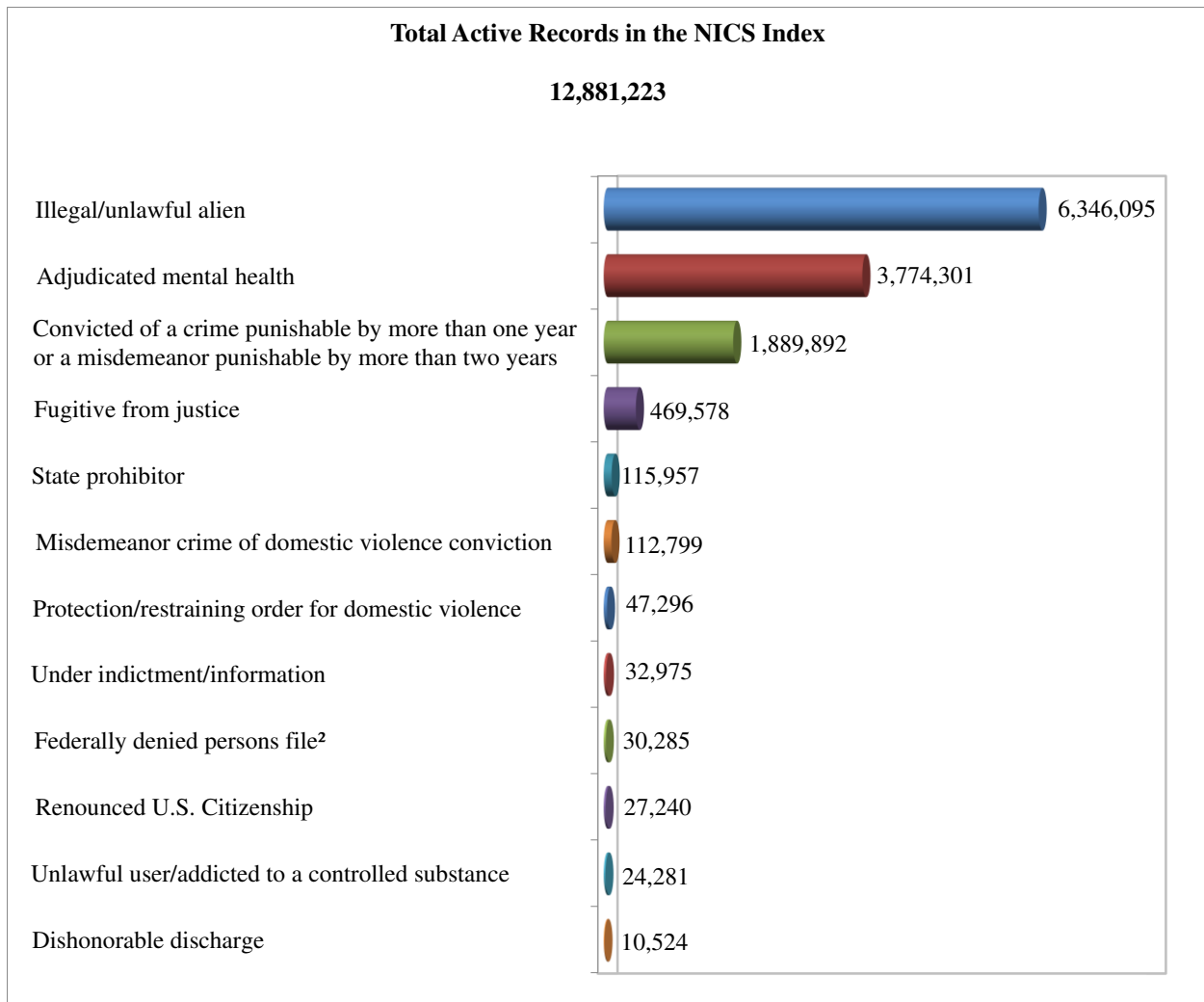
Since its implementation, the NICS Section has dedicated numerous resources toward populating the NICS Index, specifically by:

- Training and educating users of the NICS.
- Participating and interacting at various conferences and seminars.
- Establishing NICS Liaison Specialists within the NICS Section who, being knowledgeable regarding the NICS processes, are available to provide real-time assistance.
- Offering legal services and guidance for states in pursuance of making prohibited record information available to the NICS.
- Offering technical guidance and support.

# 2014 NICS Operations

## Active Records in the NICS Index

A continuing goal of the NICS Section in 2014 is making state and federal prohibiting records available at the national level. One method is by advocating local, state, tribal, federal agencies' submissions of records into the NICS Index, along with the NICS Section staff. On December 31, 2014, the NICS Index records total 12,881,223, which includes the 1,714,533 record increase during 2014.



<sup>2</sup> The Federally Denied Persons File is compiled of individuals that are predetermined to have firearm prohibitions without listing the specific category.

## 2014 NICS Operations

<b>Active Records in the NICS Index</b>	
<b>Prohibited Category Description</b>	<b>Total</b>
Illegal/unlawful alien	6,346,095
Adjudicated mental health	3,774,301
Convicted of a crime punishable by more an one year or a misdemeanor punishable by more than two years	1,889,892
Fugitive from justice	469,578
State prohibitor	115,957
Misdemeanor crime of domestic violence conviction	112,799
Protection/restraining order for domestic violence	47,296
Under indictment/information	32,975
Federally denied persons file <sup>2</sup>	30,285
Renounced U.S. Citizenship	27,240
Unlawful user/addicted to a controlled substance	24,281
Dishonorable discharge	10,524
	<b>12,881,223</b>
As of December 31, 2014	

<sup>2</sup> The Federally Denied Persons File is compiled of individuals that are predetermined to have firearm prohibitions without listing the specific category.

## Success, Outreach, and the Future

The NICS Section closed 2014 with various successes. As a result of the information-sharing commitment of the NICS Section and the cooperation of numerous local, state, tribal, and federal agencies, more than 890,000 dispositions obtained by the NICS Section staff have been posted to criminal history records since the NICS began. Of these, the NICS Section obtained approximately 30,780 dispositions in 2014. In addition, 232,925 dispositions obtained by NICS Section staff were shared with the states to assist with records maintenance at the state level. Of these, more than 18,500 dispositions were obtained in 2014.

The NICS Section staff trained more than 1,300 attendees from 21 states. The NICS Section used various training methods including on-site training and alternative methods such as teleconference, Microsoft Lync, and Train-the-Trainer. Training sessions were held at the CJIS Division or at the requesting agency's location. The exposure of facilitating information sharing with new technology and methods of training benefited the NICS Section and state agencies.

Despite federal budgetary constraints in 2013, the NICS Section continued to offer outstanding training opportunities for NICS users in 2014. In conjunction with the CJIS Division, when state agency attendees attend training at the CJIS Division for various purposes, the attendees were offered professional networking within the entire CJIS Division. The NICS Section conducted several meet and greets, provided information, and offered question-and-answer sessions. Furthermore, the NICS Section offered a guided tour, allowing for federal and state agencies to witness the daily processing of a NICS firearm background check.

At the state level, the benefits provided by Train-the-Trainer sessions allowed for knowledge and resources once offered only by the NICS Section to be transferred to the state agencies to conduct training at their discretion. The freedom of opting for the Train-the-Trainer method permitted state agencies to tailor training and customize the NICS Section's presentations to meet their specific state needs.

The NICS Section has an outreach initiative to connect with local, state, tribal, and federal agencies regarding the public safety value of sharing criminal history and related records with the NICS. The NICS Section enhances public safety and national security through information sharing and continues to foster a proactive role regarding the submission of record information to the CJIS systems searched during a NICS background check. The NICS Section emphasizes the importance of making record information, such as complete criminal history records and prohibiting mental health adjudications, available on a national level, as well as spotlighting the NICS Improvement Amendments Act of 2007.

The NICS Section places great emphasis on current goals and planning for the future. Therefore, the NICS Section introduced the Disposition of Firearm (returning confiscated firearms) training in 2014 due to the final rule being set for implementation in early 2015.

Progress on the modernization of the NICS continued in 2014. Through an information technology (IT) development contract with Accenture Federal Systems, the modernization focuses on delivering updated capabilities, additional flexibility, computer telephony integration (CTI), and greater operational efficiencies. The development contract is structured around implementation of fully functional IT products in two separate deliveries (phases). Phase 1 development and testing has been completed and more than 90 percent of the requirements were

## Success, Outreach, and the Future

successfully met as of December 2014. After testing, technical effort was focused on quickly addressing several remaining issues that were identified. The goal of the remaining issues is to correct the highest priority/impact items prior to implementation. The implementation of Phase 1 remains on target for mid-year 2015 with “go live” date to be selected in coordination with the NICS Section and the CJIS Executive Management.

Phase 1 consists of “Setting the foundation with an upgraded Information Technology Architecture” by focusing on a total redesign and refresh of the NICS hardware and software. Phase 2 provides an achievement of the Full Operational Capability (FOC) envisioned for the New NICS. Achieving FOC is tentatively scheduled for the beginning of implementation in fall 2015. The FOC is highlighted by technical functionality allowing the NICS Section staff to fully leverage their expertise and Brady Act knowledge in a more productive manner than is currently possible with the old system by concentrating on researching NICS transactions. The technical design focuses on automation of operational processes and implementing CTI into the system. Both modernization phases are designed to provide the “flexibility to make business efficiency changes at a moment’s notice” by providing the NICS Section with unprecedented control over facets of the system that streamline the flow of work through the system. In doing so, the New NICS also reduces the NICS Section’s dependence on IT staff for many future changes that can be fully controlled within the NICS Section using system settings and parameters that the NICS Section will be authorized to change.



## FBI Public Access Line (PAL)

The FBI established the PAL to serve as the central intake point through which the public may provide information to the FBI about criminal activities and threats to national security. The PAL has significantly improved the way the FBI serves the public interest by creating a staff dedicated to providing customer service; developing a uniform intake process, to include quality assurance of written reports; and by enabling special agents in the field to focus on investigative duties.

The PAL operates 24/7/365 and consists of 103 customer service representatives (CSR), 6 supervisory special agents (SSA), a supervisory special agent/unit chief, and three management and program analysts. The CSRs collect information from the public and prepare written reports for the field. The SSAs monitor calls, step in to address emergency calls, and review criminal referrals and reports of terrorist threats for quality control purposes before sending them to the appropriate field offices for consideration.

The performance of the PAL immediately impacts each FBI field office as it comes on board. Forty-nine field offices were brought on board: Albany, Albuquerque, Anchorage, Atlanta, Birmingham, Buffalo, Charlotte, Chicago, Cincinnati, Cleveland, Dallas, Denver, Detroit, El Paso, Honolulu, Houston, Indianapolis, Jackson, Jacksonville, Kansas City, Knoxville, Las Vegas, Little Rock, Los Angeles, Louisville, Miami, Milwaukee, Minneapolis, Mobile, New Haven, New Orleans, New York, Newark, Norfolk, Oklahoma City, Omaha, Phoenix, Pittsburgh, Portland, Richmond, Sacramento, Salt Lake City, San Antonio, San Diego, San Francisco, Seattle, Springfield, St. Louis, and Tampa. The PAL is responsible for the Major Case Contact Center and Weapons of Mass Destruction. Since the inception of the PAL, a total of 882,243 calls have been handled, saving field offices 85,285 work hours.