U.S. Department of Justice
Federal Bureau of Investigation
Criminal Justice Information Services Division

National Instant Criminal Background Check System (NICS) Operations

2015

A Message of the NICS Section Chief

The National Instant Criminal Background Check System, more commonly known as the NICS, has developed in several areas over the years since the inception on November 30, 1998. The focus of the NICS Section remains on servicing Federal Firearm Licensees (FFL) by conducting firearm background checks. Within the first complete month of operation in 1998 a total of 892,840 firearm background checks were processed. A mere humble beginning at that time considering in 2015, a record total of 23,141,970 firearm background checks were processed.

Because servicing the FFLs is a priority of the NICS Section, the NICS E-Check was marketed to FFLs as an opportunity to conduct firearm background checks electronically as an alternative to telephonically. To save funding and valuable time, several FFLs elected to utilize the NICS E-Check at an increased rate of 63 percent in 2015 compared to the 17 percent in 2014. With the increased usage, the amount of firearm background checks initiated via the NICS E-Check soared 48.03 percent over the 2014 total.

While processing the unprecedented volume of firearm background checks, the NICS Section staff's research proficiencies were enhanced in 2015 after an increase of 1,278,388 records submitted into the NICS Index by multiple agencies. The NICS Index includes individuals who have been determined to be federally or state prohibited from possessing a firearm and the disqualifying information may not be available through the National Crime Information Center or the Interstate Identification Index systems. Being able to view valuable information in a timely manner aided the NICS Section to ensure public safety by denying 106,556 firearm background checks in 2015.

Even though our mission 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, in 2015, the NICS Section encountered unfortunate barriers which were embarked upon to better service not only the FFLs, but the nation in general. The NICS Section's success must involve aligning resource growth with the increase in workload in order to process the receipt of the record number of background checks and appeal request. In addition, the progress on the modernization of the NICS, known as New NICS, has been a top priority and the focus of delivering updated capabilities, additional flexibility, computer telephony integration, and greater operational efficiencies, which will help remove some of the barriers the NICS Section has been experiencing.

As the NICS Section moves forward with the future development of NICS, we are committed to consistently providing its users and the citizens of the United States with a highly effective and efficient level of quality service in the furtherance of public safety and national security.

Kimberly J. DelGreco

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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 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 2015 include the following:

- From the inception of the NICS to December 31, 2015, a total of 225,678,492 transactions have been processed. Of these, 102,427,066 transactions were processed by the NICS Section, and 123,251,426 transactions were processed by state users. Of the 23,141,970 background checks processed through the NICS in 2015, NICS Section staff processed 8,973,538 transactions, and state users processed 14,168,432 transactions.

- The NICS Section denied 106,556 transactions. Since its inception, the NICS Section has denied a total of 1,273,232 transactions.

- The NICS Section achieved a 90.44 percent Immediate Determination Rate, surpassing the U.S. Attorney General-mandated goal of 90 percent or better.

- The NICS Section processed 124,439 background checks for the issuance of explosives-related permits. Of these, the NICS Section denied 2,128.

- The NICS Section processed 5,616,328 of the total 16,979,394 firearms and explosives transactions submitted via the Internet-based NICS E-Check. The amount of transactions processed via E-Check in 2015 is a 48.03 percent increase from those processed in 2014.

- The NICS Index records totaled 14,159,611, which is an increase of 1,278,388 records since December 31, 2014.

- The NICS Section staff obtained approximately 15,000 final dispositions which were posted to criminal history records and shared with state agencies to assist in updating state records. As of December 31, 2015, the NICS Section staff had obtained and posted approximately 900,000 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, 2015, the VAF contained approximately 32,000 entries with an active Unique Personal Identification Number (UPIN). From July 2004 through December 31, 2015, more than 113,500 background checks have been processed using a UPIN.

- The NICS availability averaged 99.57 percent.

- The NICS Section forwarded 2,892 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 Bureau of Alcohol, Tobacco, Firearms and Explosives (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 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 and requests a search of the Department of Homeland Security's U.S. Immigration and Customs Enforcement (ICE) if applicable. The following contains statistical data regarding the databases searched:

Interstate Identification Index (III): The III maintains subject criminal history records. As of December 31, 2015, the III records available to be searched by the NICS during a background check numbered 71,510,790.

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, 2015, the NCIC records available to be searched by the NICS during a background check totaled 5,935,689.

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, 2015, there were 14,159,611 records in the NICS Index.

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 2015, the NICS Section and the Point-of-Contact (POC) states (states that have implemented a state-based NICS program) sent 151,010 such queries to the ICE. From February 2002 to December 31, 2015, the ICE conducted more than 749,781 queries in support of the NICS.

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.

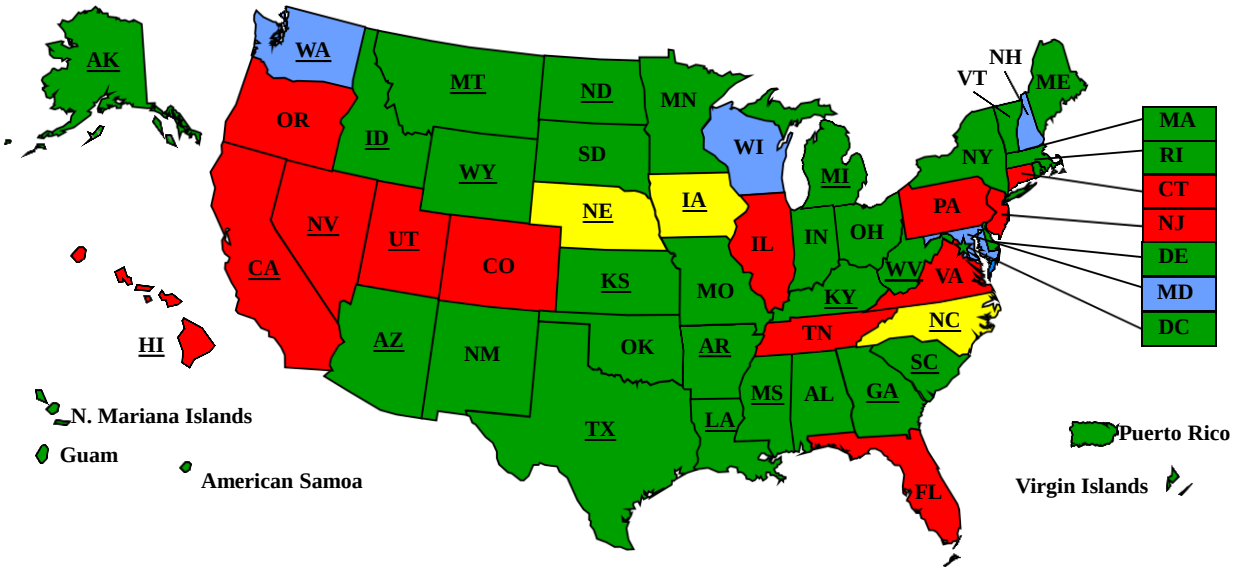
When a validly matched record is potentially prohibiting but is incomplete, the NICS Section must search for the information needed to complete the record. This process often requires outreach to local, state, tribal, and/or federal agencies (e.g., arresting agencies, court systems). The Brady Act allows 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.), Section 25.10.

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>.

NICS Participation

The NICS served 49,547 FFLs conducting business in 36 states, 5 U.S. territories, and the District of Columbia in 2015. The FFLs contacted the NICS Section either via telephone or the NICS E-Check via the Internet to initiate the required background checks. In 2015, 68 percent of all transactions were initiated via the NICS E-Check. 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.



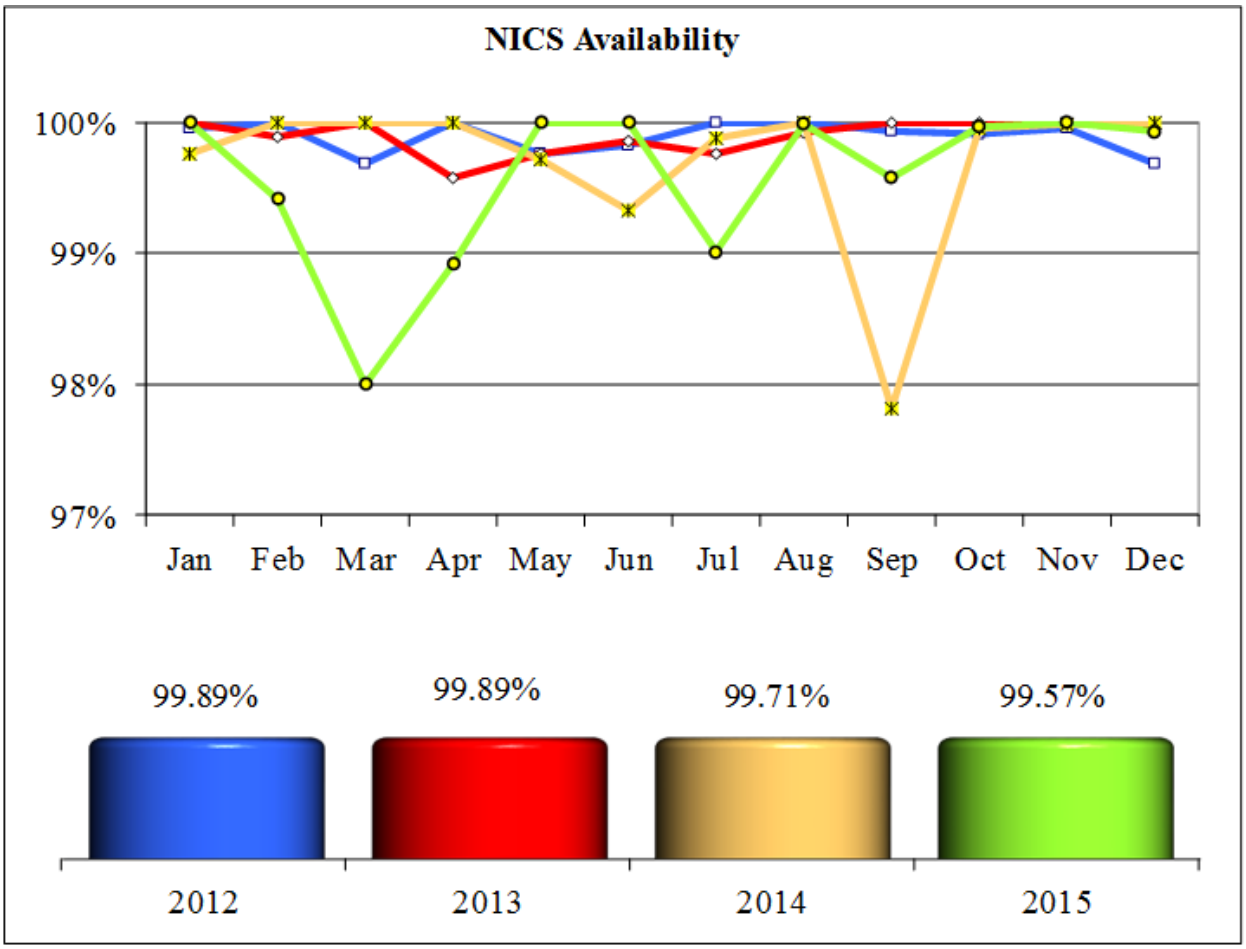
13	Full Point of Contact (POC) State—Contact state/territory for all firearm background checks including permits
4	Partial POC—Contact state for handgun and FBI for long gun background checks
3	Partial POC—Contact state for handgun permit and FBI for long gun background checks
36	Non-POC—Contact FBI for all firearm background checks
24	Denotes that the State has at least one ATF-Qualified Alternate Permit. The permits are issued by local or state agencies. Please refer to the latest Permanent Brady Permit Chart for specific permit details at <www.atf.gov/rules-and-regulations/permanent-brady-permit-chart>.

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.

NICS Availability

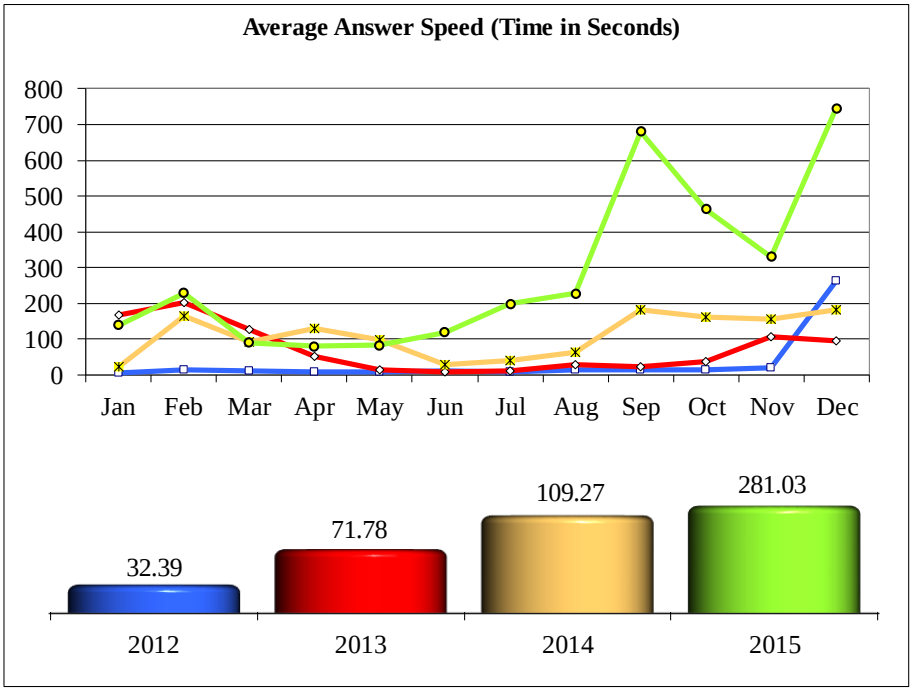
In order to operate as designed, the NICS depends on the availability of the NCIC and the III. If either the NCIC or the III are not available, it impacts the NICS even though the NICS is fully operational. The NICS Section, with the ongoing assistance and technical support of the CJIS Division's Information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



The NICS reported 100 percent system availability for 4 of the 12 months in 2015. Factoring in the remaining 8 months of NICS service, the average system availability for the NICS in 2015 was at 99.57 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 20 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 2015, the NICS Section's Transfer Process calls were answered on an average yearly rate of 281.03 seconds due to several months of high call volume.

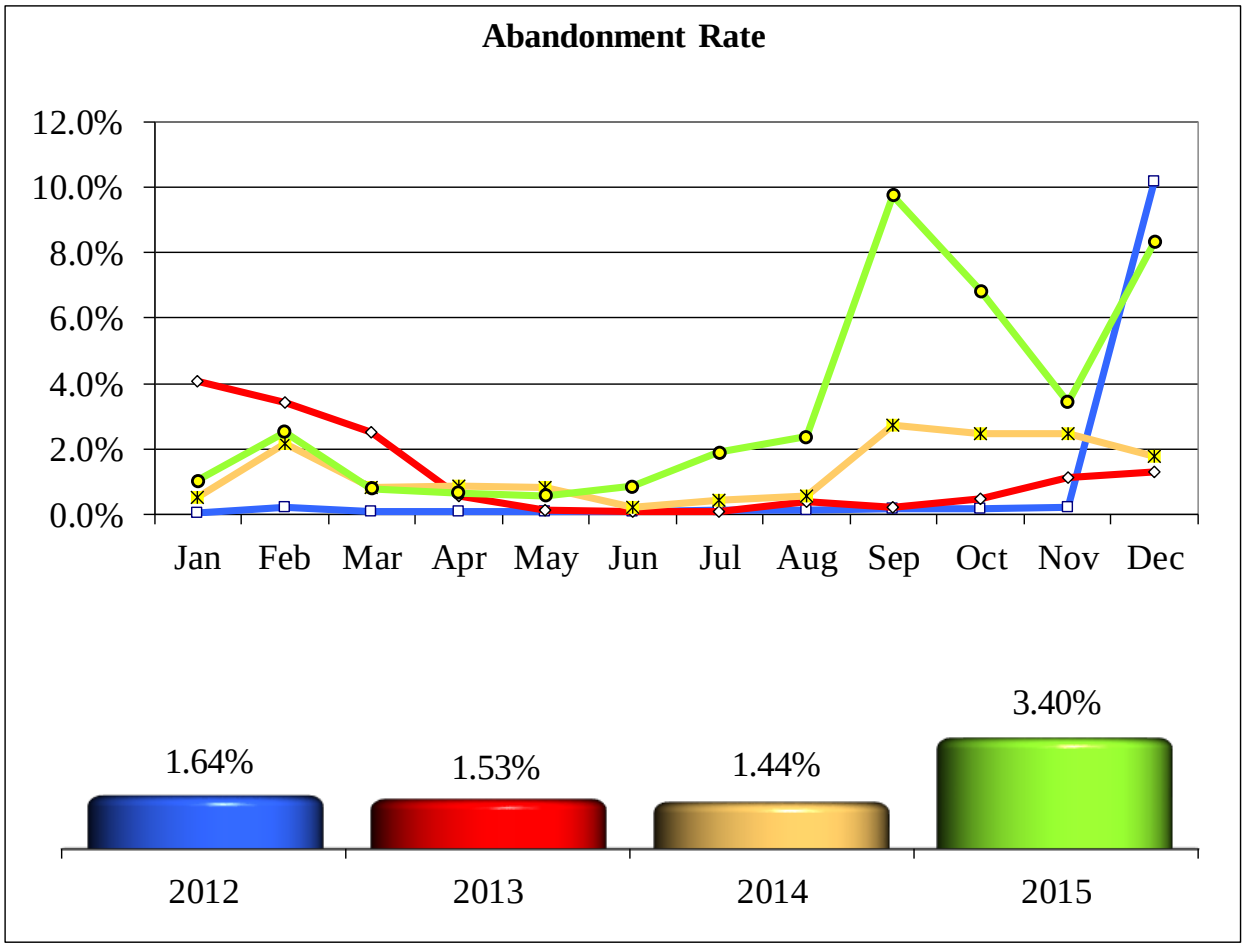


The Average Answer Speed data noted in the above chart does not include transactions retrieved via the NICS E-Check.

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 from the ATF Form 4473 into the NICS to initiate the background check search. If no records are matched by the NICS, the NICS Contracted Call Center staff advise 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 2015, the NICS Contracted Call Centers answered 98 percent of the total 3,314,649 calls received in less than 20 seconds.

Transfer Process Abandonment Rate

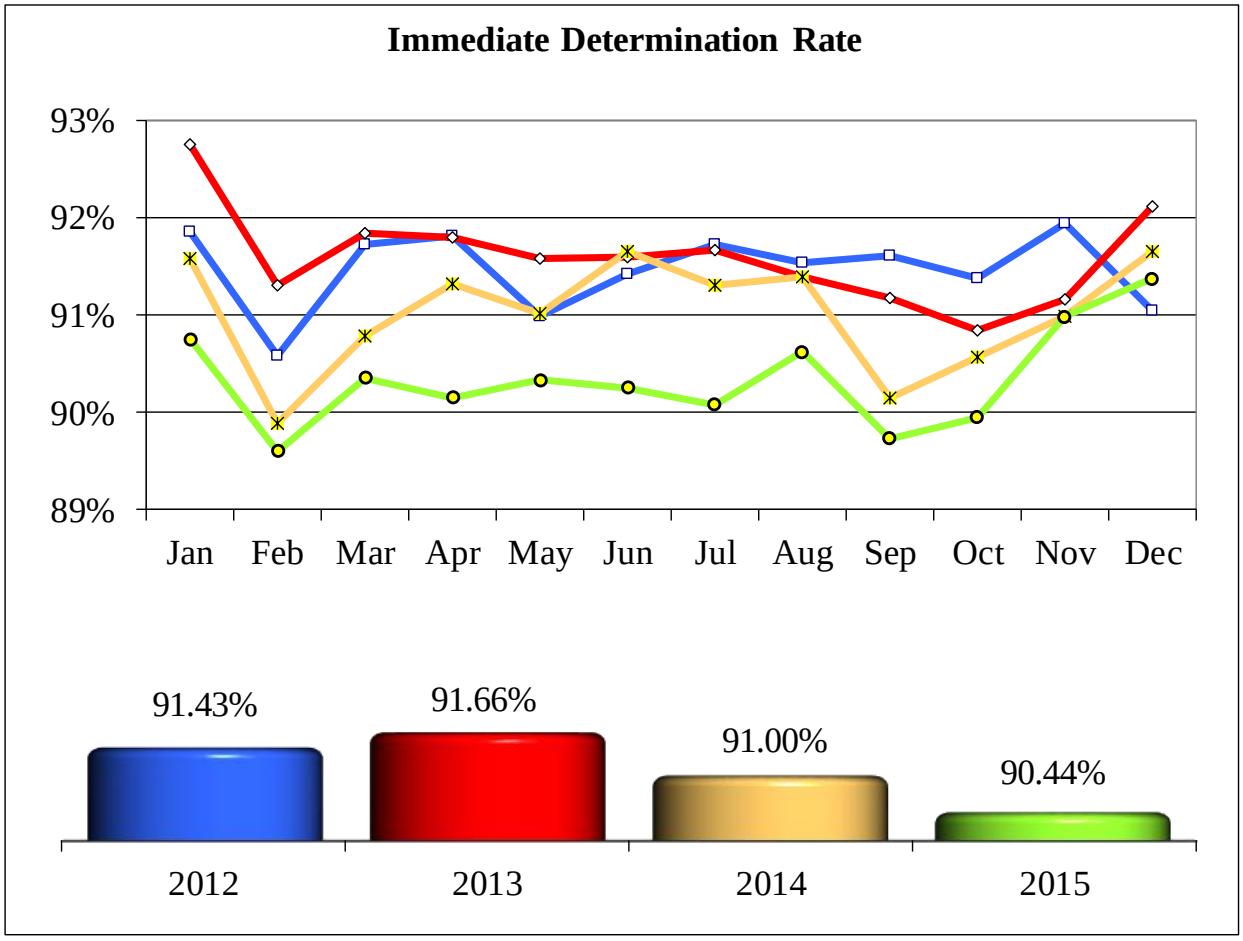
The average time a caller waits for his or her Transfer Process call to be answered is 281.03 seconds. Depending on the number of incoming calls, the wait time can fluctuate. As such, there are times when a caller will prematurely terminate or "abandon" a call. The NICS Section makes every effort to address each call as quickly as possible. Because all calls are important, the NICS Section's goal is to limit the level of abandoned calls to less than 1 percent. The average abandonment rate increased from the previous year to 3.40 percent in 2015.



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

Immediate Determination Rate (IDR)

In 2015, 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 90.44 percent in 2015 when combining all of the NICS transactions.



Transactions Created in the NICS

From November 30, 1998, through December 31, 2015, the NICS conducted a total of 225,678,492 background checks. In 2015, background checks submitted to the NICS totaled 23,141,970. Of these, NICS Section staff processed 8,973,538 transactions; state users processed the remaining 14,168,432 transactions.

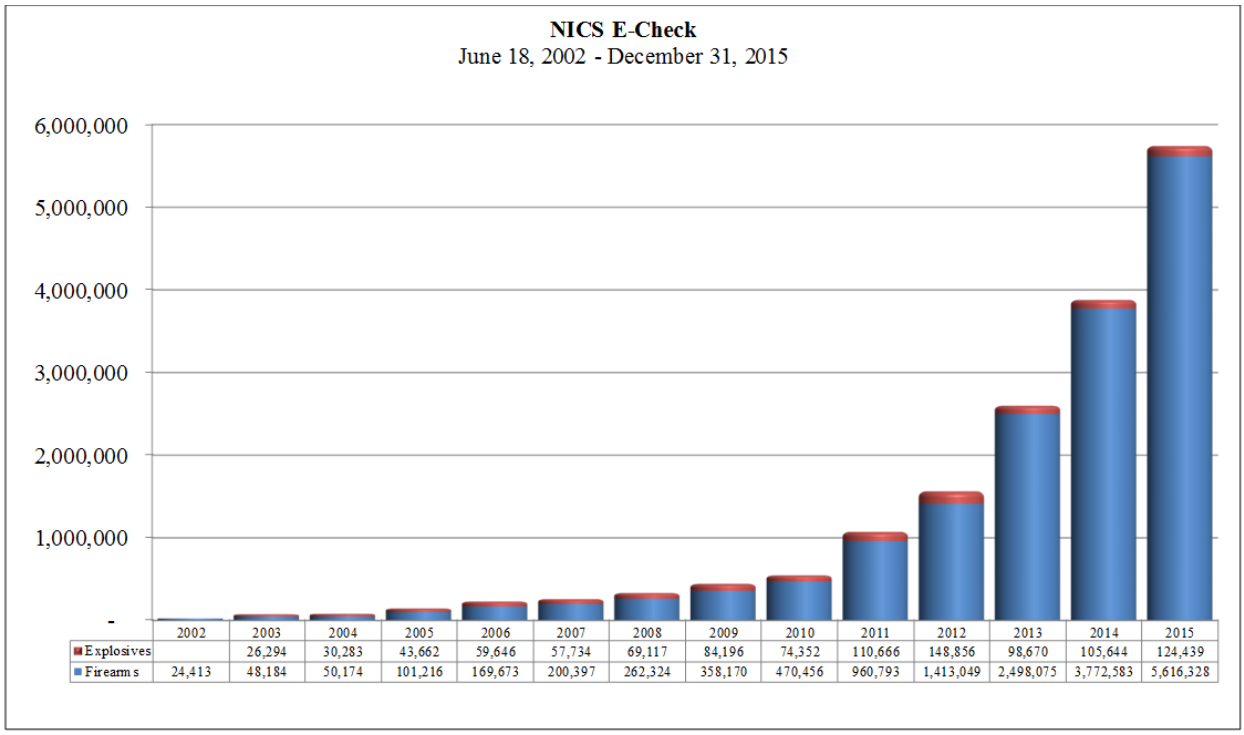
Year	Federal	State	Total	Program-to-Date (PTD) Total
1998[1]	506,554	386,286	892,840	892,840
1999	4,538,020	4,600,103	9,138,123	10,030,963
2000	4,260,270	4,282,767	8,543,037	18,574,000
2001	4,291,926	4,618,265	8,910,191	27,484,191
2002	4,248,893	4,205,429	8,454,322	35,938,513
2003	4,462,801	4,018,787	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
2015	8,973,538	14,168,432	23,141,970	225,678,492
Total	102,427,066	123,251,426	225,678,492	

[1]November 30, 1998 - December 31, 1998

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 in the same manner as the Transfer Process and strive to maintain a service level of 90 percent while processing NICS E-Check.

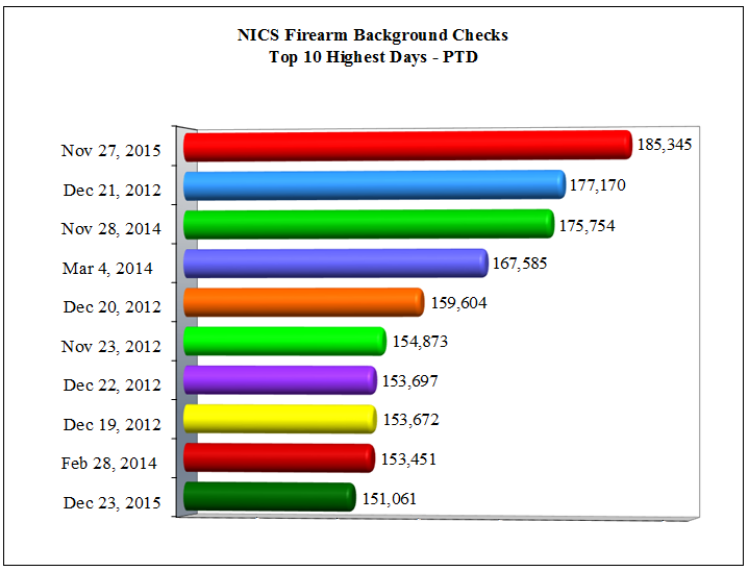
As of December 31, 2015, an estimated 22,470 FFLs were enrolled with the NICS via the NICS E-Check, and the number of users (FFLs and their employees) accessing the NICS E-Check was 62,252. In addition to the FFLs enrolled, over 15 major retailers conduct firearm background checks via the NICS E-Check 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, 2015, a total of 16,979,394 firearms and explosives background checks were processed via the NICS E-Check. In 2015, there were 5,740,767 NICS E-Check transactions processed. Of the 2015 NICS E-Check transactions, 5,616,328 were inquiries for firearms.



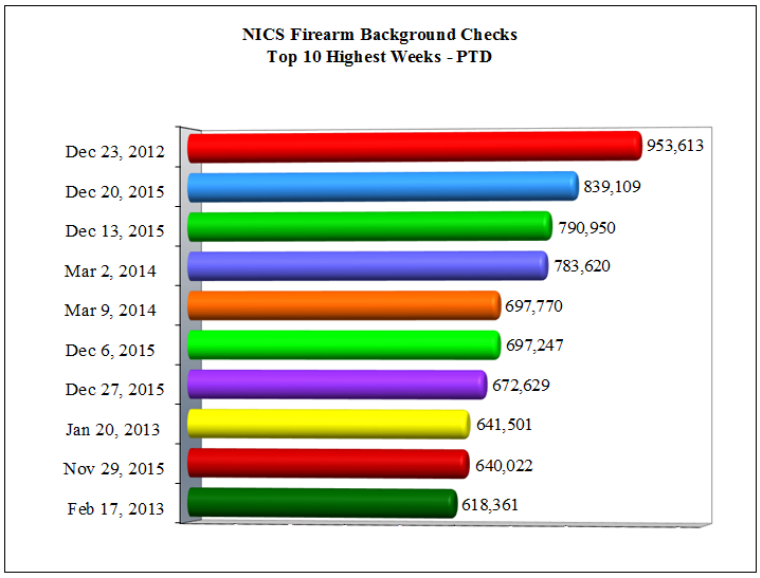
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Explosives		26,294	30,283	43,662	59,646	57,734	69,117	84,196	74,352	110,666	148,856	98,670	105,644	124,439
Firearms	24,413	48,184	50,174	101,216	169,673	200,397	262,324	358,170	470,456	960,793	1,413,049	2,498,075	3,772,583	5,616,328

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 2015, the day after Thanksgiving ranked as the highest day ever, when the NICS Section's staff processed 185,345 NICS background checks (see chart below).



During 2015, the NICS Section experienced five of its all-time top weeks for volume of NICS background checks processed (see chart below).



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.

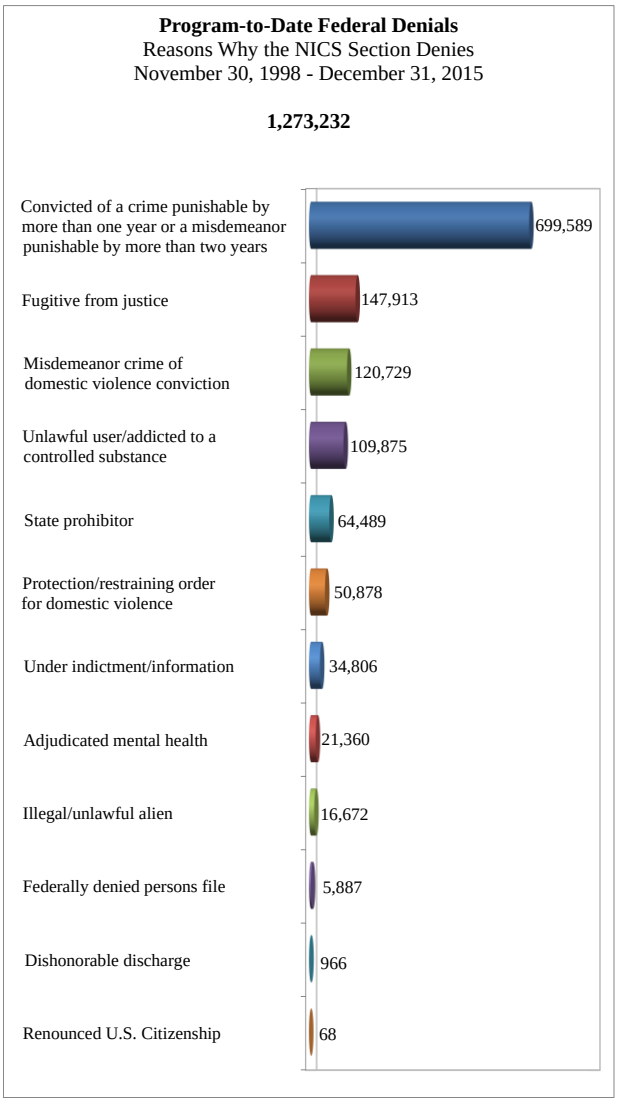
18 U.S.C. §922 (g) (8)
Is subject to a court order that restrains the person from harassing, stalking, or threatening an intimate partner or child of such intimate partner.

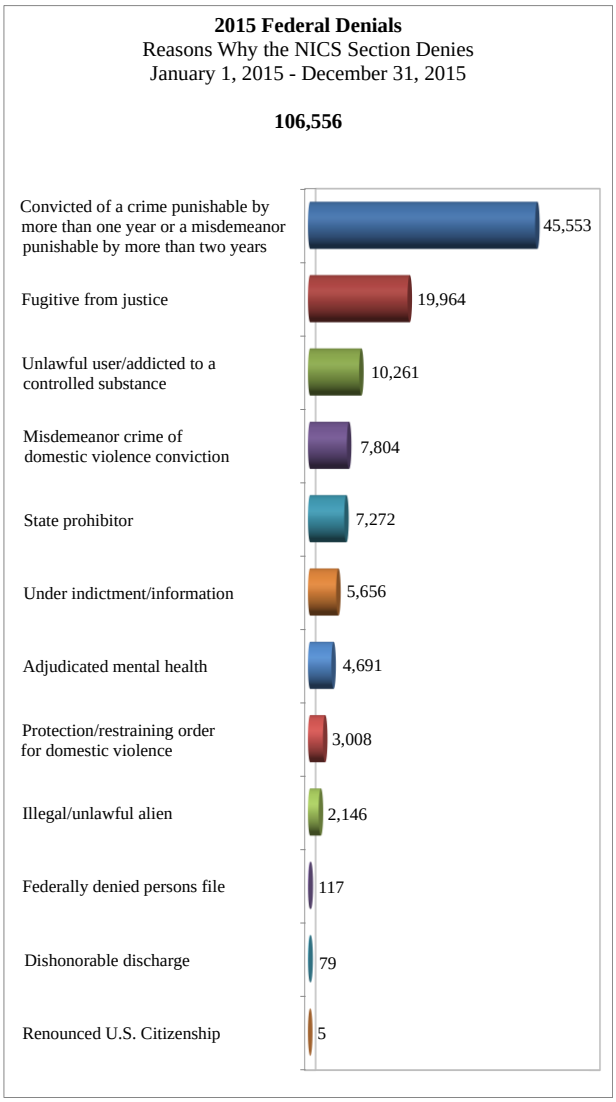
18 U.S.C. §922 (g) (9)
Has been convicted in any court of a misdemeanor crime of domestic violence.

18 U.S.C. §922 (n)
Is under indictment/information for a crime punishable by imprisonment for a term exceeding one year.

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, 2015, the NICS Section has rendered 1,273,232 firearm denials. Of these, 106,556 denial decisions were provided in 2015. Historically, as well as in 2015, 18 U.S.C. §922(g)(1) is the leading reason for NICS Section denials.

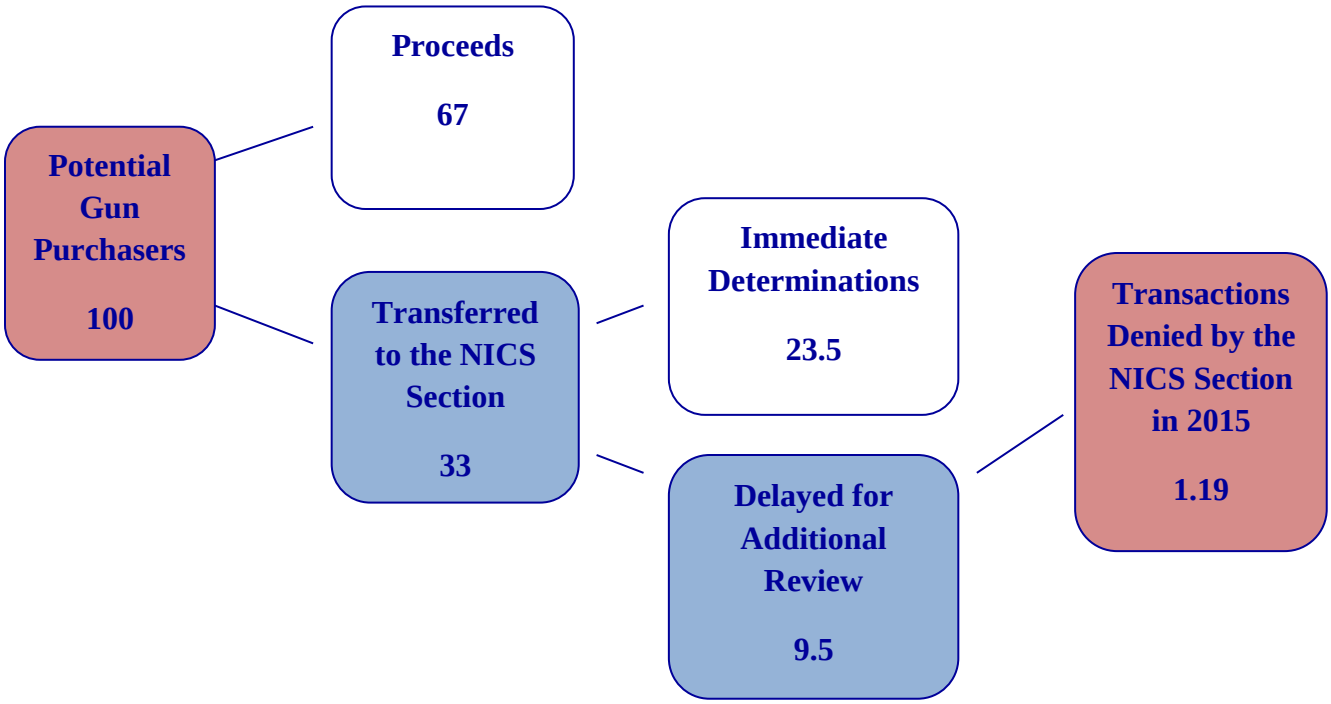




Out of One Hundred Checks

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, 2015, approximately 9.5 percent of all transactions processed were given an initial delay status.

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.



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 2015, the NICS Section referred 2,892 firearm retrieval actions to the ATF.

NICS Appeals and Voluntary Appeal File (VAF)

In 2015, approximately 1.19 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.

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 113,500 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 32,000 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 2015, the NICS Section received a total of 32,040 initial VAF applications and appeal requests. Of these, 1,083 received were submitted by persons denied by POC state agencies. In 2015, the NICS Section’s research resulted in the overturn of 3,625 deny transactions.

The primary reason for the overturned deny decisions in 2015 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>, appellants can electronically begin appealing the reason they were delayed or denied the right to possess or receive a firearm.

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, 2015, the NICS Section has processed a total of 1,068,078 explosives background checks. Of these, the NICS Section processed 124,439 explosives background checks in 2015 (refer to NICS E-Check chart on page 9). In 2015, the NICS Section denied 2,128 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 285 NRC background checks in 2015.

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.

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.

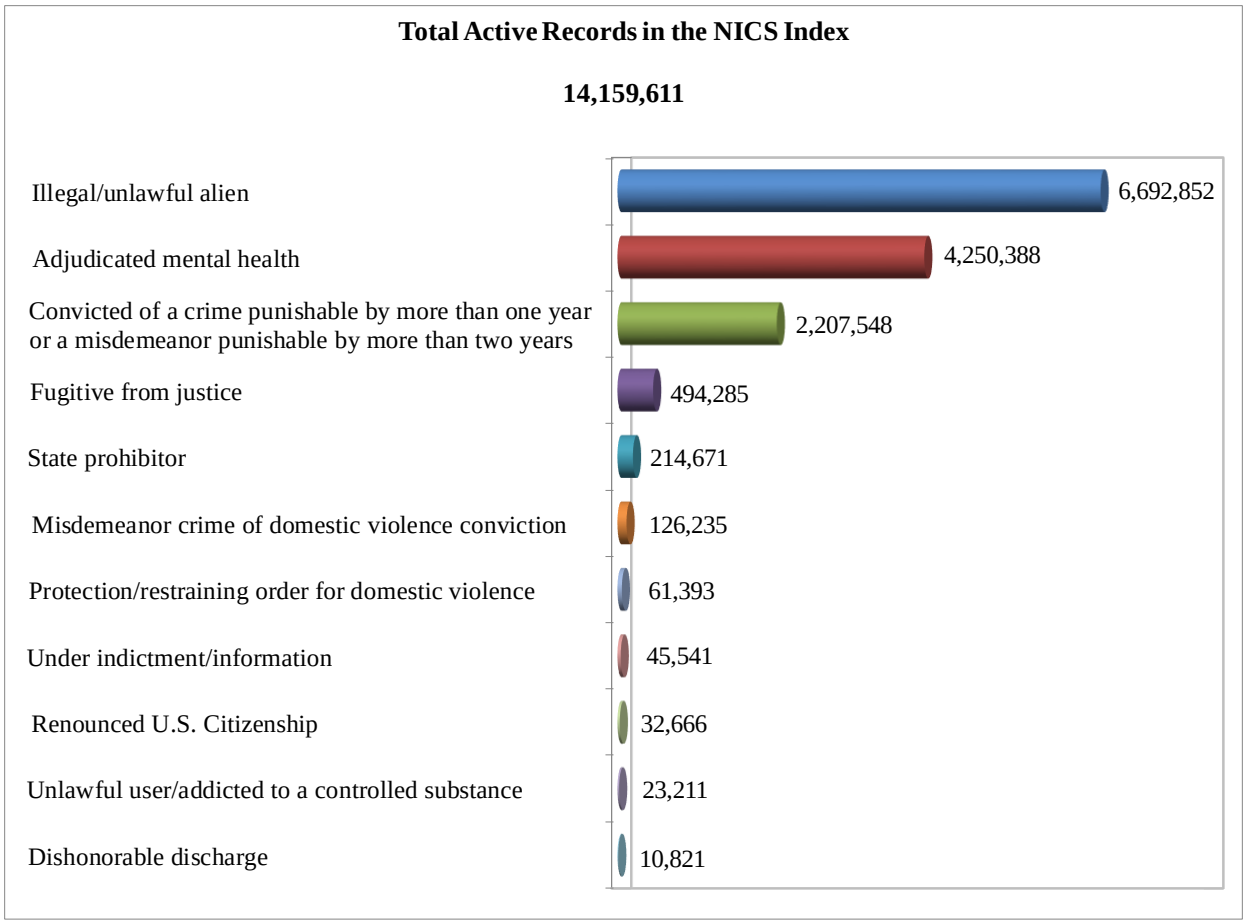
The NICS recently established an alternative electronic means to submit disqualifying information to the NICS Index via the Internet. Becoming effective in January 2015, a data transfer mode through the Law Enforcement Enterprise Portal (LEEP) connection to NICS via the NICS E-Check was made available for agencies that possessed no direct NCIC access. The process equips qualified agencies with the ability to enter, modify, supplement, and cancel NICS Index entries. An application for utilization of the LEEP process must be submitted and approved by the FBI. An Originating Record Identifier (ORI) is required for agencies to enter data into the NICS Index. Agencies not currently possessing a qualified ORI may inquire with the NICS Section for further assistance. Once an account is established, approved agencies have the ability to submit entries in “real time" to the NICS Index. The agency contributing data into the NICS Index is responsible for the accuracy and validity the information and will become part of the CJIS Audit process.

Since the inception of the LEEP process, many state and federal agencies have opted for sharing information with the NICS. In 2015, approximately 12 states, some containing multiple agencies within that state, and 7 federal agencies have elected to use

LEEP as their method for entering information into the NICS Index. A LEEP application may be obtained by accessing <https://www.cjis.gov/CJISEAI/EAIController>.

Active Records in the NICS Index

A continuing goal of the NICS Section in 2015 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, 2015, the NICS Index records total 14,159,611, which includes the 1,278,388 record increase during 2015.



Success, Outreach, and the Future

The NICS Section closed 2015 with many 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 900,000 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 15,000 dispositions in 2015. In addition, 248,239 dispositions obtained by NICS Section staff were shared with the states to assist with records maintenance at the state level. Of these, more than 15,250 dispositions were obtained in 2015.

The Disposition of Firearms (DOF) became effective on January 20, 2015. In summary, a DOF firearm background check may be conducted when a law enforcement agency removes a firearm from an individual and takes the firearm into their control. A firearm background check may be conducted to determine an individual's eligibility to possess or receive a firearm prior to returning it. In 2015, a total of 20,898 DOF firearm background checks consisting 16,312 handguns and 4,586 long guns were processed by 32 states and 12 federal agencies. Approximately, 875 DOF firearm background checks denials were reported to the NICS Section in 2015.

The NICS Section continued to offer outstanding training opportunities for NICS users in 2015 as training was provided to more than 2,428 attendees from 23 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.

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.

Progress on the modernization of the NICS continued in 2015. 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 deployment and testing continues with focus on upgrading software versions, user interface efficiencies, and a partial roll-back option. The New NICS is planned for a late summer deployment.

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. Once the initial operating capability is achieved, a baseline and schedule will be established for FOC. 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 Public Access Line (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 124 Customer Service Representatives (CSR), seven Supervisory Special Agents (SSA), one Supervisory Special Agent/Unit Chief, three Management and Program Analysts and one Management and Program Assistant. 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. Fifty two of the Field Offices have been brought on board: Albany, Albuquerque, Anchorage, Atlanta, Birmingham, Buffalo, Charlotte, Chicago, Cincinnati, Cleveland, Columbia, Dallas, Denver, Detroit, El Paso, Honolulu, Houston, Indianapolis, Jackson, Jacksonville, Kansas City, Knoxville, Las Vegas, Little Rock, Los Angeles, Louisville, Memphis, 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 the Weapons of Mass Destruction.