

FBI Criminal Justice Information Services Division
National Instant Criminal Background Check System (NICS)
Active Entries in the NICS Indices as of January 3, 2023

Quick Reference Information

The NICS Indices contain information provided by federal, state, local, and tribal agencies of persons prohibited from receiving firearms under federal or state law. If the information is available in the National Crime Information Center (NCIC) or the Interstate Identification Index (III), entry into the NICS Indices is not always necessary; **therefore, certain categories within the NICS Indices may show minimal or no participation by a federal or state agency.**

NICS Indices Categories and Participation

1. Felony—the number of entries in this category **might be low or nonexistent**, because the best location for the information is III. A NICS Indices entry would be ideal if the felony conviction information is not available in III.
2. Under Indictment/Information—the number of entries in this category **might be low or nonexistent** because arrest information may be found in III.
3. Fugitive from Justice—the number of entries in this category **might be low or nonexistent** because, ideally, warrants are contained in NCIC.
4. Unlawful User/Addicted to a Controlled Substance—this information may be found in III; however, if a qualifying conviction is not found or does not exist, but the prohibition has been established, the NICS Indices is an alternative.
5. Adjudicated Mental Health—since most information for this prohibition is not available in III, there is the expectation for the number of entries in this category to be elevated.
6. Illegal/Unlawful Alien—the U.S. Immigration and Customs Enforcement (ICE) makes the majority of the entries; therefore, the number of entries in this category by other federal agencies or the states **should be low or nonexistent**.
7. Dishonorable Discharge—the U.S. Department of Defense (DoD) makes entries; therefore, the number of entries in this category by other federal agencies or the states **should be low or nonexistent**.
8. Renounced U.S. Citizenship—the U.S. Department of State (DOS) makes entries; therefore, the number of entries in this category by other federal agencies or the states **should be low or nonexistent**.
9. Protection/Restraining Order for Domestic Violence—the number of entries in this category **might be low or nonexistent** because protection order information ideally is contained in NCIC.
10. Misdemeanor Crimes of Domestic Violence (MCDV)—this information may be found in III; however, if the prohibiting information is unable to be updated to III, the NICS Indices is an alternative.
11. State Prohibitor or Court-Ordered Firearm Restriction—these prohibitors include individuals who are prohibited based on state law or who have a court order prohibiting firearms.

**Active Entries in the NICS Indices
As of January 3, 2023**

<u>State/Territory</u>	Felony	Under Indictment/Information	Fugitive from Justice	Unlawful User/Added to a Controlled Substance	Adjudicated Mental Health	Illegal/Unlawful Alien	Dishonorable Discharge	Renounced U.S. Citizenship	Protection Restraining Order for Domestic Violence	Misdemeanor Crime of Domestic Violence	State Prohibitor or Court-Ordered Firearm Restriction	Totals
Alabama	1	1	0	0	15,899	0	0	0	0	1	1	15,903
Alaska	3,267	0	0	5	937	0	0	0	1,788	751	61	6,809
American Samoa	0	0	0	0	0	0	0	0	0	0	0	0
Arizona	614	0	0	0	57,678	0	0	0	0	3	449	58,744
Arkansas	14,635	0	0	2	5,853	5	0	0	5	3,747	0	24,247
California	10,935	4	1	1	1,197,677	16	2	0	13	15,973	839,322	2,063,944
Colorado	25	0	0	3	129,136	1	0	0	381	592	45	130,183
Connecticut	405,708	61	73	1,047	90,800	3	0	0	3	35,407	93,081	626,183
Delaware	6	0	0	112	17,970	0	0	0	0	3	56	18,147
Florida	69,093	58	1	113	211,715	4	0	0	16	419	12,679	294,098
Georgia	0	0	0	30	18,461	2	0	0	0	1	0	18,494
Guam	0	0	0	0	0	0	0	0	0	0	0	0
Hawaii	6	0	0	20	10,106	0	0	0	0	16	97	10,245
Idaho	0	0	0	0	41,908	0	0	0	0	1	1	41,910
Illinois	38,752	6,664	92	910	68,860	103	73	28	941	6,966	56,716	180,105
Indiana	545,946	4	0	2	17,029	1	0	0	6	18,061	6,708	587,757
Iowa	164	23	1	30	63,206	10	5	0	86	234	15,726	79,485
Kansas	1	0	2	4,933	8,472	0	0	0	2	10,162	643	24,215
Kentucky	4,597	39	0	22	54,002	0	0	0	0	926	0	59,586
Louisiana	613,683	142,375	0	16,737	13,444	1	0	0	7,145	45,744	11,565	850,694
Maine	82,352	3,742	0	649	6,356	0	0	0	0	3,811	2,863	99,773
Mariana Islands	0	0	0	0	0	0	0	0	0	0	0	0
Maryland	35	1	0	18	20,240	0	0	0	2	0	12,017	32,313
Massachusetts	276,847	103	0	44	71,920	0	0	0	0	2,441	506,427	857,782
Michigan	504	19	12	875	175,102	1	2	0	288	78	973	177,854
Minnesota	94	1	9	1,020	95,602	0	0	0	53	104	4,142	101,025
Mississippi	0	1	0	1	29,398	0	0	0	0	0	0	29,400
Missouri	1	0	0	1	60,129	0	0	0	0	0	0	60,131
Montana	1	0	0	0	36	0	0	0	0	1	0	37
Nebraska	15	2	1	1	34,574	1	0	0	0	4,109	3,158	41,861
Nevada	2,223	0	1	20	12,518	0	1	0	669	3,482	137	19,051
New Hampshire	164,587	0	0	934	683	0	0	0	0	15,634	1	181,839
New Jersey	40	0	0	0	542,075	34	0	0	29	43	0	542,221
New Mexico	263,935	0	0	3	40,560	0	0	0	2,268	28,277	8,246	343,289
New York	1	1	0	1	940,987	0	0	0	54,349	428	1,063,368	2,059,135
North Carolina	324,868	32	19	26	463,229	16	38	2	289	2,179	570	791,268
North Dakota	0	0	0	0	7,912	0	0	0	0	1	0	7,913
Ohio	2	0	0	120	79,041	0	0	0	6	1	75	79,245
Oklahoma	3,410	0	0	0	10,443	0	0	0	1	217	0	14,071
Oregon	0	1	0	1	43,363	0	0	0	0	0	1	43,366
Pennsylvania	349,806	5	0	762	1,018,735	1	2	0	0	96	122,550	1,491,957
Puerto Rico	29,182	1,384	0	0	0	0	0	0	0	0	0	30,566
Rhode Island	0	0	0	1	2,640	0	0	0	0	0	2	2,643
South Carolina	2,977	21,282	0	1,583	114,189	0	1	0	20	7	4,590	144,649
South Dakota	2	0	0	0	2,156	0	0	0	0	0	0	2,158
Tennessee	15	0	0	3	79,941	0	0	0	1	9	0	79,969
Texas	99,866	0	0	0	344,257	14	1	0	0	53	4	444,195
Utah	49	132	0	188	17,334	0	0	0	543	514	1,349	20,109
Vermont	31,832	0	0	8	3,192	0	0	0	0	1	811	35,844
Virgin Islands	0	0	0	0	0	0	0	0	0	0	0	0
Virginia	242,979	21	0	253	340,431	0	0	0	4	3,877	64,567	652,132
Washington	1,672	66	58	99	172,258	65	5	4	2,472	627	6,232	183,558
West Virginia	2	3	0	1	79,810	3	0	0	0	0	1	79,820
Wisconsin	142	1	0	503	51,010	0	0	1	0	375	0	52,032
Wyoming	45	1	0	55	22	0	0	0	0	65	0	188
Totals	3,584,916	176,027	270	31,137	6,883,296	281	130	35	71,380	205,437	2,839,234	13,792,143

Active Entries in the NICS Indices
As of January 3, 2023

<u>Federal Agencies</u>	Felony	Under Indictment/Information	Fugitive from Justice	Unlawful User/Addicted to a Controlled Substance	Adjudicated Mental Health	Illegal/Unlawful Alien	Dishonorable Discharge	Renounced U.S. Citizenship	Protection/Restraining Order for Domestic Violence	Misdemeanor Crime of Domestic Violence	State Prohibitor or Court-Ordered Firearm Restriction	Totals
Amtrak Railroad Police	0	0	0	0	0	0	0	0	0	0	10	10
Capitol Police, U.S.	0	0	0	1	0	0	0	0	0	0	0	1
Department of Agriculture, U.S.	275	0	0	0	0	0	0	0	0	0	0	275
<u>Department of Defense</u>												
Air Force Office of Special Investigations, U.S.	7,667	283	1	7,652	19	0	1,339	0	1	423	0	17,385
Army, U.S.	20,554	285	46	12,144	14	0	6,856	0	0	866	0	40,765
Defense Intelligence Agency, U.S.	0	0	0	9	0	0	0	0	0	0	0	9
Department of Defense, U.S.	238	90	0	0	1	0	5,125	0	0	0	0	5,454
Marines, U.S.	1,806	33	0	754	6	3	1,534	0	3	150	0	4,289
National Security Agency, U.S.	1	0	0	32	0	0	0	0	0	0	0	33
Naval Criminal Investigative Service, U.S.	5,743	26	0	1,834	26	0	4,432	0	2	378	0	12,441
Navy, U.S.	0	0	0	0	2	0	0	0	0	0	0	2
Pentagon Force Protection Agency	1	0	0	32	1	0	0	0	0	0	0	34
Department of Education, U.S.	54	0	0	0	1	0	0	0	0	0	0	55
Department of Energy, U.S.	0	0	0	0	1	0	0	0	0	0	0	1
Department of Health and Human Services, U.S.	1,074	30	0	0	17	3	0	0	0	0	59	1,183
<u>Department of Homeland Security</u>												
Coast Guard, U.S.	59	10	0	191	0	1	32	0	1	5	0	299
Customs and Border Protection, U.S.	0	0	0	0	0	2,302,012	0	0	0	0	0	2,302,012
Federal Protective Service, U.S.	0	0	0	9	0	0	0	0	0	0	0	9
Immigration and Customs Enforcement, U.S.	0	0	0	0	0	10,169,391	0	0	0	0	0	10,169,391
Secret Service, U.S.	4	0	0	275	800	0	0	0	1	1	1	1,082
Department of Housing and Urban Development, U.S.	99	29	0	0	0	0	0	0	0	0	0	128
Department of Interior, U.S.	2	2	0	0	1	0	0	0	0	0	0	5
<u>Department of Justice</u>												
Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S.	56	17	0	57	111	58	1	0	5	48	3	356
Department of Justice, U.S.	1	0	0	0	0	4	0	0	0	3	0	8
Drug Enforcement Administration, U.S.	0	0	0	0	0	92	0	0	0	0	0	92
Federal Bureau of Investigation, U.S.	12,294	7,329	6	2,069	1,691	10,094	41	0	480	53,688	19,083	106,775
Federal Prosecuting Attorneys	1,463,080	52,924	0	174	1,156	47,847	0	0	0	173	0	1,565,354
Marshals, U.S.	0	0	0	0	1	0	0	0	0	0	0	1
Department of Labor, U.S.	22	26	0	0	0	0	0	0	0	0	0	48
Department of State, U.S.	1	0	0	0	8	18	0	61,014	0	0	0	61,041
Department of Transportation, U.S.	1	0	0	0	2	2	0	0	0	0	0	5
Department of the Treasury, U.S.	4	1	0	0	0	0	0	0	0	0	1	6
<u>District of Columbia</u>												
Court Services & Offender Supervision Agency D.C., U.S.	0	0	0	2,226	0	0	0	0	0	0	0	2,226
District of Columbia	1	0	0	0	1,774	0	3	0	0	0	0	1,778
Environmental Protection Agency, U.S.	2	0	0	0	0	0	0	0	0	0	0	2
Export-Import Bank of the U.S.	4	0	0	0	0	2	0	0	0	0	0	6
Federal Deposit Insurance Corporation	78	32	0	0	0	0	0	0	0	0	0	110
Federal Housing Finance Agency	432	141	5	0	0	0	0	0	0	0	0	578

Active Entries in the NICS Indices As of January 3, 2023												
<u>Federal Agencies continued</u>	Felony	Under Indictment/Information	Fugitive from Justice	Unlawful User/Addicted to a Controlled Substance	Adjudicated Mental Health	Illegal/Unlawful Alien	Dishonorable Discharge	Renounced U.S. Citizenship	Protection/Restraining Order for Domestic Violence	Misdemeanor Crime of Domestic Violence	State Prohibitor or Court-Ordered Firearm Restriction	Totals
General Services Administration	47	11	0	0	0	0	0	0	0	0	0	58
Internal Revenue Service	56,543	0	0	0	0	7	0	0	0	0	0	56,550
National Aeronautics and Space Administration, U.S.	0	0	0	0	0	0	0	0	0	0	1	1
Postal Service, U.S.	1,361	1,147	2	0	0	7	0	0	0	0	11	2,528
Railroad Retirement Board, U.S.	102	1	0	0	3	0	0	0	0	0	0	106
Small Business Administration	4	5	0	0	0	0	0	0	0	0	0	9
Social Security Administration, U.S.	491	50	0	0	1	1	0	0	0	0	16	559
Veterans Affairs Department, U.S.	0	0	0	0	261,168	0	0	0	0	0	14	261,182
Totals	1,572,101	62,472	60	27,459	266,804	12,529,542	19,363	61,014	493	55,735	19,199	14,614,242

Active Entries in the NICS Indices As of January 3, 2023												
<u>Others</u>	Felony	Under Indictment/Information	Fugitive from Justice	Unlawful User/Addicted to a Controlled Substance	Adjudicated Mental Health	Illegal/Unlawful Alien	Dishonorable Discharge	Renounced U.S. Citizenship	Protection/Restraining Order for Domestic Violence	Misdemeanor Crime of Domestic Violence	State Prohibitor or Court-Ordered Firearm Restriction	Totals
American Indian or Alaska Native Tribe	186	0	0	0	13	0	0	0	41	201	43	484
District Court, U.S.	0	0	0	0	25	0	0	0	0	0	0	25
Pretrial Services for D.C., U.S.	0	0	0	864	0	0	0	0	0	0	0	864
Totals	186	0	0	864	38	0	0	0	41	201	43	1,373

Active Entries in the NICS Indices As of January 3, 2023												
<u>Total Entries</u>	Felony	Under Indictment/Information	Fugitive from Justice	Unlawful User/Addicted to a Controlled Substance	Adjudicated Mental Health	Illegal/Unlawful Alien	Dishonorable Discharge	Renounced U.S. Citizenship	Protection/Restraining Order for Domestic Violence	Misdemeanor Crime of Domestic Violence	State Prohibitor or Court-Ordered Firearm Restriction	Totals
State/Territory	3,584,916	176,027	270	31,137	6,883,296	281	130	35	71,380	205,437	2,839,234	13,792,143
Federal Agencies	1,572,101	62,472	60	27,459	266,804	12,529,542	19,363	61,014	493	55,735	19,199	14,614,242
Others	186	0	0	864	38	0	0	0	41	201	43	1,373
Grand Totals	5,157,203	238,499	330	59,460	7,150,138	12,529,823	19,493	61,049	71,914	261,373	2,858,476	28,407,758

Active Entries in the NICS Indices as of January 3, 2023

The Brady Handgun Violence Prevention Act of 1993, Public Law 103-159, requires federal firearms licensees to request background checks on prospective firearm transferees. In 1998, the FBI established NICS to process these background checks. NICS queries three national databases for possible matches when conducting a NICS check. These databases are: (1) NCIC, which contains records of wanted persons, subjects of protection orders, and others who pose a threat to officer and public safety; (2) III, which provides access to criminal history records; and (3) the NICS Indices, which contain information on prohibited persons as defined by Title 18, United States Code (U.S.C.), section 922(g) or (n) or state law. The information in the NICS Indices is provided by federal, state, local, and tribal agencies. If the information is available in NCIC or III, entry into the NICS Indices is not always necessary. Therefore, certain categories within the NICS Indices may show minimal or no participation by a federal agency or a state.

In March 2018, Congress passed the Fix NICS Act (the Act), Public Law 115-141, title VI, which aimed to improve NICS by imposing two primary requirements with regard to making records available. First, the Act required federal departments and agencies to submit semi-annual certifications to the Attorney General indicating whether the agency is in compliance with the NICS record submission requirements. Second, the federal departments and agencies and the state governments were requested to establish four-year implementation plans, which were meant “to ensure maximum coordination and automated reporting or making available of records to the Attorney General, and the verification of the accuracy of those records.” The plans were to include annual benchmarks for a number of metrics. The basics of the implementation plans included reporting or making appropriate records available to NICS, identifying any gaps in record reporting, and verifying the accuracy of relevant records over the ten-year period.

Federal departments and agencies are expected to make all records available, which are used in background checks performed by NICS, and are relevant to the determination of whether a person is disqualified from possessing or receiving a firearm under 18 U.S.C. § 922(g) or (n). This can be accomplished through adding information to NCIC, III, or the NICS Indices. For state governments, making information available to the NICS Indices remains optional.

The categories in the NICS Indices mirror the prohibitions under 18 U.S.C. § 922(g) and (n) and include state prohibitions and court-ordered firearm restrictions. It is critical to note that the NICS Indices is ever-changing. Contributors add, cancel, and modify the NICS Indices entries with frequency. In addition, certain prohibitive categories contain an expiration date, which could necessitate the related information’s removal from the NICS Indices. Each contributor to the NICS Indices is responsible for the accuracy and validity of its own NICS Indices entries. It is important to note, not all federal agencies possess relevant records pursuant to the Act. Therefore, some federal agencies may have no submissions to the NICS Indices.

The following describes the cases in which an individual would be prohibited from possessing or receiving a firearm based on information contained in the NICS Indices:

Felony—Persons who have been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, or any state offense classified by the laws of the state as a misdemeanor and is punishable by imprisonment for a term exceeding two years, should be submitted to III to update the identity history summary with the level of conviction. In the event fingerprints are not captured at the time of arrest, entry into the NICS Indices is an alternative. If the arrest includes the submission of fingerprints, this information should be contained in III; therefore, there may be a low number or no entries in this category. The Department of Justice (DOJ) is undertaking the administrative burden for federal agencies by submitting convictions processed/prosecuted at the federal level to the NICS Indices.

Under Indictment/Information—Persons under indictment or information for a crime punishable by imprisonment for a term exceeding one year may be found in III or entered into the NICS Indices. However, information regarding individuals under indictment or information is not often found in III. Therefore, the NICS Indices is an alternative. Although this is a prohibitor, some states may have limited resources to make and maintain the NICS Indices entry for this temporary prohibition. The DOJ is undertaking the administrative burden for federal agencies by submitting indictments and informations processed/prosecuted to the NICS Indices.

Fugitive from Justice—The 18 U.S.C. § 922 (g)(2) prohibition refers to persons who are fugitives from justice and includes active misdemeanor or felony criminal warrants. All warrants are encouraged to be entered into NCIC, but when NCIC requirements are not met, and a wanted person has met the fugitive from justice criteria, entry into the NICS Indices is an alternative. Therefore, there may be a low number or no entries in this category. DOJ is undertaking the administrative burden for federal agencies by submitting prohibiting felony warrants for fugitive from justice to the NICS Indices.

Unlawful User/Addicted to a Controlled Substance—Persons who are unlawful users of or addicted to any controlled substance are potential candidates for the NICS Indices. This prohibitor may be found in III when there is a qualifying conviction. For controlled substance charges without a qualifying conviction, it must be established that the substance was a controlled substance (e.g., positive drug test or self-admitted use). Information, such as an incident/arrest report showing drug test results, often not found within III, may necessitate an entry into the NICS Indices. Since this is a temporary prohibition (one year), an expiration date is required to be established in the NICS Indices.

Adjudicated Mental Health—Information on persons adjudicated as a mental defective or involuntarily committed to a mental institution for treatment may be entered into the NICS Indices. Criminal cases with “Not Guilty by Reason of Insanity” qualify for entry into III. If this information is not made available to III, entry into the NICS Indices is an alternative. Civil cases would not be available on III and may qualify for entry into the NICS Indices. Documents relevant to this prohibitor include judgment and commitment orders, sentencing orders, and court agency records of adjudications of the individual’s inability to manage his or her own affairs if such adjudication is based on marked subnormal intelligence or mental illness, incompetency, condition, or disease. Medical records containing mental health information are not required for this prohibitor.

Illegal/Unlawful Alien—Information on persons who are illegally or unlawfully in the United States may be entered into the NICS Indices and are typically made by ICE. Therefore, entry by other federal agencies or the states would be minimal to nonexistent in this category, unless additional information was discovered during research.

Dishonorable Discharge—Information on persons whose separation from the U.S. Armed Forces resulting from a dishonorable discharge or a dismissal adjudged by a general court martial is either found on III or typically entered into the NICS Indices by DoD or the appropriate branch of the military. Therefore, entry by other federal agencies or the states would be minimal to nonexistent in this category, unless additional information was discovered during research.

Renounced U.S. Citizenship—Persons who, having been a U.S. citizen, have renounced their U.S. citizenship either before a diplomatic consular officer of the United States in a foreign state or before an officer designated by the Attorney General when the United States is in a state of war may be entered into the NICS Indices. Entries in this category are typically made by DOS. Therefore, entry by other federal agencies or the states would be minimal to nonexistent in this category.

Protection/Restraining Order for Domestic Violence—Persons subject to a court order that restrains them from harassing, stalking, or threatening an intimate partner or child of such intimate partner, or from engaging in other conduct that would place the partner or child in reasonable fear of bodily injury may be entered into NCIC; however, if all NCIC requirements are unable to be met, entry into the NICS Indices is an alternative and may include an expiration date. If a state submits protection/restraining order information to NCIC, the NICS Indices entry is not necessary, therefore there may be a low number or no entries in this category. It should be noted that some states choose to make an entry to both NCIC and NICS Indices, which is encouraged.

MCDV—In order to determine the prohibition for MCDV, the convicting statute, subsection, and qualifying relationship of the individual to the victim are required. This information may be posted to III. When the information is unable to be posted to III, entry into the NICS Indices is an alternative. If an agency posts the final disposition and relationship information to III, there may be a low number or no entries in this NICS Indices category. However, if it is difficult to post this information (especially the relationship) to III, the NICS Indices is an alternative, which in turn may increase the number of entries in this category.

State Prohibitor or Court-Ordered Firearm Restriction—These prohibitors include individuals who are prohibited based on state law only. This category is unique to each state/territory and dependent upon state law. Also entered in this file are individuals who have a court order that prohibit firearm possession.