



# National Instant Criminal Background Check System (NICS) Section

## *Expanded Outreach for Potential Firearm Transfers to Individuals Under the Age of Twenty-one*



### Purpose of Outreach

Due to the passage of the Bipartisan Safer Communities Act of 2022 (hereinafter "Act"), public law 117-159, the NICS Section will conduct additional outreach for NICS background checks initiated at a federal firearms licensee when the potential firearm transferee is under the age of 21. The additional outreach is to determine if the person has juvenile criminal/delinquency information or juvenile mental health adjudications/commitments that may be disqualifying for the receipt or possession of firearms under subsection (d) of Title 18, United States Code, section 922. The Act directs NICS to immediately contact the criminal history repository or juvenile justice information system, as well as the appropriate state custodian of mental health adjudication information in which the person resides. In addition, the legislation requires NICS to contact local law enforcement agencies of the jurisdiction in which the person resides.

### Method of Outreach

When a NICS check is initiated for a potential firearm transferee under the age of 21, the NICS Section will send a request (sample provided) to the identified points of contact requesting relevant juvenile information. Outreach to the points of contact identified for the potential juvenile criminal/delinquency information and the juvenile mental health adjudication/commitment information will be conducted through the established method as directed by the individual agency (i.e. e-mail). Outreach to local law enforcement for juvenile information will be made to the appropriate law enforcement agency based on the city, state, county, and zip code combination of the address provided by the individual to the firearms dealer. These requests will be delivered via a National Crime Information Center (NCIC) \$.H.U21 unsolicited message.

### Your Response is Important

If your agency receives a request for potential juvenile information (sample provided), your timely response indicating potentially prohibiting information exists or may exist could make the difference to the safety of the individual and the safety of your community. If your agency determines prohibiting information is not available, or that your agency is not permitted to share juvenile information for firearm-eligibility determinations, a timely response advising of such is equally important. Agencies are asked to also share information on other potentially applicable federal, state, tribal, or local firearm prohibitions such as information establishing the potential firearm transferee as a current user of controlled substance, or a respondent of an extreme risk protection order, etc. The NICS Section is available at 844-265-6716 or [NICSLiaison@fbi.gov](mailto:NICSLiaison@fbi.gov) to assist agencies with questions regarding firearm prohibitions and/or discuss methods of making information available to NICS.

The sharing of juvenile criminal/delinquency and juvenile mental health adjudication/commitment information to NICS is only used for approved NICS purposes, Please consider any restriction imposed by state or agency laws before providing juvenile information when appropriate.

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### Example of Request for Potential Juvenile Information

*The following is an example of the request the NICS Section will send to the identified points of contact:*

In accordance with the Bipartisan Safer Communities Act, when individuals under 21 years of age seek the transfer of a firearm through a federal firearms licensee, the FBI's National Instant Criminal Background Check System (NICS) Section is required to contact your agency for information. We are primarily reaching out to you seeking relevant *juvenile* information on the subject below. However, if you have knowledge of or possess *any* information that could impact the subject's eligibility to receive a firearm, we request you provide such information as well or make us aware by emailing [NICS\\_U21@fbi.gov](mailto:NICS_U21@fbi.gov).

Please respond to this request within three business days, including the NICS Transaction Number (NTN) listed below. Please indicate whether your agency does/does not possess prohibiting information or whether your agency has knowledge of potentially prohibiting information.

Name Last, First M	NTN
Sex	
Race	
Date of Birth	
Place of Birth	
Height	Weight
Social Security Number	
Residence Address:	

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

*Please note (in regards to mental health adjudications): The Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule, Title 45, Code of Federal Regulations, section 164.512(k)(7), was amended in 2016 (81 Federal Register 382-01) to allow covered entities to disclose protected health information to the NICS without requiring the individual's consent, in order to report the identities of individuals who are prohibited from shipping, transporting, possessing, or receiving a firearm based on the federal "mental health prohibitor," Title 18, United States Code, section 922(g)(4).*

## Questions?

Contact the NICS Business and Liaison Unit at: 844-265-6716 or [NICSLiaison@fbi.gov](mailto:NICSLiaison@fbi.gov)

# JusticeConnect

## Law Enforcement Enterprise Portal (LEEP)

How to access the JusticeConnect communities related to the National Instant Criminal Background Check System (NICS):

- Log onto [www.cjis.gov](http://www.cjis.gov).
- On the homepage, select JusticeConnect (icon under “Services” or the JusticeConnect tab).
- Accept the terms and conditions.
- Confirm your profile information (*confirmation is only needed when first accessing*).
- Using the magnifying glass on the right, type “National Instant” in the search screen, and then select the **NICS** community.
- In the text-box, provide justification for membership and hit send (*only required when first accessing*).

NICS has main communities: **NICS** and **NICS Training**, and two sub-communities: **NICS Resources** and **VAF**. Note: The VAF is only needed to obtain information associated with the Unique Personal Identifier Numbers (UPIN) provided to successful Voluntary Appeals File applicants. Most information needed to assist with determining firearm eligibility is available in the **NICS Resources** sub-community:

- Reference pages for each state/federal/military/territory are in the **NICS Resources**—accessed by clicking on the interactive map.
- Training modules and guidance documents for the federal firearm prohibitions are in the **NICS Training** community and accessible through the *bookmarks* in the **NICS Resources**.

Note: After accessing the NICS communities a few times, a user may gain quicker access by selecting “JusticeConnect”, then “Communities”, and then “My Communities.”

Those with LEEP or Law Enforcement Online (LEO) access may continue to access the LEEP or LEO via their existing method. To apply for LEEP access, sign onto [www.cjis.gov](http://www.cjis.gov) and “Apply for an account.”

**NLETS AM TO BE SENT TO LAW ENFORCEMENT ON NOVEMBER 9, 2022 – U21 Implementation**

Beginning November 14, 2022, your agency may begin receiving requests from the National Instant Criminal Background Check System (NICS). NICS is the system utilized by gun dealers in your area to conduct checks on persons attempting to receive a firearm. The passage of the Bipartisan Safer Communities Act requires the FBI to contact local law enforcement agencies for individuals under the age of 21 who are attempting to receive a firearm. This contact will be made with the local law enforcement agency of the jurisdiction in which the person resides for the purpose of determining whether the person has a possibly disqualifying juvenile record under Title 18, United States Code, section 922(d). Please note, if you do find information you deem to be possibly prohibiting, your agency should forward the information to the NICS Section per the instructions on the message. If you have further questions, please contact the NICS Section's NICS Business Relations Team at 844-265-6716.